



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

TUESDAY, NOVEMBER 20, 2012 - 9:00 A.M.

**County Commission Chamber
Indian River County Administration Complex
1801 27th Street, Building A
Vero Beach, Florida, 32960-3388
www.ircgov.com**

COUNTY COMMISSIONERS

**Peter D. O'Bryan, Vice Chairman
Wesley S. Davis
Joseph E. Flescher
Tim Zorc
Bob Solari**

**District 4
District 1
District 2
District 3
District 5**

**Joseph A. Baird, County Administrator
Alan S. Polackwich, Sr., County Attorney
Jeffrey R. Smith, Clerk to the Board**

-
- | | | <u>9:00 A.M.</u> | <u>PAGE</u> |
|-----------|------------------------------------|--|--------------------|
| 1. | <u>CALL TO ORDER</u> | | |
| 2. | <u>INVOCATION</u> | Deputy Teddy Floyd, Indian River County Sheriff's Department | |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | Commissioner Bob Solari | |

OATH OF OFFICE BOARD OF COUNTY COMMISSION

The Honorable Judge Joe A. Wild, Indian River County, 19th Judicial Circuit Court of Florida

ELECTION OF BOARD OF COUNTY COMMISSION CHAIRMAN

ELECTION OF BOARD OF COUNTY COMMISSION VICE CHAIRMAN

4. **ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS**

5. **PROCLAMATIONS and PRESENTATIONS**

- A. Presentation of Proclamation Designating November 16 through November 22, 2012, as National Farm-City Week 1
- B. Presentation of Proclamation Honoring the Silver Celebration Activities Marking Environmental Learning Center's 25th Anniversary 2
- C. Presentation by Holly Dill, Executive Director, Environmental Learning Center, on 25th Anniversary Celebration January through April 2013
- D. Presentation by Mark Seagraves, Market Development Manager, Florida City Gas

6. **APPROVAL OF MINUTES**

None

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

None

8. **CONSENT AGENDA**

- A. Approval of Warrants – November 2, 2012 to November 8, 2012 (memorandum dated November 8, 2012) 3-9
- B. Annual Resolution re Signatories (memorandum dated November 13, 2012) 10-15
- C. Annual Resolution re Delegation of Authority Concerning Declarations of State of Local Emergencies and to Act in a State Declared Emergency Affecting Indian River County (memorandum dated November 13, 2012) 16-18

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
D.	Annual Resolution Delegating the Authority to the County Administrator or his designee, to execute Resolutions Calling Letters of Credit as Necessary during a Declared State of Local Emergency or Declared State of Florida Emergency Affecting Indian River County (memorandum dated November 13, 2012)	19-21
E.	Miscellaneous Budget Amendment 020 (memorandum dated November 13, 2012)	22-24
F.	Approval of Amendment No. 1 to Work Order No. 5-RR for the Rockridge Subdivision Surge Protection Project (memorandum dated November 9, 2012)	25-30
G.	FDOT Local Agency Program (LAP) Supplemental Agreement and Resolution authorizing the Chairman’s Signature, Old Dixie Highway Sidewalk from 8 th Street to 20 th Street, IRC Project No. 1102 – FM#: 425710-1-58-01 (memorandum dated November 2, 2012)	31-37
H.	FDOT Transportation Regional Incentive Program (TRIP) Agreement Amendment No. 1 and Resolution authorizing the Chairman’s signature, IRC Project No. 0545B – 66 th Avenue from SR-60 to 41 st Street, FM#: 425883-1-58-01 (memorandum dated October 29, 2012)	38-43

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

None

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

- | | | |
|----|---|-------|
| 1. | Consideration of Ordinance to Permit Licensed Sale of Alcoholic Beverages at the Indian River County Fairgrounds, the Future South County Intergenerational Recreation Center, and the Facility Formerly known as Dodgertown
(memorandum dated November 6, 2012) | 44-51 |
| | Legislative | |

B. PUBLIC DISCUSSION ITEMS

None

10.	<u>PUBLIC ITEMS</u>	<u>PAGE</u>
	C. <u>PUBLIC NOTICE ITEMS</u>	
	None	
 11.	 <u>COUNTY ADMINISTRATOR MATTERS</u>	
	A. Regular Meetings of the Board of County Commission, Proposed 2013 Meeting Dates (memorandum dated September 18, 2012)	52-53
 12.	 <u>DEPARTMENTAL MATTERS</u>	
	A. <u>Community Development</u>	
	None	
	B. <u>Emergency Services</u>	
	None	
	C. <u>General Services</u>	
	None	
	D. <u>Human Resources</u>	
	None	
	E. <u>Human Services</u>	
	None	
	F. <u>Leisure Services</u>	
	None	
	G. <u>Office of Management and Budget</u>	
	None	
	H. <u>Recreation</u>	
	None	
	I. <u>Public Works</u>	
	None	

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
J.	<u>Utilities Services</u>	
	1. Change Order No. 1 to IRC Bid No. 2012044 to south RO Plant Wonderware Software Upgrade (memorandum dated November 1, 2012)	54-57
	2. Rate Resolution for Sewer Only Accounts (memorandum dated November 6, 2012)	58-69
	3. Deposit Refunds for Long Term Tenants (memorandum dated November 6, 2012)	70-73
13.	<u>COUNTY ATTORNEY MATTERS</u>	
A.	Indian River County Committees – Member Reappointments (memorandum dated November 9, 2012)	74-81
14.	<u>COMMISSIONERS ITEMS</u>	
A.	<u>Commissioner Tim Zorc</u>	
	1. Discussion Regarding Economic Competition (memorandum dated November 14, 2012)	82
	2. Discussion Regarding Indian River Lagoon (memorandum dated November 14, 2012)	83
B.	<u>Commissioner Peter D. O’Bryan, Vice Chairman</u>	
	None	
C.	<u>Commissioner Wesley S. Davis</u>	
	None	
D.	<u>Commissioner Joseph E. Flescher</u>	
	None	
E.	<u>Commissioner Bob Solari</u>	
	None	

15. **SPECIAL DISTRICTS AND BOARDS**

PAGE

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 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 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.***

PROCLAMATION

DESIGNATING NOVEMBER 16 THROUGH NOVEMBER 22, 2012
AS NATIONAL FARM-CITY WEEK

WHEREAS, America's farmers and ranchers have been a vital thread in the tapestry of our nation since its founding, contributing to our public health, safeguarding our environmental resources and standing at the forefront of our country's path toward energy independence; and

WHEREAS, the connection between rural industries and urban market is stronger than ever, with Americans across the country finding ways to participate in and celebrate the importance of agriculture's and related industries' roles in providing healthy choices for everyone; and

WHEREAS, children in our local community and around the nation are learning about the origins of the food they eat and the many healthy food choices available to them by visiting farms and learning from dedicated, hard-working farmers and ranchers; and

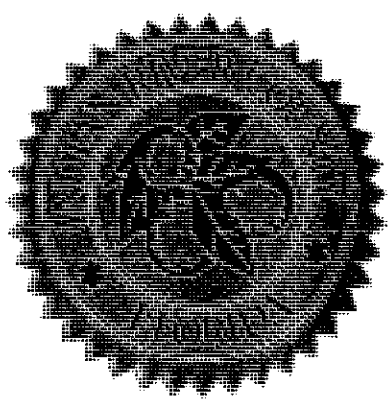
WHEREAS, our nation's farm and ranch families continue to feed our citizens here at home and around the globe, an accomplishment that underscores the importance of fostering robust and vibrant rural communities to support them; and

WHEREAS, farmers of every size and type that produce the abundance of healthy food choices that grace our tables are worthy of celebrating as we gather with family and friends this Thanksgiving.

NOW, THEREFORE, BE IT PROCLAIMED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA that November 16 - 22, 2012 be designated as **FARM-CITY WEEK** and calls upon the citizens of Indian River County as they gather with their families and friends to reflect on the accomplishments of those who dedicate their lives to producing our nation's agricultural abundance and engaging in environmental stewardship.

Adopted this 20th day of November, 2012.

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



Peter D O'Bryan

Joseph E. Flescher

Wesley S. Davis

Bob Solari

Tim Zorc

PROCLAMATION

5B

HONORING THE SILVER CELEBRATION ACTIVITIES MARKING ENVIRONMENTAL LEARNING CENTER'S 25th ANNIVERSARY

WHEREAS, the Environmental Learning Center (ELC) was founded in 1988 as a non-profit organization by a group of environmentally conscious pioneers from the Pelican Island Audubon Society. Now approaching its 25 year, the Board of Trustees, volunteers, members, and staff of the ELC are celebrating their accomplishments; and

WHEREAS, beginning in 1989, restored the 64-acre Wabasso Island Campus into a thriving habitat through the use of native plants and environmentally friendly landscape methods; and

WHEREAS, conducted a capital campaign to raise the necessary funds to design and construct the campus improvements, as well as establish an endowment; and

WHEREAS, constructed a Welcome Center with a gift shop, Discovery Station with exhibits, aquariums, and touch tank, three classrooms, administrative office, elevated boardwalks, outdoor classroom, teaching platform alongside the Indian River Lagoon, canoe launch facility, greenhouse, boat dock, and picnic pavilions; and

WHEREAS, received the highest certification from the Green Building Initiative in 2010 for the construction and energy efficiency of the Discovery Station and classroom buildings; and

WHEREAS, regularly recruits and trains on an annual basis nearly 200 volunteers who, in turn, provide environmental education to families from Indian River County; and

WHEREAS, employs ten individuals, including three environmental educators, on a year-round basis; and

WHEREAS, provides environmental education annually to over 3,000 elementary school children through a partnership with the School District of Indian River County that started in 1992; and

WHEREAS, offers environmental education to adults and families through such signature programs as pontoon boat excursions, canoe and kayak trips, green living workshops, summer ecology campus, and presentations on current environmental topics.

NOW, THEREFORE, BE IT PROCLAIMED by the Indian River County Board of County Commissioners that people of all ages are invited to participate in the **Environmental Learning Center's 25th Silver Anniversary Celebration** with experiences to uncover the many wonders of the Indian River Lagoon. Details about all of the Silver Celebration activities will be posted on the ELC's website: WWW.DiscoverELC.org.

Duly adopted this 20th day of November, 2012

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

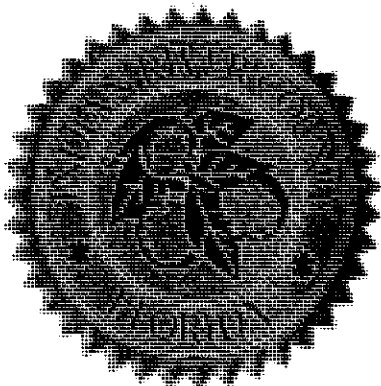
Joseph E. Flescher

Wesley S. Davis

Peter D. O'Bryan

Bob Solari

Tim Zorc



8A



JEFFREY R. SMITH

Clerk of Circuit Court and Comptroller
1801 27TH Street
Vero Beach, Florida 32961-1028

Telephone (772) 226-1945

TO: HONORABLE BOARD OF COUNTY COMMISSIONERS

DATE: November 8, 2012

SUBJECT: APPROVAL OF WARRANTS
November 2, 2012 to November 8, 2012

FROM: DIANE BERNARDO - FINANCE DIRECTOR

In compliance with Chapter 136.06, Florida Statutes, all warrants (checks and electronic payments) issued by the Board of County Commissioners are to be recorded in the Board minutes.

Approval is requested for the attached list of warrants, issued by the Comptroller's office, for the time period of November 2, 2012 to November 8, 2012.

Attachment:

DB: MS

CHECKS WRITTEN

<u>CHECK NBR</u>	<u>CK DATE</u>	<u>VENDOR</u>	<u>AMOUNT</u>
291401	11/7/2012	ILLINOIS STATE DISBURSEMENT UNIT	142.32
291402	11/7/2012	INTERNAL REVENUE SERVICE	50.00
291403	11/7/2012	CHAPTER 13 TRUSTEE	277.30
291404	11/7/2012	IRC FIRE FIGHTERS ASSOC	6,090.00
291405	11/7/2012	I R FEDERAL CREDIT UNION	42,187.19
291406	11/7/2012	MISDU MICHIGAN STATE	445.75
291407	11/7/2012	ADMIN FOR CHILD SUPPORT ENFORCEMENT	198.92
291408	11/7/2012	ADMIN FOR CHILD SUPPORT ENFORCEMENT	201.62
291409	11/7/2012	ADMIN FOR CHILD SUPPORT ENFORCEMENT	112.50
291410	11/7/2012	OHIO CHILD SUPPORT	207.22
291411	11/7/2012	ECMC	138.15
291412	11/8/2012	PORT CONSOLIDATED INC	734.93
291413	11/8/2012	PARKS RENTAL & SALES INC	300.85
291414	11/8/2012	STURGIS LUMBER & PLYWOOD CO	79.00
291415	11/8/2012	DAVES COMMUNICATIONS/ELECTRONIC	20.00
291416	11/8/2012	PRAXAIR DISTRIBUTION SOUTHEAST LLC	29.67
291417	11/8/2012	JORDAN MOWER INC	163.27
291418	11/8/2012	COPYCO INC DBA	109.21
291419	11/8/2012	RICOH USA INC	94.90
291420	11/8/2012	STEWART MINING INDUSTRIES INC	361.18
291421	11/8/2012	AT&T WIRELESS	536.64
291422	11/8/2012	DATA FLOW SYSTEMS INC	3,709.90
291423	11/8/2012	LIGHTSOURCE IMAGING SOLUTIONS LLC	112.00
291424	11/8/2012	PARALEE COMPANY INC	640.00
291425	11/8/2012	COLD AIR DISTRIBUTORS WAREHOUSE	253.86
291426	11/8/2012	E-Z BREW COFFEE & BOTTLE WATER SVC	17.97
291427	11/8/2012	GRAINGER	83.78
291428	11/8/2012	MCMASTER CARR SUPPLY CO	174.49
291429	11/8/2012	AMERIGAS EAGLE PROPANE LP	2,771.93
291430	11/8/2012	MIKES GARAGE & WRECKER SERVICE INC	195.00
291431	11/8/2012	DAILY COURIER SERVICE	1,208.00
291432	11/8/2012	GAYLORD BROTHERS INC	109.44
291433	11/8/2012	ALLIED ELECTRONICS INC	142.51
291434	11/8/2012	MEEKS PLUMBING INC	150.00
291435	11/8/2012	RELIABLE SEPTIC AND SERVICE	45.00
291436	11/8/2012	HD SUPPLY WATERWORKS, LTD	2,978.74
291437	11/8/2012	PETES CONCRETE	2,575.00
291438	11/8/2012	EGP INC	776.00
291439	11/8/2012	VERO INDUSTRIAL SUPPLY INC	976.19
291440	11/8/2012	BRODART COMPANY	115.00
291441	11/8/2012	PROFORMA IMAGING	41.40
291442	11/8/2012	TIRESOLES OF BROWARD INC	698.12
291443	11/8/2012	ABCO GARAGE DOOR CO INC	101.50
291444	11/8/2012	HOMELAND IRRIGATION	330.60
291445	11/8/2012	THE EXPEDITER	24.52
291446	11/8/2012	GENERAL PART INC	1,434.58
291447	11/8/2012	GOODYEAR AUTO SERVICE CENTER	49.00
291448	11/8/2012	BLAKESLEE SERVICES INC	710.00
291449	11/8/2012	BAKER & TAYLOR INC	7,512.17
291450	11/8/2012	MIDWEST TAPE LLC	172.27
291451	11/8/2012	LOWES CO INC	1,745.23
291452	11/8/2012	PENWORTHY COMPANY	459.03
291453	11/8/2012	SEBASTIAN OFFICE SUPPLY CO	43.16
291454	11/8/2012	HBEL INC	1,195.00
291455	11/8/2012	SUNSHINE REHABILITATION CENTER OF IRC INC	15.00
291456	11/8/2012	PING INC	614.70
291457	11/8/2012	CITY OF VERO BEACH	66,481.51
291458	11/8/2012	COMPBENEFITS COMPANY	236.54

<u>CHECK NBR</u>	<u>CK DATE</u>	<u>VENDOR</u>	<u>AMOUNT</u>
291459	11/8/2012	COLONIAL LIFE & ACCIDENT INS CO	105.96
291460	11/8/2012	UNITED PARCEL SERVICE INC	36.12
291461	11/8/2012	EBS CO INDUSTRIES INC	2,756.00
291462	11/8/2012	PETTY CASH	10.00
291463	11/8/2012	PETTY CASH	11.94
291464	11/8/2012	MATTHEW BENDER & CO INC	131.74
291465	11/8/2012	APCO INTERNATIONAL, INC	331.00
291466	11/8/2012	VETERANS INFORMATION SERVICE	100.00
291467	11/8/2012	JANITORIAL DEPOT OF AMERICA INC	1,368.20
291468	11/8/2012	TREASURE COAST HOMELESS SERVICES	8,298.01
291469	11/8/2012	INDIAN RIVER COUNTY UTILITIES	20,631.36
291470	11/8/2012	ACUSHNET COMPANY	216.27
291471	11/8/2012	AQUAGENIX	297.00
291472	11/8/2012	DUMONT COMPANY INC	5,315.00
291473	11/8/2012	INDIAN RIVER HABITAT FOR HUMANITY INC	3,538.75
291474	11/8/2012	MUNICIPAL CODE CORPORATION	701.19
291475	11/8/2012	COMO OIL COMPANY OF FLORIDA	22.93
291476	11/8/2012	RIVERFRONT HOTEL LLC	174.00
291477	11/8/2012	TIMOTHY ROSE CONTRACTING INC	19,029.74
291478	11/8/2012	CALLAWAY GOLF SALES COMPANY	1,765.34
291479	11/8/2012	FLORIDA POWER AND LIGHT	6,663.55
291480	11/8/2012	FLORIDA POWER AND LIGHT	6,054.74
291481	11/8/2012	ACUSHNET COMPANY	758.76
291482	11/8/2012	MIKE CLIFFORD	337.99
291483	11/8/2012	INDIAN RIVER COUNTY TAX COLLECTOR	1,743.46
291484	11/8/2012	PUBLIC DEFENDER	16,849.46
291485	11/8/2012	DYNAMIC BRANDS LLC	130.00
291486	11/8/2012	TAYLOR MADE GOLF CO INC	2,251.69
291487	11/8/2012	PEACE RIVER ELECTRIC COOP INC	300.00
291488	11/8/2012	NATIONAL GOLF FOUNDATION	275.00
291489	11/8/2012	JOSEPH A BAIRD	210.00
291490	11/8/2012	FLORIDA DEPT OF ENVIRONMENTAL PROTECTION	650.00
291491	11/8/2012	FLORIDA DEPT OF ENVIRONMENTAL PROTECTION	650.00
291492	11/8/2012	FLORIDA DEPT OF ENVIRONMENTAL PROTECTION	800.00
291493	11/8/2012	GERALD A YOUNG SR	75.00
291494	11/8/2012	EBS CO PUBLISHING INC	1,844.50
291495	11/8/2012	HENRY SMITH	53.00
291496	11/8/2012	INDIAN RIVER FARMS WATER CNTRL DIST	100.00
291497	11/8/2012	ALAN C KAUFFMANN	40.00
291498	11/8/2012	WESTSIDE REPROGRAPHICS OF VERO BEACH INC	74.10
291499	11/8/2012	ADVANCED XEROGRAPHICS IMAGING	14,000.00
291500	11/8/2012	LINDSEY MATHENY	60.00
291501	11/8/2012	TIM GEIB	100.00
291502	11/8/2012	THOMPSON TRACTOR	32.51
291503	11/8/2012	ENVISIONWARE INC	2,184.20
291504	11/8/2012	MIDWEST MOTOR SUPPLY CO	590.43
291505	11/8/2012	PUKKA INC	1,848.00
291506	11/8/2012	RUSSELL PAYNE INC	468.30
291507	11/8/2012	MUTUAL OF OMAHA	6,503.15
291508	11/8/2012	JOSEPH W VASQUEZ	83.00
291509	11/8/2012	RECYCLE FLORIDA TODAY INC	125.00
291510	11/8/2012	FL ASSOC OF COUNTY AGRICULTURAL AGENTS	100.00
291511	11/8/2012	RANDOM HOUSE INC	260.25
291512	11/8/2012	PAK MAIL CENTER	154.45
291513	11/8/2012	DAVINA MOBILE HOME INC	522.50
291514	11/8/2012	BEACHLAND CLEANING SERVICE	837.00
291515	11/8/2012	NEW ENGLAND HISTORIC	150.00
291516	11/8/2012	GLOVER OIL COMPANY INC	25,481.03
291517	11/8/2012	LARRY STEPHEN FAISON	60.00
291518	11/8/2012	EXTREME CONTROL SYSTEMS INC	1,091.14

<u>CHECK NBR</u>	<u>CK DATE</u>	<u>VENDOR</u>	<u>AMOUNT</u>
291519	11/8/2012	JOSE RIVERA	100.00
291520	11/8/2012	JOHN F BAER	787.00
291521	11/8/2012	OCE' NORTH AMERICA INC	8,253.79
291522	11/8/2012	KELLY J TURNER JR	60.00
291523	11/8/2012	CONSOLIDATED ELECTRICAL DISTRIBUTORS INC	35.24
291524	11/8/2012	KENNY CAMPBELL JR	160.00
291525	11/8/2012	COMMUNICATIONS BROKERS & CONSULTANTS INC	5.60
291526	11/8/2012	BRIAN WYKOFF	60.00
291527	11/8/2012	SCNS INC	97.20
291528	11/8/2012	JOHNNY B SMITH	83.00
291529	11/8/2012	DANE MACDONALD	83.00
291530	11/8/2012	ARTISTIC FIRST FLORIST	74.95
291531	11/8/2012	SPINNAKER VERO INC	786.30
291532	11/8/2012	ADAM PREUSS APPRAISAL SERVICES INC	3,147.50
291533	11/8/2012	GLOBALSTAR USA	96.06
291534	11/8/2012	CHARLES A WALKER	80.00
291535	11/8/2012	BENNETT AUTO SUPPLY INC	19.05
291536	11/8/2012	TREASURE COAST FOOD BANK INC	54.24
291537	11/8/2012	FLEETBOSS G P S INC.	25,158.00
291538	11/8/2012	K'S COMMERCIAL CLEANING	850.00
291539	11/8/2012	DAVID L HANCOCK	462.50
291540	11/8/2012	ROBERTA BARKER	65.88
291541	11/8/2012	FOXCROFT EQUIPMENT AND SERVICE COMPANT LLC	413.70
291542	11/8/2012	SANDY ARACENA	40.00
291543	11/8/2012	CON-AIR INDUSTRIES INC	61.56
291544	11/8/2012	BIOREM ENVIRONMENTAL INC	390.00
291545	11/8/2012	PROTOTEK CORP	691.00
291546	11/8/2012	MELVIN BUSH CONSTRUCTION INC	7,739.38
291547	11/8/2012	ALWAYS ON TIME ENTERPRISES INC	1,029.26
291548	11/8/2012	LYON FINANCIAL SERVICES INV	271.70
291549	11/8/2012	TREASURE COAST SWIMMING LLC	150.00
291550	11/8/2012	MDT PERSONNEL LLC	9,390.32
291551	11/8/2012	ATLANTIC COASTAL LAND TITLE CO LLC	75.00
291552	11/8/2012	KEMPER BUSINESS SYSTEMS	10.34
291553	11/8/2012	STEVEN A ABBOND	60.00
291554	11/8/2012	PACE ANALYTICAL SERVICES INC	5,823.00
291555	11/8/2012	DELRAY MOTORS	12.17
291556	11/8/2012	TREKKER TRACTOR LLC	99.62
291557	11/8/2012	AG SCAPE SERVICES INC	18,872.56
291558	11/8/2012	AMERICAN SOLUTIONS FOR BUSINESS	150.00
291559	11/8/2012	LINDSAY ADAMS	125.00
291560	11/8/2012	FLORIDA ENVIRONMENTAL CONSULTING INC	8,300.00
291561	11/8/2012	RAYMOND J DUCHEMIN	40.00
291562	11/8/2012	VIDACARE CORPORATION	1,988.31
291563	11/8/2012	JOEL SALZARULO	295.04
291564	11/8/2012	MONICA A SCHWARZ	60.00
291565	11/8/2012	KEITH GROCHOLL	60.00
291566	11/8/2012	HI TECH CYCLES	5,655.49
291567	11/8/2012	AHEAD LLC	714.26
291568	11/8/2012	GFA INTERNATIONAL INC	260.00
291569	11/8/2012	JOSHUA GHIZ	320.00
291570	11/8/2012	STASKI ENTERPRISES INC	500.00
291571	11/8/2012	THOMAS LOUGHLIN CONST CLEAN-UP INC	1,600.00
291572	11/8/2012	DIRT CHEAP PRODUCTS INC	384.00
291573	11/8/2012	JOES PAINTING	4,200.00
291574	11/8/2012	DIRECT GENERAL SUBROGATION UNIT	2,512.35
291575	11/8/2012	JOHN STEVENS	24.47
291576	11/8/2012	BARON MC ELROY	100.00
291577	11/8/2012	UT REFUNDS	71.23
291578	11/8/2012	UT REFUNDS	134.05

<u>CHECK NBR</u>	<u>CK DATE</u>	<u>VENDOR</u>	<u>AMOUNT</u>
291579	11/8/2012	UT REFUNDS	200.60
291580	11/8/2012	UT REFUNDS	74.58
291581	11/8/2012	UT REFUNDS	26.79
291582	11/8/2012	UT REFUNDS	36.44
291583	11/8/2012	UT REFUNDS	33.21
291584	11/8/2012	UT REFUNDS	55.92
291585	11/8/2012	UT REFUNDS	62.86
291586	11/8/2012	UT REFUNDS	28.68
291587	11/8/2012	UT REFUNDS	72.67
291588	11/8/2012	UT REFUNDS	38.07
291589	11/8/2012	UT REFUNDS	41.40
291590	11/8/2012	UT REFUNDS	88.25
291591	11/8/2012	UT REFUNDS	9.85
291592	11/8/2012	ut refunds	74.86
291593	11/8/2012	UT REFUNDS	39.50
291594	11/8/2012	UT REFUNDS	160.19
291595	11/8/2012	UT REFUNDS	120.39
291596	11/8/2012	UT REFUNDS	73.58
291597	11/8/2012	UT REFUNDS	149.90
291598	11/8/2012	UT REFUNDS	45.34
291599	11/8/2012	UT REFUNDS	8.85
291600	11/8/2012	UT REFUNDS	12.17
291601	11/8/2012	UT REFUNDS	68.22
291602	11/8/2012	UT REFUNDS	68.22
291603	11/8/2012	UT REFUNDS	100.00
291604	11/8/2012	UT REFUNDS	34.13
291605	11/8/2012	UT REFUNDS	71.76
291606	11/8/2012	UT REFUNDS	42.93
291607	11/8/2012	UT REFUNDS	73.58
291608	11/8/2012	UT REFUNDS	73.58
291609	11/8/2012	UT REFUNDS	39.50
291610	11/8/2012	UT REFUNDS	30.82
291611	11/8/2012	UT REFUNDS	51.90
291612	11/8/2012	UT REFUNDS	9.70
291613	11/8/2012	UT REFUNDS	21.48
291614	11/8/2012	UT REFUNDS	30.85
291615	11/8/2012	UT REFUNDS	16.69
291616	11/8/2012	UT REFUNDS	11.96
291617	11/8/2012	UT REFUNDS	100.00
291618	11/8/2012	UT REFUNDS	27.64
291619	11/8/2012	UT REFUNDS	62.86
291620	11/8/2012	UT REFUNDS	31.84
291621	11/8/2012	UT REFUNDS	19.09
291622	11/8/2012	UT REFUNDS	3.82
291623	11/8/2012	UT REFUNDS	73.58
291624	11/8/2012	UT REFUNDS	68.22
291625	11/8/2012	UT REFUNDS	72.67
<u>Grand Total:</u>			<u>426,534.78</u>

ELECTRONIC PAYMENTS - WIRE & ACH

<u>TRANS NBR</u>	<u>DATE</u>	<u>VENDOR</u>	<u>AMOUNT</u>
2151	11/2/2012	KIMLEY HORN & ASSOC INC	28,900.00
2152	11/2/2012	AGENCY FOR HEALTH CARE ADMIN	13,173.89
2153	11/2/2012	FL RETIREMENT SYSTEM	302,966.51
2154	11/2/2012	JMC SERVICES INC	41,853.85
2155	11/6/2012	IRS-PAYROLL TAXES	20,238.28
2156	11/7/2012	BENEFITS WORKSHOP	8,165.75
2157	11/7/2012	BENEFITS WORKSHOP	4,472.83
<u>Grand Total:</u>			<u>419,771.11</u>

ELECTRONIC PAYMENT - VISA CARD

<u>TRANS. NBR</u>	<u>DATE</u>	<u>VENDOR</u>	<u>AMOUNT</u>
1000285	11/2/2012	AT&T	274.10
1000286	11/2/2012	WASTE MANAGEMENT INC	941.07
1000287	11/5/2012	HENRY SCHEIN INC	809.00
1000288	11/5/2012	SAFETY PRODUCTS INC	1,600.00
1000289	11/5/2012	INDIAN RIVER BATTERY	349.00
1000290	11/5/2012	ARAMARK UNIFORM & CAREER APPAREL LLC	6.74
1000292	11/5/2012	CAPITAL OFFICE PRODUCTS	549.64
1000293	11/5/2012	AUTO PARTNERS LLC	6.15
1000294	11/5/2012	L&L DISTRIBUTORS	12.72
1000295	11/5/2012	S & S AUTO PARTS	100.86
1000298	11/6/2012	ARAMARK UNIFORM & CAREER APPAREL LLC	54.96
1000299	11/6/2012	BARKER ELECTRIC, AIR CONDITIONING	3,974.00
1000300	11/6/2012	OFFICE DEPOT BSD CUSTOMER SVC	568.09
1000301	11/6/2012	WASTE MANAGEMENT INC	1,801.17
1000302	11/7/2012	SAFETY PRODUCTS INC	452.04
1000303	11/7/2012	REPUBLIC SERVICES OF FLORIDA	350.09
1000304	11/7/2012	ALLIED UNIVERSAL CORP	6,642.22
1000305	11/7/2012	ARAMARK UNIFORM & CAREER APPAREL LLC	259.74
1000306	11/7/2012	COMMUNITY ASPHALT CORP	204.00
1000307	11/7/2012	FERGUSON ENTERPRISES INC	2,125.00
1000308	11/7/2012	FLAGLER CONSTRUCTION EQUIPMENT LLC	99.36
1000309	11/7/2012	S & S AUTO PARTS	205.69
1000310	11/8/2012	COMMUNICATIONS INTERNATIONAL	302.50
1000311	11/8/2012	SAFETY PRODUCTS INC	506.43
1000312	11/8/2012	REPUBLIC SERVICES OF FLORIDA	42.92
1000313	11/8/2012	THE GALE GROUP	656.17
1000314	11/8/2012	ALLIED UNIVERSAL CORP	3,343.68
1000315	11/8/2012	ARAMARK UNIFORM & CAREER APPAREL LLC	474.01
1000316	11/8/2012	JOHNSON CONTROLS INC	232.88
1000317	11/8/2012	FERGUSON ENTERPRISES INC	6,267.87
1000318	11/8/2012	SCRIPPS TREASURE COAST PUBLISHING LLC	221.70
1000319	11/8/2012	CAPITAL OFFICE PRODUCTS	153.89
1000320	11/8/2012	AUTO PARTNERS LLC	62.18
1000321	11/8/2012	S & S AUTO PARTS	159.84
Grand Total:			33,809.71



Office of
**INDIAN RIVER COUNTY
ATTORNEY**

Alan S. Polackwich, Sr., County Attorney
William K. DeBaal, Deputy County Attorney
Brooke W. Odom, Assistant County Attorney

MEMORANDUM

TO: The Board of County Commissioners
FROM: Alan S. Polackwich, Sr. – County Attorney *ASL*
DATE: November 13, 2012
SUBJECT: Annual Resolution re Signatories

In connection with the selection of a new Chairman and Vice Chairman, the Board of County Commissioners must adopt a resolution directing depositories of County funds to honor certain authorized signatures on County checks, warrants, and other orders for payment. Based on input from the Finance Office, the attached resolution has been prepared designating both the Chairman and Clerk as the authorized signatories and providing for facsimile signatures rather than manual signatures on all checks.

Funding:

There are no costs associated with this agenda item.

Requested Action:

Adopt the attached resolution and authorize the newly selected Chairman as well as the Clerk to sign the attached resolution and the respective Certificate of Facsimile Signature; and to instruct the Clerk to the Board of County Commissioners to transmit to the Department of State each original Certificate of Facsimile Signature which bears the original manual signatures of those Indian River County officers authorized to use facsimile signatures in lieu of manual signatures.

/nhm

Attachments: Resolution
Certificate of Facsimile Signature (2)

APPROVED FOR - 11-20-12
B.C.C MEETING - CONSENT AGENDA
[Signature]
COUNTY ATTORNEY

Indian River Co.	Approved	Date
Admin.	<i>[Signature]</i>	11/13/12
Legal	<i>[Signature]</i>	11.14.12
Budget	<i>[Signature]</i>	11/14/12
Dept.	-	-
Risk Mgr.	-	-

RESOLUTION NO. 2012-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, DIRECTING DEPOSITORIES OF COUNTY FUNDS TO HONOR CERTAIN AUTHORIZED SIGNATURES ON COUNTY CHECKS, WARRANTS, AND OTHER ORDERS FOR PAYMENT; PROVIDING FOR BOARD OF COUNTY COMMISSIONERS AND CLERK OF THE CIRCUIT COURT SIGNATORIES; RESCINDING THAT PORTION OF RESOLUTION NO. 2011-103 EFFECTIVE NOVEMBER 20, 2012 WHICH SPEAKS TO AUTHORIZED SIGNATURES ON COUNTY CHECKS, WARRANTS, AND OTHER ORDERS FOR PAYMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Code section 101.02.1, on November 20, 2012, the Board of County Commissioners of Indian River County ("Board") selected _____ as Chairman from November 20, 2012, and continuing through November 19, 2013; and

WHEREAS, Jeffrey R. Smith is the duly elected Clerk of the Circuit Court and Comptroller for Indian River County ("Clerk"), and he serves as clerk and accountant to the Board, pursuant to Section 28.12, Florida Statutes (2011); and

WHEREAS, the Board has previously designated certain institutions as depositories of County funds; and

WHEREAS, the Board's selection of Chairman requires a re-designation of signatories for County warrants, checks, and other orders for the payment of money drawn on the County's depositories; and

WHEREAS, the Board has determined that the existing financial practices concerning personnel policies and employee compensation eliminate the need to require manual signatures on salary and other compensation warrants, checks, and other orders payable to Board employees; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, as follows:

1. Previous designations by the Board of certain institutions as official depositories of County funds are hereby ratified and affirmed.
2. Manual signatures shall not be required on any checks, warrants, and other orders for the payment of money drawn in the name of the Board for the purpose of salary and other compensation to or for any Board employees.
3. Each designated depository of County funds is hereby authorized and directed to honor checks, warrants, and other orders for payment of money drawn in the name

of the Board, including those payable to the individual orders of any person or persons whose name or names appear thereon, when bearing both the facsimile signature of the Clerk, and the facsimile signature of the Chairman of the Board.

4. The manual and facsimile signatures of the herein designated officers appear on Exhibit "A" attached hereto and by this reference incorporated herein in its entirety.
5. The signatories named on the attached Exhibit "A" are hereby authorized to execute any and all signature cards and agreements as requested by the respective banking institutions designated as official depositories by the Board.
6. The use of facsimile signatures is authorized by Florida Statutes Section 116.34 (2010), the "Uniform Facsimile Signature of Public Officials Act."
7. Effective November 20, 2012, that portion of Resolution 2011-103 of the Indian River County Board of County Commissioners is hereby rescinded which speaks to authorized signatures on County checks, warrants, and other orders for payment.
8. The Clerk to the Board shall immediately file with the Department of State each Certificate of Facsimile Signature bearing the original manual signatures, at which point a facsimile signature of those officials signatory to Exhibit "A" of this Resolution shall have the same legal effect as a manual signature on any instrument of payment.

The Resolution was moved to adoption by Commissioner _____, and the motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Commissioner Bob Solari	_____
Commissioner Tim Zorc	_____
Commissioner Wesley S. Davis	_____
Commissioner Joseph E. Flescher	_____
Commissioner Peter D. O'Bryan	_____

The Chairman thereupon declared the Resolution duly passed and adopted this 20th day of November, 2012 with an effective date of November 20, 2012.

BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA

Attest: Jeffrey R. Smith, Clerk of
Circuit Court and Comptroller

By _____
Deputy Clerk

By _____
, Chairman

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY 
ALAN S. POLAGKWICH
COUNTY ATTORNEY

EXHIBIT "A"

Jeffrey R. Smith,
Clerk of Circuit Court and Comptroller

Actual

Facsimile

Indian River County Board of
County Commissioners Chairman: _____

Actual

Facsimile

CERTIFICATE FOR FACSIMILE SIGNATURE

(Section 116.34, Florida Statutes)

State of Florida

County of Indian River

I, Jeffrey R. Smith being
(print name as to be signed below)

Duly appointed as Clerk of Circuit Court and Comptroller of
(state complete title or position)

Indian River County, Florida

Do hereby file with the Secretary of State my official signature for the purpose of complying with Section 116.34, Florida Statutes, and do hereby certify that the signature below is true, correct and manually subscribed by me.

**UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE
READ THE FOREGOING OATH AND THAT THE FACTS STATED
IN IT ARE TRUE.**

Signature

Date signed

Jeffrey R. Smith

Print Name as signed

2000 16th Avenue

Business Address

Vero Beach, FL 32960

City

State

Zip Code

CERTIFICATE FOR FACSIMILE SIGNATURE

(Section 116.34, Florida Statutes)

State of Florida

County of Indian River

I, _____ being
(print name as to be signed below)

Duly appointed as Chairman of the Board of County Commissioners
(state complete title of position)

of Indian River County, Florida

Do hereby file with the Secretary of State my official signature for the purpose of complying with Section 116.34, Florida Statutes, and do hereby certify that the signature below is true, correct and manually subscribed by me.

**UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE
READ THE FOREGOING OATH AND THAT THE FACTS STATED
IN IT ARE TRUE.**

Signature

Date signed

Print Name as signed

1801 27th Street

Business Address

Vero Beach, FL 32960

City

State

Zip Code



Office of
**INDIAN RIVER COUNTY
ATTORNEY**

Alan S. Polackwich, Sr., County Attorney
William K. DeBrazal, Deputy County Attorney
Brooke W. Odom, Assistant County Attorney

MEMORANDUM

TO: The Board of County Commissioners
FROM: Alan S. Polackwich, Sr. – County Attorney *ASP*
DATE: November 13, 2012
SUBJECT: Annual Resolution re Delegation of Authority Concerning
Declarations of State of Local Emergencies and to Act in a
State Declared Emergency Affecting Indian River County

The attached resolution delegates to the County Administrator, or his designee, the authority to declare states of local emergencies and to act in a State of Florida declared emergency affecting Indian River County from November 20, 2012 through December 31, 2013.

Funding:

There are no costs associated with this agenda item.

Requested Action:

Adopt the attached resolution delegating authority to the County Administrator, or his designee, to declare states of local emergencies and to act in a state declared emergency affecting Indian River County effective from November 20, 2012 through December 31, 2013.

/nhm

Attachment: Resolution

APPROVED FOR 11-20-12
B.C.C MEETING - CONSENT AGENDA
[Signature]
COUNTY ATTORNEY

Indian River Co.	Approved	Date
Admin.	<i>[Signature]</i>	11/15/12
Legal	<i>ASP</i>	11-14-12
Budget	<i>[Signature]</i>	11/14/12
Dept.	-	-
Risk Mgr.	-	-

RESOLUTION NO. 2012-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, DELEGATING AUTHORITY TO THE COUNTY ADMINISTRATOR TO DECLARE STATES OF LOCAL EMERGENCIES AND TO ACT IN A STATE OF FLORIDA DECLARED EMERGENCY AFFECTING INDIAN RIVER COUNTY; RESCINDING THAT PORTION OF RESOLUTION NO. 2011-103 EFFECTIVE NOVEMBER 20, 2012 WHICH SPEAKS TO THE DELEGATION OF AUTHORITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board has determined that it is in the best interests of the County to delegate the authority to declare that a state of local emergency exists in Indian River County to the County Administrator acting as Indian River County Emergency Services District Director for any local emergency that may arise from November 20, 2012 through calendar year 2013; and

WHEREAS, the Board has determined that it is in the best interests of the County to delegate the authority to issue orders and rules, including Emergency Orders, during a State of Florida declared emergency affecting Indian River County to the County Administrator acting as Indian River County Emergency Services District Director for any declared emergency that may arise from November 20, 2012 through calendar year 2013.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, as follows:

1. That portion of Resolution 2011-103 of the Indian River County Board of County Commissioners as it speaks to delegation of authority is hereby rescinded in its entirety effective November 20, 2012.
2. Commencing November 20, 2012, and continuing through December 31, 2013, the Indian River County Administrator acting as Indian River County Emergency Services District Director, or his designee, is hereby delegated the authority: (i) to declare a state of local emergency for Indian River County pursuant to Florida Statutes section 252.38(3)(a)(5)(2010); and (ii) to issue orders and rules, including, without limitation, the ability to issue Emergency Orders for Indian River County, during a period of a declared emergency pursuant to any duly issued Executive Order concerning Emergency Management issued by the Governor of the State of Florida declaring that a disaster and/or emergency [as such terms are defined in Florida Statutes sections 252.34 (1) and (3) respectively] exists in Indian River County.

RESOLUTION NO. 2012-_____

The Resolution was moved to adoption by Commissioner _____, and the motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Commissioner Bob Solari	_____
Commissioner Tim Zorc	_____
Commissioner Wesley S. Davis	_____
Commissioner Joseph E. Flescher	_____
Commissioner Peter D. O'Bryan	_____

The Chairman thereupon declared the Resolution duly passed and adopted this 20th day of November, 2012 with an effective date of November 20, 2012.


BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA

Attest: Jeffrey R. Smith, Clerk of
Circuit Court and Comptroller

By _____
Deputy Clerk

By _____
, Chairman

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

BY 
**ALAN S. POLACKWICH
COUNTY ATTORNEY**



Office of
**INDIAN RIVER COUNTY
ATTORNEY**

Alan S. Polackwich, Sr., County Attorney
William K. DeBaal, Deputy County Attorney
Brooke W. Odom, Assistant County Attorney

MEMORANDUM

TO: The Board of County Commissioners

FROM: Alan S. Polackwich, Sr. – County Attorney *AS*

DATE: November 13, 2012

SUBJECT: Annual Resolution Delegating the Authority to the County Administrator or his designee, to execute Resolutions Calling Letters of Credit as Necessary during a Declared State of Local Emergency or Declared State of Florida Emergency Affecting Indian River County

The attached resolution delegates to the County Administrator, or his designee, the authority to execute resolutions calling letters of credit as necessary during a declared state of local emergency or declared State of Florida emergency affecting Indian River County from November 20, 2012 through December 31, 2013.

Funding:

There are no costs associated with this agenda item.

Requested Action:

Adopt the attached resolution delegating authority to the County Administrator, or his designee, to execute resolutions calling letters of credit as necessary during a declared state of local emergency or declared State of Florida emergency affecting Indian River County from November 20, 2012 through December 31, 2013.

/nhm

Attachment: Resolution

APPROVED FOR 11-20-12
B.C.C MEETING - CONSENT AGENDA
[Signature]
COUNTY ATTORNEY

Indian River Co.	Approved	Date
Admin.	<i>[Signature]</i>	11/15/12
Legal	<i>[Signature]</i>	11.14.12
Budget	<i>[Signature]</i>	11/14/12
Dept.		
Risk Mgr.	-	-

RESOLUTION NO. 2012-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, DELEGATING THE AUTHORITY TO THE COUNTY ADMINISTRATOR OR HIS DESIGNEE, TO EXECUTE RESOLUTIONS CALLING LETTERS OF CREDIT AS NECESSARY DURING A DECLARED STATE OF LOCAL EMERGENCY OR DECLARED STATE OF FLORIDA EMERGENCY AFFECTING INDIAN RIVER COUNTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 101.05.1.q of The Code of Indian River County allows the Board to authorize the County Administrator, or his designee, to perform other duties on behalf of the Board of County Commissioners; and

WHEREAS, various letters of credit are posted with the County to, among other things, guaranty performance or warranty of improvements as well as compliance and restoration of sand mines, and many letters of credit have certain call language requiring a resolution of the Board of County Commissioners declaring default or failure to post alternate security; and

WHEREAS, during a declared State of Local Emergency or declared State of Florida Emergency affecting Indian River County, it is very unlikely that the Board of County Commissioners would meet; and

WHEREAS, it is necessary to delegate specific authority to execute resolutions on behalf of the Board of County Commissioners to call letters of credit which might expire or otherwise require action to be taken during the period of such declared emergency; and

WHEREAS, it is necessary to delegate additional signing authority, not previously delegated by Florida Statutes, The Code of Indian River County, and Indian River County resolutions, to the County Administrator or his designee during the period of such declared emergency; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, that:

1. The County Administrator, or his designee, is hereby delegated the authority to execute resolutions on behalf of the Board of County Commissioners to call letters of credit which might expire or otherwise require action to be taken during the period of a declared state of local emergency or declared State of Florida emergency affecting Indian River County. Any resolutions executed by the County Administrator or his designee, to call letters of credit during any declared state of local emergency or State of Florida emergency affecting Indian River County are to be accompanied by a copy of this Resolution.

2. The Effective Date of this Resolution is November 20, 2012, and this Resolution shall continue in effect through calendar year 2013.

This Resolution was moved for adoption by Commissioner _____, and the motion was seconded by Commissioner _____, and, upon being put to a vote, the vote was as follows:

RESOLUTION NO. 2012-_____

Commissioner Bob Solari _____
Commissioner Tim Zorc _____
Commissioner Peter D. O'Bryan _____
Commissioner Wesley S. Davis _____
Commissioner Joseph E. Flescher _____

The Chairman thereupon declared this Resolution duly passed and adopted this 20th day of November, 2012.

BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA

By _____, Chairman

Attest: Jeffrey R. Smith, Clerk of Circuit
Court and Comptroller

By _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY 
ALAN S. POLACKWICH
COUNTY ATTORNEY

8E

Indian River County
Interoffice Memorandum

Office of Management & Budget

To: Members of the Board of County Commissioners

From: Jason E. Brown
Director, Office of Management & Budget

Date: November 13, 2012

Subject: Miscellaneous Budget Amendment 020

Description and Conditions

The attached budget amendment appropriates funding necessary for the following:

1. In accordance with general accepted accounting principles, an accounting entry is required to record houses held in inventory at yearend for the Neighborhood Stabilization Program (NSP). The attached entry appropriates funding for this expenditure in the amount of \$448,717 from NSP Program Income.

Staff Recommendation

Staff recommends that the Board of Commissioners approve the attached budget resolution amending the fiscal year 2011/2012 budget.


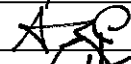
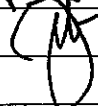
Attachment

Budget Amendment 020 and Resolution

APPROVED AGENDA ITEM:

BY: 
Joseph A. Baird
County Administrator

FOR: November 20, 2012

Indian River County	Approved	Date
Administrator		11/15/12
Legal		11-14-12
Budget		11/14/12
Department		
Risk Management		

RESOLUTION NO. 2012-_____

A RESOLUTION OF INDIAN RIVER COUNTY, FLORIDA,
AMENDING THE FISCAL YEAR 2011-2012 BUDGET.

WHEREAS, certain appropriation and expenditure amendments to the adopted Fiscal Year 2011-2012 Budget are to be made by resolution pursuant to section 129.06(2), Florida Statutes; and

WHEREAS, the Board of County Commissioners of Indian River County desires to amend the fiscal year 2011-2012 budget, as more specifically set forth in Exhibit "A" attached hereto and by this reference made a part hereof,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, that the Fiscal Year 2011-2012 Budget be and hereby is amended as set forth in Exhibit "A" upon adoption of this Resolution.

This Resolution was moved for adoption by Commissioner _____, and the motion was seconded by Commissioner _____, and, upon being put to a vote, the vote was as follows:

Commissioner Wesley S. Davis	_____
Commissioner Joseph E. Flescher	_____
Commissioner Peter D. O'Bryan	_____
Commissioner Bob Solari	_____
Commissioner Tim Zorc	_____

The Chairman thereupon declared this Resolution duly passed and adopted this _____ day of _____, 2012.

Attest: Jeffrey R. Smith
Clerk of Court and Comptroller

INDIAN RIVER COUNTY, FLORIDA
Board of County Commissioners

By _____
Deputy Clerk

By _____
Chairman

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY

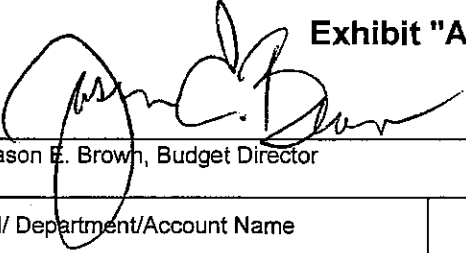


COUNTY ATTORNEY

Exhibit "A"

Resolution No. 2012-

Budget Office Approval:


Jason E. Brown, Budget Director

Budget Amendment: 020

Entry Number	Fund/ Department/Account Name	Account Number	Increase	Decrease
1.	Revenue			
	CDBG/Miscellaneous/Neighborhood Stabilization Program/Program Income	129038-369919-09128	\$448,717	\$0
	Expense			
	CDBG/Neighborhood Stabilization Program/Contra Assets Held for Resale	12913854-088059-09129	\$448,717	\$0

INDIAN RIVER COUNTY
PUBLIC WORKS DEPARTMENT
STORMWATER DIVISION
1801 27th STREET
VERO BEACH, FLORIDA 32960
Phone: (772) 226-1562



CONSENT

TO: Joseph A. Baird, County Administrator

THROUGH: Christopher R. Mora, P.E., Public Works Director *CM*

FROM: W. Keith McCully, P.E., Stormwater Engineer *WKM*

SUBJECT: **CONSENT AGENDA - APPROVAL OF AMENDMENT NO. 1 TO WORK ORDER NO. 5-RR FOR THE ROCKRIDGE SUBDIVISION SURGE PROTECTION PROJECT**

DATE: November 9, 2012

DESCRIPTION AND CONDITIONS

The purpose of this agenda item is to request approval of Amendment No. 1 to Work Order No. 5-RR with the consulting engineering firm Malcolm Pirnie, Inc./Arcadis for additional permitting services for environmental permitting required by the U.S. Army Corps of Engineers (COE). The additional permitting services are required because environmental mitigation permitting issues have changed substantially since the original work order which included permitting was issued. Originally, it was envisioned that the COE permitting requirements would be minimal and relatively straightforward. However, the environmental permitting has been complicated by significant difficulties encountered in securing a mitigation site that is both acceptable to the COE and cost effective to construct. Previous reviews and mitigation plans have been prepared for six different sites designated by the COE subsequent to the originally designated site. For various reason, these sites have either been rejected by the COE or have been determined to be cost prohibitive to construct. A new mitigation site has now been identified that the parties believe will be acceptable.

Obtaining the COE permit is necessary for this project in order to satisfy requirements of a FEMA Hazardous Mitigation Grant Program (HMGP) contract (Phase 1 subcontract). This contract was issued shortly after Hurricanes Jean and Francis in 2004. The Rockridge subdivision experienced significant flooding during Hurricane Francis and the HMGP contract was issued in order to mitigate future flooding within the subdivision. This work effort is referred to as the Rockridge Surge Protection Project. The County is under Phase 1 of the HMGP contract, which covers design, permitting, and geotechnical surveying services for the Rockridge Surge Protection Project. Per the

HMGP contract, FEMA will reimburse the County \$267,000 for expenses incurred by the County in Phase 1. Existing agreements with Malcolm Pirnie for Phase 1 activities total \$582,675.80. The COE permit is the only known remaining item to be completed and its procurement is required by the HMGP contract in order to secure the FEMA Phase 1 reimbursement.

Amendment No. 1 to Work Order No. 5-RR will include the permitting services believed necessary to finally complete the project's environmental permitting requirements. The not-to-exceed amount of Amendment No. 1 is **\$31,000**.

ANALYSIS

Alternative No. 1 – Approve Amendment No. 1 to Work Order No. 5-RR.

Alternative No. 2 – Reject Amendment No. 1 to Work Order No. 5-RR.

FUNDING

The funds for additional permitting services for the Rockridge Surge Protection Project will come from Account #31524338-033130-06046, Rockridge Mitigation.

RECOMMENDATION

Staff recommends the Board of County Commissioners approve Amendment No. 1 to Work Order No. 5-RR.

ATTACHMENTS

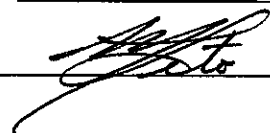
- 1. Amendment No. 1 to Work Order No. 5-RR (one copy).

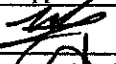

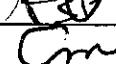
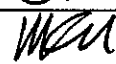

DISTRIBUTION

- 1. Christopher R. Mora, P.E., Public Works Director
- 2. Budget
- 3. Legal

APPROVED AGENDA ITEM

FOR November 20, 2012

BY 

Indian River County	Approved	Date
Administration		11/15/12
Budget		11/14/12
Legal		11.14.12
Public Works		11-13-12
Stormwater Engineering		11-9-2012

WORK ORDER NUMBER 5-RR, AMENDMENT NO. 1
PROFESSIONAL ENGINEERING SERVICES for ADDITIONAL
PERMITTING REQUIREMENTS for the
ROCKRIDGE SUBDIVISION SURGE PROTECTION PROJECT

This Work Order Number 5-RR, Amendment No. 1 is entered into as of this _____ day of _____, 2012, pursuant to that certain Agreement for Professional Services entered into as of February 21, 2006 ("Agreement"), by and between Indian River County, a political subdivision of the State of Florida ("COUNTY") and Malcolm Pirnie, Inc. ("CONSULTANT").

The COUNTY has selected the CONSULTANT to perform the professional services set forth on Attachment 1, attached to this Work Order and made part hereof by this reference. The professional services will be performed by the CONSULTANT for the fee schedule set forth in Attachment 2, attached to this Work Order and made a part hereof by this reference. The CONSULTANT will perform the professional services within the timeframe more particularly set forth in Attachment 3, attached to this Work Order and made a part hereof by this reference, all in accordance with the terms and provisions set forth in the Agreement. Pursuant to paragraph 1.4 of the Agreement, nothing contained in any Work Order shall conflict with the terms of the Agreement and the terms of the Agreement shall be deemed to be incorporated in each individual Work Order as if fully set forth herein.

IN WITNESS WHEREOF, the parties hereto have executed this Work Order as of the date first written above.

CONSULTANT
 MALCOLM PIRNIE, INC.

By: Victor A. Hurlburt

Title: PRINCIPAL ENVIRONMENTAL ENGINEER

BOARD OF COUNTY COMMISSIONERS
 OF INDIAN RIVER COUNTY

By _____
 Chairman

Attest: Jeffrey R. Smith, Clerk of Court & Comptroller

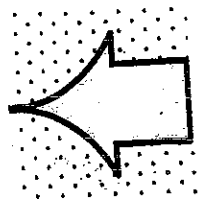
By _____
 Deputy Clerk

Approved: [Signature]

for Joseph A. Baird, County Administrator

Approved as to form and legal sufficiency:

[Signature]
for William K. DeBraal, Deputy County Attorney



ATTACHMENT 1 to WORK ORDER NO. 5-RR, AMENDMENT No. 1
PROFESSIONAL ENGINEERING SERVICES for ADDITIONAL
PERMITTING REQUIREMENTS for the
ROCKRIDGE SUBDIVISION SURGE PROTECTION PROJECT

INTRODUCTION/OVERVIEW

Indian River County (the "County") has requested that Malcolm Pirnie, Inc. (the "CONSULTANT") perform additional environmental permitting services in order to secure a permit from the US Army Corps of Engineers (COE). The additional COE environmental permitting services are required because the environmental mitigation permitting issues have been revised significantly since the original County initiated intent to use County owned property named "Harmony Oaks - north" as the proposed mitigation site for this project. The Harmony Oaks – north site was not acceptable as a mitigation site to the COE. The CONSULTANT has to address the COE requests for changes in the originally selected mitigation site, and the further considerations required in securing an acceptable alternative mitigation site. Reviews and mitigation plans were prepared for a total of six different sites designated by the COE subsequent to the original Harmony Oaks - north property. These previously unforeseen events and actions by the COE requires Work Order No. 5-RR, Amendment No. 1 to be issued for the associated additional engineering services related specifically to the preparation of the permit application activities for an acceptable COE mitigation site.

1.0 ADDITIONAL ENVIRONMENTAL PERMITTING

Provide additional environmental permitting services as necessary to permit the Rockridge Surge Protection Project with the US Army Corps of Engineers (COE), including but not limited to meetings; preparation of permit applications and addenda; and written and oral communication with permitting agencies and the County. The mitigation site has changed from the original County owned property named "Harmony Oaks - north" to six total locations that were researched based on the revised requirements of the US Army Corps of Engineers (COE). In addition, four different mitigation plans submittals have been requested by the COE, and they also requested deeding the current mitigation property (known as Harmony Oaks) by the COUNTY to the COE. The Harmony Oaks site is not the same site as the Harmony Oaks – north site. The re-permitting to address the requirements of the COE will require additional manhours by the CONSULTANT to acquire the COE permit necessary for this project

END OF ATTACHMENT 1

ATTACHMENT 2 to WORK ORDER NO.5-RR, AMENDMENT NO. 1
PROFESSIONAL ENGINEERING SERVICES for ADDITIONAL
PERMITTING REQUIREMENTS for the
ROCKRIDGE SUBDIVISION SURGE PROTECTION PROJECT

1. COMPENSATION

The COUNTY agrees to pay and the CONSULTANT agrees to accept, a not-to-exceed fee of **\$31,000.00** for services rendered according to Attachment 1 of this Work Order. The additional work will be billed at the hourly rates set forth in the Agreement. These engineering fees will be in addition to those indicated in Work Order No. 5-RR.

2. PARTIAL PAYMENTS

The COUNTY shall make monthly partial payments to the CONSULTANT for all authorized work pertaining directly to this project performed during the previous calendar month. Using the form contained herein as Attachment 5, the CONSULTANT shall submit invoices monthly for services performed and expenses incurred pursuant to this Work Order during the prior month.

The CONSULTANT shall submit duly certified invoices in duplicate to the Director of the Public Works Department. For lump sum line items, the amount submitted shall be the prorated amount due for all work performed to date under this phase, determined by applying the percentage of the work completed as certified by the CONSULTANT, to the total due for this phase of the work. For time and material line items, the amount submitted shall be based on the actual hours worked and expenses incurred for the billing period.

The amount of the partial payment due the CONSULTANT for the work performed to date under these phases shall be an amount calculated in accordance with the previous paragraph, less ten percent (10%) of the invoice amount thus determined, which shall be withheld by the COUNTY as retainage, and less previous payments. Per F.S. 218.74(2), the COUNTY will pay approved invoices on or before the forty-fifth day after the COUNTY receives the CONSULTANT's invoice.

Per F.S. 218.74(2), the ten percent (10%) retainage withheld shall be paid in full to the CONSULTANT by the COUNTY, on or before the forty-fifth day after the date of final acceptance of the Work by the Public Works Director.

END OF ATTACHMENT 2

ATTACHMENT 3 to WORK ORDER NO. 5-RR, AMENDMENT NO. 1
PROFESSIONAL ENGINEERING SERVICES for ADDITIONAL
PERMITTING REQUIREMENTS for the
ROCKRIDGE SUBDIVISION SURGE PROTECTION PROJECT

1. TIME FOR COMPLETION


Time is of the essence for this project. The CONSULTANT shall complete the final design of this project within 60 calendar days from the COUNTY's Authorization to Proceed.


****END OF ATTACHMENT 3****

INDIAN RIVER COUNTY, FLORIDA
MEMORANDUM

86

TO: Joseph A. Baird, County Administrator

THROUGH: Christopher R. Mora, P.E., Public Works Director 

FROM: Christopher J. Kafer, Jr., P.E., County Engineer 

SUBJECT: FDOT Local Agency Program (LAP) Supplemental Agreement and Resolution Authorizing the Chairman's Signature Old Dixie Highway Sidewalk from 8th Street to 20th Street IRC Project No. 1102 - FM#: 425710-1-58-01

DATE: November 2, 2012

DESCRIPTION AND CONDITIONS

On May 22, 2012, the Board of County Commissioners entered into a Local Agency Agreement (LAP) FM # 425710-1-58-01 with the Florida Department of Transportation (FDOT) for construction of a 5-foot wide concrete sidewalk along the east side of Old Dixie Highway from 8th Street to 20th Street in the amount of \$934,475.00. Timothy Rose Contracting, Inc. was awarded the bid for this project on November 13, 2012 in the amount of \$329,327.97.

The Florida Department of Transportation (FDOT) has requested Indian River County execute and deliver to the FDOT the attached Supplemental Agreement for reduction of LAP funds in the amount of \$586,444.13 as a result of the approved bid amount. Staff agrees with the reduction of LAP funds and considers the remaining \$347,930.87 to be adequate to complete this project. (This includes \$48,602.90 for County staff CEI charges that will be invoiced to the FDOT.) Also attached, please find a Resolution authorizing the Board of County Commissioners to execute this Local Agency Program Supplemental Agreement for LAP Contract No. AQN-64 (FM # 425710-1-58-01) for the reduction of \$586,444.13.

The Supplemental Agreement funds are computed as follows:

Total Revised Bid Amount	\$329,327.97
Non-Participating Items	(\$30,000.00)
Total Participating Items	\$299,327.97
Construction Engineering and Inspection (CEI)	<u>\$48,602.90</u>
Total Reimbursable Project Costs	\$347,930.87

FUNDING

Funding is budgeted and available from Optional Sales Tax Account No. 31521441-066510-12814, Old Dixie Highway Sidewalk, 8th Street to 20th Street. No matching funds are required for this grant.

RECOMMENDATION

Staff recommends approval of the Local Agency Program (LAP) Agreement FM No. 425710-1-58-01 recommends adopting the Resolution and authorizing the Chairman to sign the Agreement.

ATTACHMENTS

1. Authorizing Resolution
2. FDOT Local Agency Program (LAP) Agreement No. 425710-1-58-01


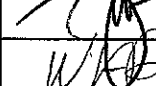
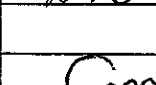


DISTRIBUTION

1. Michael D. Nixon, P.E., Roadway Production Manager

APPROVED AGENDA ITEM

FOR November 20, 2012

BY 

Indian River County	Approved	Date
Administration		11/15/12
Budget		11/14/12
Legal		11-9-12
Risk Management		
Public Works		11-7-12
Engineering		11-6-12

RESOLUTION NO. 2012-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, AUTHORIZING EXECUTION OF A SUPPLEMENTAL AGREEMENT FOR THE SIDEWALK CONSTRUCTION ON OLD DIXIE HIGHWAY FROM 8TH STREET TO 20TH STREET WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

WHEREAS, the State of Florida, Department of Transportation and Indian River County have entered into a LOCAL AGENCY PROGRAM AGREEMENT on May 22, 2012, in which the State of Florida, Department of Transportation agreed to provide funding to the County in connection with the sidewalk construction on Old Dixie Highway from 8th Street to 20th Street in Indian River County, Florida for FM# 425710-1-58-01 and hereinafter referred to as the **PROJECT** in the amount of \$934,475.00.

WHEREAS, the State of Florida, Department of Transportation, has requested Indian River County execute and deliver to the State of Florida, Department of Transportation, this SUPPLEMENTAL AGREEMENT, for reduction of funds in the amount of \$586,444.13 for the aforementioned project, resulting in remaining funds of \$347,930.87.

NOW, THEREFORE, BE IT RESOLVED BY THE INDIAN RIVER COUNTY BOARD OF COUNTY COMMISSIONERS:

1. Approves SUPPLEMENTAL AGREEMENT to the LOCAL AGENCY PROGRAM AGREEMENT (FM # 425710-1-58-01) between State of Florida, Department of Transportation and Indian River County; and
2. Authorizes the Chairman to execute SUPPLEMENTAL AGREEMENT; and
3. Directs the County Engineer to transmit the executed SUPPLEMENTAL AGREEMENT to the State of Florida, Department of Transportation.

THIS RESOLUTION was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Commissioner Peter D. O'Bryan _____
Commissioner Wesley S. Davis _____
Commissioner Bob Solari _____
Commissioner Joseph E. Flescher _____
Commissioner Tim Zorc _____

RESOLUTION NO. 2012-_____

The Chairman thereupon declared the resolution passed and adopted this
_____ day of _____, 2012.

BOARD OF COUNTY COMMISSIONERS
OF INDIAN RIVER COUNTY, FLORIDA

By _____

Approved as to Form and Legal Sufficiency:


Attest: Jeffrey R. Smith, Clerk of
Court and Comptroller



William K. DeBaal, Deputy County Attorney

Deputy Clerk

Approved:

By: 
for Joseph A. Baird, County Administrator

SUPPLEMENTAL NO. ONE DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT	FPN 425710-1-58-01 CONTRACT NO. AQN-64
--	---	---

The Florida Department of Transportation and Indian River County desires to supplement the original Agreement entered into and executed on June 5th, 2012 as identified above. All provisions in the original Agreement and supplements, if any, remain in effect except as expressly modified by this supplement.

The changes to the Agreement and supplements, if any, are described as follows:

PROJECT DESCRIPTION

Name Old Dixie Highway Length 2.149 Miles
 Termini 8th Street to 20th

Description of Work:
 Construction of a 5' sidewalk along the east side of Old Dixie Highway from 8th Street to 20th Street.

Reason for Supplement and supporting engineering and/or cost analysis:

The terms of the original Agreement, referenced above, are hereby amended as follows:

This Supplemental Agreement decreases the **Total Federal Funds** in the Original Agreement by \$586,444.13, as explained below.

Total Bid Amount	\$325,518.37
Non-Participating Items	(\$30,000.00)
Total Participating Items	\$295,518.37
Change Order #1 Additional Drainage Work	\$3,809.60
CEI Costs	\$48,602.90
Total Project Costs (Participating Items + CEI)	\$347,930.87

- Paragraph 3.01 of the Original Agreement is hereby amended to adjust the total cost of the project to \$347,930.87.
- Exhibit 1 and exhibit A included in the Original Agreement is hereby amended to adjust the amount of Federal Funds to \$347,930.87.
- See Exhibit B attached hereto and made a part hereof which replaces Exhibit B attached to the original Agreement.

ADJUSTED EXHIBIT B SCHEDULE OF FUNDING

SUPPLEMENTAL NO. ONE DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT	FPN 425710-1-58-01 CONTRACT NO. AQN-64
---	---	---

TYPE OF WORK By Fiscal Year	FUNDING				
	(1) PREVIOUS TOTAL PROJECT FUNDS	(2) ADDITIONAL PROJECT FUNDS	(3) CURRENT TOTAL PROJECT FUNDS	(4) TOTAL AGENCY FUNDS	(5) TOTAL STATE & FEDERAL FUNDS
Planning					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
Total Planning Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Project Development & Environment (PD&E)					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
Total PD&E Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Design					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
Total Design Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Right-of-Way					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
Total Right-of-Way Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction					
FY: 2006-2007					
FY: 2007-2008					
FY: 2008-2009					
FY: 2009-2010					
FY: 2011-2012 SR2S	\$934,375.00	(\$586,444.13)	\$347,930.87		\$347,930.87
FY: _____					
Total Construction Cost	\$934,375.00	(\$586,444.13)	\$347,930.87	\$0.00	\$347,930.87
Construction Engineering and Inspection (CEI)					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
Total CEI Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Construction & CEI Costs	\$934,375.00	(\$586,444.13)	\$347,930.87	\$0.00	\$347,930.87
TOTAL COST OF THE PROJECT	\$934,375.00	(\$586,444.13)	\$347,930.87	\$0.00	\$347,930.87

SUPPLEMENTAL NO. ONE DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT	FPN 425710-1-58-01 CONTRACT NO. AQN-64
--	---	---

IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

AGENCY INDIAN RIVER COUNTY

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By: _____
Name:
Title:

By: _____
Name: Gerry O'Reilly, P.E.
Title: Director of Transportation Development

Attest: _____
Name:
Title:

Attest: _____
Name:
Title:

Date: _____

Date: _____

Legal Review:



See attached Encumbrance Form for date of funding approval by Comptroller.

8H

CONSENT

INDIAN RIVER COUNTY, FLORIDA
MEMORANDUM

TO: Joseph A. Baird, County Administrator
THROUGH: Christopher R. Mora, P.E., Public Works Director *CRM*
FROM: Christopher J. Kafer, Jr., P.E., County Engineer *CK*
SUBJECT: F.D.O.T. Transportation Regional Incentive Program (TRIP) Agreement Amendment No. 1 and Resolution Authorizing the Chairman's Signature IRC Project No. 0545B - 66th Avenue from SR-60 to 41st Street FM#: 425883-1-58-01
DATE: October 29, 2012

DESCRIPTION AND CONDITIONS

The Board of County Commissioners approved a resolution to execute a Transportation Regional Incentive Program (TRIP) Grant for Construction (widening and reconstruction) along 66th Avenue from SR-60 to 41st Street with the Florida Department of Transportation (FDOT) on May 22, 2012. The County share of this grant is 50% of the total estimated cost (\$11,419,204.00) or \$5,709,602.00.

The FDOT has approved an additional amount of \$560,777.00, which will make the 50% totals \$6,270,379.00 each for FDOT and Indian River County and requested execution of Amendment No. 1 to the TRIP Agreement increasing the total agreement amount.

FUNDING

Funding is budgeted and available from Optional Sales Tax/Road & Bridge/SR 60 to 49th Street-Account # 31521441-066510-06040 and Traffic Impact Fees/District II/SR60 to 49t Street-Account # 10215241-066510-06040.

RECOMMENDATION

Staff recommends approval of the Transportation Regional Incentive Program (TRIP) Agreement Amendment No. 1 for FM No. 425883-1-58-01, recommends adopting the Resolution and authorizing the Chairman to sign Amendment No. 1.

ATTACHMENTS

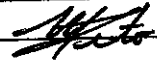
1. Authorizing Resolution
2. Transportation Regional Incentive Program (TRIP) Agreement Amendment No. 1 for FM No. 425883-1-58-01

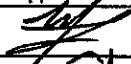
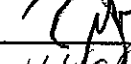



DISTRIBUTION

1. Michael D. Nixon, P.E., Roadway Production Manager
2. Arjuna D. Weragoda, P.E., Project Engineer

APPROVED AGENDA ITEM

FOR November 20, 2012

BY 

Indian River County	Approved	Date
Administration		11/15/12
Budget		11/14/12
Legal		11-9-12
Risk Management		
Public Works		11-07-12
Engineering		10-29-12

RESOLUTION NO. 2012-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION AUTHORIZING THE CHAIRMAN'S EXECUTION OF AMENDMENT NO. 1 TO THE TRANSPORTATION REGIONAL INCENTIVE PROGRAM AGREEMENT FM NO. 425883-1-58-01 FOR CONSTRUCTION (WIDENING AND RECONSTRUCTION) ALONG 66TH AVENUE FROM SR-60 TO 41ST STREET

WHEREAS, the State of Florida, Department of Transportation and Indian River County have entered into a Transportation Regional Incentive Program Agreement to provide funding to the County in the amount of \$5,709,602.00 on June 1, 2012.

WHEREAS, the State of Florida, Department of Transportation has requested Indian River County execute and deliver to the State of Florida, Department of Transportation, this AMENDMENT NO. 1 for an increase to the Transportation Regional Incentive Program grant in the amount of \$560,777.00, resulting in a total State of Florida, Department of Transportation amount of \$6,270,379.00.

WHEREAS, the Indian River County Board of County Commissioners is responsible for paying 50 percent of the cost of the project costs as its portion of the required local match.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, that the Chairman of the Board is hereby authorized to make, execute, and deliver to the State of Florida, Department of Transportation, Amendment No. 1 to Transportation Regional Incentive Program Agreement for the aforementioned project.

The foregoing resolution was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____ and, upon being put to a vote, the vote was as follows:

Commissioner Peter D. O'Bryan	_____
Commissioner Wesley S. Davis	_____
Commissioner Joseph E. Flescher	_____
Commissioner Bob Solari	_____
Commissioner Tim Zorc	_____

RESOLUTION NO. 2012-_____

The Chairman thereupon declared the resolution passed and adopted this

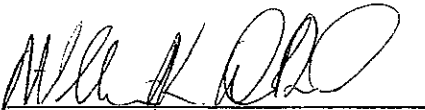
_____ day of _____, 2012.

BOARD OF COUNTY COMMISSIONERS
OF INDIAN RIVER COUNTY, FLORIDA

By _____

Attest: _____

Jeffrey R. Smith, Clerk of Court and Comptroller



for: _____
County Attorney
Approved as to Form and Legal Sufficiency

By: _____
Deputy Clerk

DUNS No.: 80-939-7102
 CSFA No.: 55.026

Contract No.: AQN-66
 FM No: 425883-1-58-01
 Vendor No: VF 596-000-679

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
 AND
 INDIAN RIVER COUNTY
 TRANSPORTATION REGIONAL INCENTIVE PROGRAM AGREEMENT
 AMENDMENT NUMBER ONE

THIS Amendment, made and entered into this _____ day of _____, 20____, by and between the State of Florida Department of Transportation, an agency of the State of Florida, hereinafter called the DEPARTMENT, and INDIAN RIVER COUNTY, 1801 27TH Street, Vero Beach, Florida 32960, hereinafter called the COUNTY.

WITNESSETH

WHEREAS, on June 1, 2012, the parties entered into a Transportation Regional Incentive Program Agreement, hereinafter referred to as the Agreement, wherein the COUNTY agreed to provide certain improvements in connection Financial Management (FM) No. 425883-1-58-01 for the Construction (widening and reconstruction) along 66th Avenue from SR-60 to 41st Street in Indian River County, Florida, hereinafter referred to as the Project; and,

WHEREAS, the parties desire to amend the Agreement; and

WHEREAS, the parties hereto mutually agree that this Amendment is in their best interest;

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations herein, the parties agree to amend that certain Transportation Regional Incentive Program Agreement dated June 1, 2012, as follows:

1. The recitals set forth above are true and correct and are deemed incorporated herein.
2. The DEPARTMENT agrees to pay the COUNTY, for additional services needed to complete the construction along 66th Avenue from SR-60 to 41st Street in Indian River County. The additional amount is FIVE HUNDRED SIXTY THOUSAND SEVEN HUNDRED SEVENTY SEVEN DOLLARS AND NO CENTS (\$560,777.00) for FM Number 425883-1-58-01, which will make the total DEPARTMENT share SIX MILLION TWO HUNDRED SEVENTY THOUSAND THREE HUNDRED SEVENTY NINE DOLLARS AND NO CENTS (\$6,270,379.00) for all services required under the Agreement. The DEPARTMENT's obligation to pay is contingent upon an annual appropriation by the Florida Legislature.

	Department Share	Participant Share	Total Project Cost
Agreement	\$5,709,602.00	\$5,709,602.00	\$11,419,204
Amendment No. 1	\$560,777.00	\$560,777.00	\$1,121,554.00
Total Contract Amount	\$6,270,379.00	\$6,270,379.00	\$12,540,758.00

All provisions, covenants, terms and conditions of the Agreement between the parties theretofore entered into on June 1, 2012, as originally set forth therein, which are not hereby expressly amended or modified and not in conflict with the terms hereof, are hereby ratified and confirmed and shall remain the same and be unaffected by these presents.

IN WITNESS WHEREOF, the COUNTY has caused this Agreement to be executed in its behalf, by the Chairman/Councilman of INDIAN RIVER COUNTY or its designee, as authorized by Resolution Number _____, and the FLORIDA DEPARTMENT OF TRANSPORTATION has caused this Amendment to be executed in its behalf through its District Secretary or authorized designee:

INDIAN RIVER COUNTY, FLORIDA

ATTEST:


BY: _____
CLERK (SEAL)

BY: _____

NAME: _____

TITLE: CHAIRMAN

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

BY:  _____

COUNTY ATTORNEY

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

ATTEST:

BY: _____
EXECUTIVE SECRETARY (SEAL)

BY: _____
DIRECTOR OF TRANSPORTATION DEVELOPMENT
DISTRICT 4

Print Name (Date)

Print Name (Date)

Availability of Funds Approval:

LEGAL REVIEW

(Date)


BY: _____
OFFICE OF THE GENERAL COUNSEL

INDIAN RIVER COUNTY, FLORIDA
MEMORANDUM

10A1

To: The Honorable Board of County Commissioners

Thru: Joseph A. Baird, County Administrator

Thru: Michael C. Zito, Assistant County Administrator 

Date: November 6, 2012

Subject: Consideration of Ordinance to Permit Licensed Sale of Alcoholic Beverages at the Indian River County Fairgrounds, the Future South County Intergenerational Recreation Center, and the Facility Formerly known as Dodgertown

It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at a public hearing on November 20, 2012.

DESCRIPTION AND CONDITIONS:

On October 2, 2012, the Board of County Commissioners approved bringing forward a public hearing for consideration a proposed ordinance amendment to Section 205 of the Indian River County Code. The proposed Ordinance Amendment pertains to the sale and consumption of alcoholic beverages at the Indian River County Fairgrounds and the South County Intergenerational Recreation Center. While placing emphasis on the need for public comment, the Board unanimously directed the County Attorney to proceed to advertise this matter for a public hearing in accordance with Florida Law. It is noted that the proposed ordinance also codifies the current and historical practice of conducting legally permitted alcohol sales at the facility formerly known as Dodgertown.

ANALYSIS:

County Staff conducted an informal survey of 11 Florida Counties, all of which permit the sale of alcoholic beverages at their fairgrounds under certain and specified conditions including proper licensure, insurance, and security requirements. Unlike most of the operations surveyed, Indian River County owns and operates the Fairgrounds. Several other Counties contract with independent fair associations to perform operational and management functions. Under this alternative, the association owns and holds a liquor license and shares the proceeds with the event maker, or grants permission to the event maker to operate under a licensed and insured vendor.

Indian River County has granted permission to conduct alcohol sales at a County owned facility by ordinance amendment. Section 205.07 of the Code expressly permits alcohol sales at Sandridge Golf Club under its liquor license; however, the proposed ordinance amendment regarding the Fairgrounds and Recreation Center would only permit alcohol sales under the license of the event maker or its approved vendor as opposed to the County obtaining an additional liquor license. Permits issued under the proposed ordinance would be event specific and would not be continuing in nature.

FEES, INSURANCE, and SECURITY:

The proposed ordinance authorizes the Department to establish fees for issuance of an alcohol sales permit. The established fees would be added to the Facility Rental Rate Schedule adopted by the Board on April 20, 2009. Staff recommends adoption of the following alcohol permit application fee schedule to be applied to events at the Fairgrounds and Future Intergenerational Recreation Center:

Non-Profit 501(c)(3) Corporation in good standing: \$150 per day
For-Profit Corporation or other legal entity: \$350 per day

Prior to the issuance of the first permit in accordance with the authority vested in the Department by the proposed Ordinance Amendment, Staff will consult with the County Attorney's Office to develop a Permit Application Form that will include licensure and security requirements to be approved by the Department, the Sheriff, and the Director of Emergency Services. It will also require that a sufficient deposit is secured to ensure proper clean up and damage coverage. Indemnification and Insurance Requirements will require approval by the County Risk Manager and be identical those required under the Holman Stadium Use Agreement for County sanctioned events at the Vero Beach Sports Village in accordance with Article VI Section 6.04 of the Facility Lease Agreement.

HOLMAN STADIUM USE AGREEMENT:

As a housekeeping matter, Staff recommends deleting the alcohol prohibition in Section E of Exhibit 1 of the Holman Stadium Use Agreement. In the past, the Board has routinely waived this prohibition upon request. This amendment would obviate the need to seek Board approval to conduct licensed and insured alcohol sales at events such as the Jake Owen concert and several other fund raisers at the Vero Beach Sports Village. Under the Facility Lease Agreement, the Village reserves the right to operate the concessions for all events including those reserved by the County. Since the proposed ordinance amendment ratifies the historical practice of conducting licensed alcohol sales at the facility formerly known as Dodgertown, the prohibition in the Stadium Use Agreement would be inconsistent with the ordinance.

FUNDING:

No funding is required by the proposed ordinance amendment. Fees collected from the issuance of individual permits authorizing the sale of alcoholic beverages will be deposited into the Fairgrounds Improvement Fund Account.

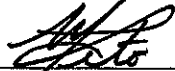
RECOMMENDATION:






1. Staff recommends that the Board of County Commissioners open the public hearing, and after receiving input from the public, close the public hearing and adopt the attached ordinance amendment with any needed revisions, to permit alcohol sales as outlined in the ordinance amendment, at the Indian River County Fairgrounds, the future Indian River County Intergenerational Recreation Center and the facility formerly known as Dodgertown.
2. Staff also recommends adoption of the permit fees set forth above to be incorporated into the current Facility Rental Rate Schedule as an approved amendment thereto.
3. Staff further recommends deletion of Section E of Exhibit 1 of the Holman Stadium Use Agreement.

ATTACHMENTS:

- 1. Proposed Ordinance Amendment Under Consideration
- 2. Section E of Exhibit 1 Holman Stadium Use Agreement

Approved Agenda Item

By: 
Joseph A. Baird
for County Administrator
For: November 20, 2012

Indian River County	Approved	Date
Administration		11/15/12
County Attorney		11-14-12
Budget		11/14/12
Department		11/14/12
RISK MGMT		11-14-12

ORDINANCE 2012-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, AMENDING CHAPTER 205 OF THE CODE OF INDIAN RIVER COUNTY RELATING TO THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT THE INDIAN RIVER COUNTY FAIRGROUNDS, THE PLANNED SOUTH COUNTY INTERGENERATIONAL RECREATION CENTER, AND THE FACILITY FORMERLY KNOWN AS DODGERTOWN; MAKING FINDINGS AND PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, section 205.03(26) of the Code of Indian River County (the "Code") prohibits the sale or consumption of alcoholic beverages in any County park or recreational facility; and

WHEREAS, the County owns and rents the Fairgrounds to private groups, including non-profit groups, for community events or activities, but has often lost rental opportunities because of the prohibition set forth in section 205.03(26); and

WHEREAS, the County is planning to construct the South County Intergenerational Recreation Center which will also be rented to private groups, including non-profit groups, for community events or activities; and

WHEREAS, County staff has conducted an informal survey of several Florida counties and found that all of the counties surveyed permit the sale and consumption of alcoholic beverages at facilities similar to the Fairgrounds or the South County Intergenerational Recreation Center, under specific conditions relating to such issues as licensure, insurance and security; and

WHEREAS, the Board of County Commissioners has determined that the sale and consumption of alcoholic beverages at the Fairgrounds and the South County Intergenerational Recreation Center under specific conditions will increase rental opportunities, result in more events or activities for community enjoyment, and will not threaten or endanger the public health, safety and welfare of the residents of Indian River County; and

WHEREAS, the County also owns and occasionally rents to private groups, including non-profit groups, the facility formerly known as Dodgertown, which is located within the geographical limits of the City of Vero Beach, and at which the sale or consumption of alcohol historically has been allowed under local regulation by the City of Vero Beach; and

WHEREAS, the Board has further determined that it is appropriate to amend chapter 205 of the Code to clarify that the prohibition in section 205.03(26) does not apply to events or activities within the facility formerly known as Dodgertown; and

ORDINANCE 2012-____

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA:

Section 1. Findings.

The Board finds that the above "Whereas" clauses are true and correct, and hereby incorporates such clauses as findings of the Board.

Section 2. Addition of Section 205.09 of the Code.

Section 205.09 is hereby added to the Code of Indian River County, as follows:

Section 205.09. Sale and consumption of alcoholic beverages at designated recreational facilities.

Notwithstanding the provisions of section 205.03(26), the sale and consumption of alcoholic beverages shall be permitted at the Indian River County Fairgrounds and at the South County Intergenerational Recreation Center, provided the vendor first obtains a permit for such purposes issued by the department. The department may issue a permit for the sale and consumption of alcoholic beverages when it has been established that the following conditions have been satisfied:

- (a) the applicant holds all required state alcoholic beverage licenses,
- (b) the applicant has made adequate plans, and is ready, willing and able to implement such plans, for security or police presence,
- (c) the applicant has obtained liability and any other insurance required by the County Risk Manager, and has provided certificates evidencing such insurance, in amounts and all other respects acceptable to the County Risk Manager,
- (d) the applicant has met all other conditions determined by the department to be necessary to protect the health, safety and welfare of the residents of Indian River County, in light of the planned event or activity, and
- (e) the applicant has paid the required fee as established by the department.

The permit described above shall be in addition to any other permit required for the event or activity, pursuant to sections 205.04 or 205.08 above.

Section 3. Addition of Section 205.10 of the Code.

Section 205.10 is hereby added to the Code of Indian River County, as follows:

Section 205.10. Sale and consumption of alcoholic beverages at the facility formerly known as Dodgertown.

Notwithstanding the provisions of section 205.03(26), the sale and consumption of alcoholic beverages shall be permitted at the facility formerly known as Dodgertown, provided

ORDINANCE 2012-____

that such sale and consumption is otherwise in compliance with the requirements of the City of Vero Beach relating to the sale, possession or consumption of alcohol on public property.

Section 4. Severability.

If any part of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the remainder of this ordinance shall not be affected by such holding and shall remain in full force and effect.

Section 5. Codification.

It is the intention of the Board of County Commissioners that the provision of this ordinance shall become and be made part of the Indian River County Code, and that the sections of this ordinance may be renumbered or re-lettered and the word ordinance may be changed to section, article or such other appropriate word or phrase in order to accomplish such intention.

Section 6. Effective Date.

This ordinance shall become effective upon enactment by the Board of County Commissioners and filing with the Department of State.

This ordinance was advertised in the Vero Beach Press Journal, on the ____ day of _____, 2012, for a public hearing to be held on the ____ day of _____, 2012, at which time it was moved for adoption by Commissioner _____, seconded by Commissioner _____, and adopted by the following vote:

Peter D. O'Bryan	_____
Wesley S. Davis	_____
Joseph E. Flescher	_____
Bob Solari	_____
Tim Zorc	_____

The Chairman thereupon declared the ordinance duly passed and adopted this ____ day of _____, 2012.

ATTEST: Jeffrey R. Smith, Clerk of Court
and Comptroller

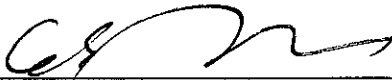
**BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA**

By: _____
Deputy Clerk

By: _____
_____, Chairman

ORDINANCE 2012-____

Approved as to form and legal sufficiency:

By: 

Alan S. Polackwich, Sr., County Attorney

EFFECTIVE DATE: This ordinance was filed with the Department of State on the ____ day of _____, 2012.

ATTACHMENT 2

E. Alcohol

User groups are prohibited from allowing, selling, having, using, consuming, or providing, on any basis whatsoever, or allowing the sale, use, consumption, or provision, on any basis whatsoever of, any alcoholic beverages of any nature whatsoever from, in, around, or in connection with, the Stadium or premises at any time prior, during, or after the event at the Stadium or premises. A user group that violates this restriction will be prohibited from any future use of the Stadium.

F. Facility use costs

User group is responsible for any and all expenses associated with the use of the Stadium, including costs imposed by MiLB for use, including, but not limited to, parking attendants, ticket takers, security personnel, clean-up crews, concession operations, and utilities, all as set forth in Attachment 1.

G. Security Deposit

User group shall not have to post a security deposit, as this requirement was waived by the Board of County Commissioners at its meeting _____.

H. Facility preparation and cleanup

The user group is responsible for all costs associated with the Stadium cleanup and field restoration as set forth in Attachment 1. MiLB must approve cleanup and restoration. If the user group should fail to restore the Stadium facility and grounds, MiLB will have the authority to initiate cleanup and restoration, and any additional costs will be the sole responsibility of the user group, as set forth in Attachment 1. The County reserves the right to deduct any such additional costs from the security deposit.

I. Television rights

Any recording or taping of the event must have the prior written approval of both MiLB and the County, which consent may be granted, denied, or conditioned by either the County or MiLB at their sole respective discretion. Nothing contained herein shall be deemed or construed to require approval by either the County or MiLB of any recording or taping of the event.

J. Concessions

Concession sales and operations must have the prior written consent of MiLB which consent may be granted, denied, or conditioned by MiLB in its sole discretion. The user group will reimburse MiLB for any concession service costs incurred by MiLB, as set forth in Attachment 1.

K. Procedures

1. A written request, approved by the user group's board of directors, for use must be submitted in writing on the requesting user group letterhead to the County Administrator or his designee at least one hundred twenty (120) days in advance of the requested use date. The request must include the following: requested date(s) of use, type of event, estimated attendance, purpose, proposed budget, including preliminary anticipated expenses and revenues, copy of section 501(c)(3) status, and a listing of current board of directors and executive director. The County will coordinate with MiLB to obtain the written approval of the availability of the date(s) from MiLB.



Office of the
**INDIAN RIVER COUNTY
ADMINISTRATOR**

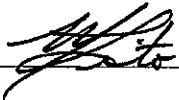
Joseph A. Baird, County Administrator
Michael C. Zito, Assistant County Administrator

MEMORANDUM


TO: Members of the Board of County Commissioners
FROM: Joseph A. Baird
County Administrator
DATE: September 18, 2012
SUBJECT: Regular Meetings of the Board of County Commission
Proposed 2013 Meeting Dates

Attached for the Board of County Commission consideration is a proposed schedule of regular commission meeting dates for 2013. Staff requests direction from the Board.

APPROVED AGENDA ITEM

BY: 

FOR: November 20, 2011

Indian River Co	Approved	Date
Administrator		11/15/12

**INDIAN RIVER COUNTY
BOARD OF COUNTY COMMISSION
PROPOSED 2013 MEETING DATES**



9:00 A.M.

January 8, 2013
January 15, 2013
January 22, 2013
February 5, 2013
February 12, 2013
February 19, 2013
March 5, 2013
March 12, 2013
March 19, 2013
April 2, 2013
April 9, 2013
April 16, 2013
April 23, 2013
May 7, 2013
May 14, 2013
May 21, 2013
June 4, 2013
June 11, 2013

June 18, 2013
July 2, 2013
July 9, 2013
July 16, 2013
August 20, 2013
September 10, 2013
September 17, 2013
October 1, 2013
October 8, 2013
October 15, 2013
October 22, 2013
November 5, 2013
November 12, 2013
November 19, 2013
December 3, 2013
December 10, 2013
December 17, 2013



INDIAN RIVER COUNTY, FLORIDA BOARD MEMORANDUM

Date: November 1, 2012

To: Joseph A. Baird, County Administrator

From: W. Erik Olson, Director of Utility Services *EO*

Prepared By: Terry Southard, Operations Manager *TWS*

Subject: Change Order No. 1 to IRC Bid No. 2012044 to South RO Plant Wonderware Software Upgrade

BACKGROUND AND ANALYSIS:

On July 10, 2012, the Board of County Commission (BCC) awarded Bid No. 2012044 to L3 Communications of Largo FL in the amount of \$92,000.00 to upgrade the software operating system from RS View to Wonderware InTouch 10.5. L3 is in the process of completing the software change out for the South RO plant. This software operates the facility monitoring of all the equipment within the water plant.

In the FY 11-12 Capital Budget, three new computers were purchased to upgrade the hardware at the North County RO plant. The new computers purchased operate on Windows 7.0. The version of Wonderware InTouch software at the north RO Plant is several years old and it is not compatible with Windows 7.0. In order to operate on the new computers we must upgrade to Wonderware InTouch 10.5. A more significant advantage of this upgrade is that both RO plants will be operating on the same version of Wonderware InTouch. This will facilitate communications between the two water plant facilities. Many basic operating functions at either plant can be viewed and controlled from either site. This will lead to efficiency in operations by allowing operators to control key functions for both plants from either facility.

L3 Communications has given us a price of \$34,750.00 to upgrade the operating software at the North County RO facility to Wonderware InTouch 10.5 to work with the replacement computers purchased in this budget year.

FUNDING:

Funds for this project are derived from the software budget in the Utilities operating fund. The Operating fund budget is derived from water and sewer revenues.

Description	Account Number	Amount
Computer Software	47121936-035120	\$34,750.00

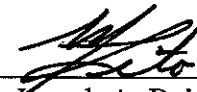
RECOMMENDATION:

It is Staff's recommendation that the Board of County Commissioners approves Change Order No. 1 with L3 Communications of Largo FL, in the amount of \$34,750.00, and authorizes the Chairman to execute same, as presented.

Attachment (s):


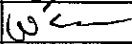



- 1) Change Order No. 1
- 2) L3 Communications Cost Sheet

APPROVED FOR AGENDA:

By: 

Joseph A. Baird, County Administrator

For: November 20, 2012
Date

Indian River Co.	Approved	Date
Administration		11/15/12
Utilities		11/9/12
Utilities		11-9-12
Legal		11-14-12
Budget		11/14/12

Change Order Form

No. 1

DATE OF ISSUANCE: 10/13/12

EFFECTIVE DATE: 10/14/12

OWNER: Indian River County
 CONTRACTOR L3 Communications
 Contract: Bid # 2012044
 Project: IRC Bid No. 2012044 South RO Plant Wonderware Software Upgrade
 OWNER's Contract No. _____ ENGINEER's Contract No. NA
 ENGINEER NA

You are directed to make the following changes in the Contract Documents:

Description:

Install Wonderware InTouch 10.5 at the North RO Water Plant

Reason for Change Order:

Upgrade software at North RO plant.

Attachments: (List documents supporting change)

1 – page attached from L3 communications

CHANGE IN CONTRACT PRICE:	Amount
Description	Amount
Original Contract Price	<u>\$92,000.00</u>
Net Increase (Decrease) from previous Change Orders No. <u>1</u> to _____:	
Contract Price prior to this Change Order:	<u>\$92,000.00</u>
Net increase (decrease) of this Change Order:	<u>\$34,750.00</u>
Contract Price with all approved Change Orders:	<u>\$126,750.00</u>

CHANGE IN CONTRACT TIMES	Time
Description	Time
Original Contract Time:	(150 days)
Substantial Completion:	<u>NA</u>
Final Completion:	<u>December 17 2012</u>
Net change from previous Change Orders No. _____ to _____:	(days)
Substantial Completion:	<u>NA</u>
Final Completion:	<u>NA</u>
Contract Time prior to this Change Order:	(150 days)
Substantial Completion:	<u>NA</u>
Final Completion:	<u>NA</u>
Net increase (decrease) this Change Order:	(60 days)
Substantial Completion:	<u>NA</u>
Final Completion:	<u>Feb. 15, 2013</u>
Contract Time with all approved Change Orders:	(210 dyas)
Substantial Completion:	<u>NA</u>
Final Completion:	<u>Feb. 15, 2013</u>

ACCEPTED:
By:
CONTRACTOR (Signature)
Date:

RECOMMENDED:
Terry Southard
By:
ENGINEER (Signature)
Date:

APPROVED:
By:
OWNER (Signature)
Date:



communications

Scandia Technologies Division
12340 66th Street North
Largo, Florida 33773
727-531-2828 Fax: 727-531-2778

November 8, 2012

Indian River County
South County RO Facility
1550 SW 9th Street
Vero Beach, FL 32960

ATTN: Terry Southard

RE: South RO Plant Wonderware Software Upgrade, change order quotation no. 40359 rev.1

Dear Terry,

We are pleased to provide you with a quotation for the following:

1. North RO Plant Software Upgrade. L3/Scandia will provide and install Wonderware software upgrades to the North RO Plant HMI/SCADA software and make it compatible and the same revision as the South RO Plant. This work will include the following software & upgrades:
 - (1) Wonderware/Insource Upg, Developmental Studio 2012 Ulimited, current version.
 - (4) Wonderware/Insource Upg, InTouch 2012 Runtime 60K tag with I/O software upgrade to current version.
 - (1) Wonderware/Insource CustomerFirst Primary Support.

L3/Scandia will provide, install and make operational the software packages listed above @ the North RO Plant.

Pricing:



\$34,750.00

If you have any questions regarding this quotation or need assistance on any other matter, please don't hesitate to contact me.

Sincerely,

Joseph J. Hanlon, P.E.
Vice President of Engineering & Controls

INDIAN RIVER COUNTY
DEPARTMENT OF UTILITY SERVICES
AGENDA ITEM

DATE: November 6, 2012
TO: Joseph A. Baird, County Administrator
FROM: Cindy Corrente, Utilities Finance Manager 
THRU: W. Erik Olson, Director of Utilities 
SUBJECT: Rate Resolution for Sewer Only Accounts

BACKGROUND:

Presently, Indian River County Utilities has several hundred sewer only accounts. These are accounts that were connected to sewer before there was water available in the area. At the time, meters were given to the owners and they were asked to connect them to their wells. The majority of these accounts are in old mobile home parks, although there are some in various residential areas as well. Most of the mobile home accounts are to serve older single wide mobile homes. Over time the residents of these properties have added enclosed rooms to the units. In so doing, many of these meters ended up missing or inaccessible. Seventy six of these homes are located in Blue Cypress.

ANALYSIS:

Staff has encountered numerous difficulties in obtaining the meter reads for these accounts. First of all, these meters are connected to the well water system for the property. These are private water lines. Some owners have maintained accessibility to their well meters so we can read them. Others have been less cooperative in these efforts. In the case of Blue Cypress, the plumbing has been reconfigured so many times that it is impossible to determine which well feeds which residence. In addition, more than one home may be connected to the same well thereby making it impossible to determine the flow for each residence. Although staff has notified the owners of these situations, it has been a difficult and time consuming process to determine the locations of these meters. It is often discovered that the meters are missing or have been covered over. Since the county does not own the water lines serving these residences, our staff cannot install the meters onto the wells.

Due to the inefficiency of the current system for measuring and billing sewer only accounts, staff is recommending that we use a flat rate in place of the volumetric portion of the bill for these accounts. Staff has analyzed three types of residences connected to sewer only service and has arrived at the average consumption for the three types of units. The usage for the average mobile home or manufactured home is three thousand gallons per month. The average single family residence uses 7000 gallons per month. There are a few areas of the county where very large homes, those over 3500 square feet, are connected to sewer only. Those homes average over 13,000 gallons per month.

FUNDING

Since this recommendation is based on averages, it is expected that the overall effect of this recommendation will be revenue neutral.


RECOMMENDATION

Staff recommends adopting the attached rate resolution. The resolution would adopt a volumetric flat rate for sewer consumption for mobile homes and manufactured homes of \$8.58 per month, single family residences under 3500 square feet of \$20.02 per month and single family residences 3500 square feet or more of \$34.32 per month, beginning January 1, 2013.

ATTACHMENT: Rate Resolution 2012-

Indian River Co.	Approved	Date
Administration	<i>[Signature]</i>	11/15/12
Utilities	<i>[Signature]</i>	11-14-12
Utilities	<i>[Signature]</i>	11/14/12
Legal	<i>[Signature]</i>	11-14-12
Budget	<i>[Signature]</i>	11/14/12

Approved:

for 

 Joseph A. Baird, County Administrator
 For: *November 20, 2012* (Date)

INDIAN RIVER COUNTY



**DEPARTMENT OF UTILITY SERVICES
SCHEDULE OF WATER AND SEWER RATES,
FEES AND OTHER CHARGES
as adopted by RATE RESOLUTION 99 -- 58
EFFECTIVE OCTOBER 1, 1999
AMENDED BY RATE RESOLUTION 2008 -- 013
FEBRUARY 12, 2008 and AMENDED AUGUST 18, 2009
BY RATE RESOLUTION 2009 -- 012
AMENDED MARCH 2, 2010 BY RATE RESOLUTION
2010 -- 014 AMENDED
JUNE 15, 2010 BY RATE RESOLUTION 2010-015**

SCHEDULE OF WATER AND SEWER RATES, FEES AND OTHER CHARGES

INDIAN RIVER COUNTY, FLORIDA

Water

Billing Charge – Per Account	\$1.29
Service Availability Charge [formerly known as Base Facility Charge] Where lines are available –	
Single-Family (per ERU)	\$7.76
Manufactured Home 0.85 (per ERU)	\$6.60
Multi-Family 0.85 (per ERU)	\$6.60
Commercial (per ERU)	\$7.76
Service Availability Charge [formerly known as Base Facility Charge] Capacity is Reserved But Where Lines Are Not Available -	
Single-Family (per ERU)	\$3.88
Manufactured Home 0.85 (per ERU)	\$3.30
Multi-Family 0.85 (per ERU)	\$3.30
Commercial (per ERU)	\$3.88
0 – 3,000 Gallons Per Month Per Connection – per 1,000 Gallons	\$2.20
3,001 – 7,000 Gallons per Month Per Connection – Per 1,000 Gallons	\$2.42
Over 7,000 Gallons Per Month Per Connection – per 1,000 Gallons	\$3.85
Greater than 13,000 Gallons Per Month Per Connection – Per 1,000 Gallons	\$7.70

Sewer

Billing Charge – Per Account	\$1.29
Service Availability Charge [formerly known as Base Facility Charge] Where lines are available –	
Single-Family (per ERU)	\$14.58
Manufactured Home 0.85 (per ERU)	\$12.40
Multi-Family 0.85 (per ERU)	\$12.40
Commercial (per ERU)	\$14.58
Service Availability Charge [formerly known as Base Facility Charge] Capacity is Reserved But Where Lines Are Not Available -	
Single-Family (per ERU)	\$7.29
Manufactured Home 0.85 (per ERU)	\$6.20
Multi-Family 0.85 (per ERU)	\$6.20
Commercial (per ERU)	\$7.29

RATE RESOLUTION 2012 - _____

Volume Charge Per 1,000 Gallons – 12,000 Gallons Per Month Maximum for: Single-Family & Manufactured Homes (Individual Meters), 0 to 12,000 Gallons (Billed Water Flow) Per 1,000 Gallons	\$2.86
Volume Charge Multi-Family Master-Metered & Commercial:	
0 to 13,000 Gallons (Billed Water Flow) Per 1,000 Gallons	\$2.86
Above 13,000 Gallons (Billed Water Flow) Per 1,000 Gallons	\$4.29
Volume Charge for Mobile Home or Manufactured Home: To be used only for sewer only accounts already established as of January 1, 2013 and new accounts after January 1, 2013 only if County water is unavailable	\$8.58
Volume Charge for Single Family Homes under 3500 square feet: To be used only for sewer only accounts already established as of January 1, 2013 and new accounts after January 1, 2013 only if County water is unavailable	\$20.02
Volume Charge for Single Family Homes over 3500 square feet: To be used only for sewer only accounts already established as of January 1, 2013 and new accounts after January 1, 2013 only if County water is unavailable	\$34.32

BulkWater

Billing Charge – Per Account Per Month	\$1.29
Service Availability Charge [formerly known as Base Facility Charge] Where Line are Available – Per ERU	\$6.19
Service Availability Charge [formerly known as Base Facility Charge] Where Capacity is Reserved But Lines are not Available – Per ERU	\$3.10
Volume Charge – Per 1,000 Gallons Water Meter Basis	\$2.63
Excess Volume Surcharge – Greater than 7,600 Gallons Per Month – Per ERU* *Surcharge for Bulk users will apply to flow exceeding total capacity Reserved by bulk user in all meters	\$4.45

BulkSewer

Billing Charge – Per Account Per Month	\$1.29
Service Availability Charge [formerly known as Base Facility Charge] Where Line are Available – Per ERU	\$13.41
Service Availability Charge [formerly known as Base Facility Charge] Where Capacity is Reserved But Lines are not Available – Per ERU	\$6.71

Volume Charge Per 1,000 Gallons – 12,000 Gallons Per Month Maximum for:

Volume Charge – Per 1,000 Gallons Water Meter Basis	\$2.63
Volume Charge – Per 1,000 Gallons Sewer Meter Basis	\$2.98
Excess Volume Surcharge – Greater than 7,600 Gallons Per Month – Per ERU*	\$4.45
*Surcharge for Bulk users will apply to flow exceeding total capacity Reserved by bulk user in all meters	

Extra Sewage Strength Charge	Sewage Charge X Ratio of Total Dissolved Solids or Biochemical Oxygen Demand in Milligrams Per Liter / 250
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Reclaimed Water – Per 1,000 Gallons

Effective January 1, 2011	\$0.60
Effective January 1, 2012	\$0.67
Effective January 1, 2013	\$0.74
Effective January 1, 2014	\$0.81
Effective January 1, 2015	\$0.88

Sludge and Septage Rates (b)

Charge Per 1,000 Gallons (a)	\$30.82
Charge Per Wet Ton (b)	\$ 7.51
One Time Dump Fee for Recreational Vehicle(s) – Per Dump	\$10.00

- (a) Recommended rates assume domestic sludge with solids concentration of between .5 and 2.0 percent.
- (b) Costs incurred by County to sample, monitor and/or test wastes to verify solids concentrations, metals, content, etc., or additional costs incurred to handle or dispose of wastes with high metal concentrations or other non-domestic waste characteristics should be recovered from the users discharging the wastes in addition to the above charges based on formula's available in the Department of Utility Services.

IMPACT FEE [formerly known as CAPACITY CHARGE]

Water – Per ERU	
Water Treatment	\$ 320.00
Water Transmission	\$ 980.00
Total	\$1,300.00
Sewer – per ERU	
Wastewater Treatment	\$2,087.00
Wastewater Transmission	\$ 709.00
Total	\$2,796.00

Line Extension Charges	
Main Extension – Water	
Per foot measured along front of property served	\$11.25
Main Extension – Sewer and Sewer Laterals	
Per foot measured along front of property served	\$15.77
(Note: Charge doubles if service available on one side only, minimum of 50-feet per ERU, maximum of 100-feet per ERU)	

OTHERCHARGES

Deposits – Required upon Opening, transferring or Reconnecting Service

Residential and Commercial – Per ERU	\$50.00
Hydrant Meter	\$345.00
Charge for Returned Check	As per Florida Statue Section 832.08
Issuance of Duplicate Bill	\$1.50

MeterReplacement

5/8 Inch	\$100.00
1 Inch	\$125.00
1-1/2 Inch	\$300.00
2 Inch or Larger	Cost Plus Overhead

MeterRemoval

5/8 Inch	\$30.00
1 Inch	\$30.00
1-1/2 Inch or Larger	\$40.00

WaterServiceConnection

5/8 Inch Meter	\$400.00
1 Inch Meter	\$460.00
1-1/2 inch Meter	\$810.00

Larger than 1-1/2 Inch Meter Cost Plus Overhead

SewerServiceConnection

Residential \$500.00

Commercial and Other Cost Plus Overhead

Paved Road Cuts Cost Plus Overhead
(\$200 minimum)

Road Jacking and Boring Cost Plus Overhead
(\$200 minimum)

Grass Restoration Cost Plus Overhead

Unauthorized use of Fire Hydrants \$115.00

Other and Extraordinary Services Cost Plus Overhead

MeterInstallation

5/8 Inch Meter \$130.00

1 Inch Meter \$250.00

2 Inch Meter Cost Plus Overhead

1-1/2 Inch Meter \$500.00

3 Inch Meter Cost Plus Overhead

Fire Hydrant Meter Cost Plus Overhead

WaterServiceReconnection

During Working Hours \$25.00

After Working Hours \$35.00

Meter Rereads and Leaks Inspection \$20.00

Delinquency Charge \$2.00
Plus 1.5% Per Month

General Service Call Cost Plus Overhead

5/8 Inch Meter	\$25.00
1 Inch Meter	\$25.00
1-1/2 Inch Meter or Larger	Cost Plus Overhead
Damage Repair	Cost Plus Overhead
Line Location	Cost Plus Overhead

Engineering Services

Site Plan Review Under 40 Units and Without Lift Station	Cost Plus Overhead (\$50 minimum)
Site Plan Review Over 40 Units and With Lift Station	Cost Plus Overhead (\$150 minimum)

Inspection Fee

Water – Per Connection	\$25.00 (\$50.00 after hours)
Sewer – Per Connection	\$25.00 (\$50.00 after hours)
Hydrant Flow Test	\$60.00
Utility Master Plan Revisions required by requested changes to the Indian River County Comprehensive Plan shall be paid by the applicant requesting the change.	Cost Plus Overhead

Franchise Charges

Application Fees	Cost Plus Overhead (\$50.00 minimum)
Establish Name Change	Cost Plus Overhead (1,100.00 minimum)
Franchise Name Change	Cost Plus Overhead (\$115.00 minimum)
Franchise Territory Charge	Cost Plus Overhead

	(\$115.00 minimum)
Change of Ownership 49 ERU's or Fewer	Cost Plus Overhead (\$115.00 minimum)
50 ERU's or More	Cost Plus Overhead (\$300.00 minimum)
Rate Hearing 49 ERU's or Fewer	Cost Plus Overhead (\$300.00 minimum)
59 ERU's or More	Cost Plus Overhead (\$575.00 minimum)
Public Hearing	Cost Plus Overhead (\$115.00 minimum)

RESOLUTION NO. 2012-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, AMENDING THE DEPARTMENT OF UTILITY SERVICES' SCHEDULE OF WATER AND SEWER RATES, FEES AND OTHER CHARGES, BY ADDING A FLAT RATE FOR THE VOLUMETRIC SEWER PORTION OF THE UTILITY BILL FOR CERTAIN SEWER ONLY ACCOUNTS

WHEREAS, section 102.10 of the Code of Indian River County ("Code") provides that rates, fees and charges adopted by the Board of County Commissioners may be adopted by resolution, to the extent permitted by law; and

WHEREAS, the Board has previously adopted by resolution certain rates, fees and charges for services provided by the Department of Utility Services, as set forth in the Schedule of Water and Sewer Rates, Fees and other charges, as amended from time to time ("Schedule"); and

WHEREAS, the Board desires to further amend the Schedule, as set forth herein

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, THAT:

1. **Findings.** The above "whereas clauses" are adopted as the findings of the Board, and are incorporated herein.

2. **Amendment to Schedule of Rates, Fees and Charges.** The Board hereby amends the Department of Utility Services' Schedule of Water and Sewer Rates, Fees and Other Charges, by adding the following rates, fees and other charges which shall apply only to (a) sewer only accounts existing as of January 1, 2013, to which County water service is not provided, and (b) sewer only accounts established after January 1, 2013, to which County water service is not available:

Volume Charge for Mobile Home or Manufactured Home: \$ 8.58/month

Volume Charge for Single Family Homes under 3500 square feet: \$20.02/month

Volume Charge for Single Family Homes over 3500 square feet: \$34.32/month

3. **Rates, Fees and Other Charges Not Amended to Remain in Full Force and Effect.** In all other respects, the Department of Utility Services' Schedule of Water and Sewer Rates, Fees and Other Charges shall remain in full force and effect.

RESOLUTION NO. 2012-_____

The foregoing resolution was moved for adoption by Commissioner _____, and the motion was seconded by Commissioner _____ and, upon being put to a vote, the vote was, as follows:

Commissioner Wesley S. Davis _____
Commissioner Joseph E. Flescher _____
Commissioner Peter D. O'Bryan _____
Commissioner Bob Solari _____
Commissioner Tim Zorc _____

The Chairman thereupon declared the resolution duly passed and adopted this _____ day of _____, 2012.

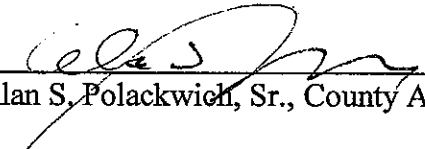
ATTEST: Jeffrey R. Smith, Clerk of Court
and Comptroller

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

By: _____
Deputy Clerk

By: _____
_____, Chairman

Approved as to form and legal sufficiency.

By: 
Alan S. Polackwich, Sr., County Attorney

INDIAN RIVER COUNTY
DEPARTMENT OF UTILITY SERVICES
AGENDA ITEM

DATE: November 6, 2012
TO: Joseph A. Baird, County Administrator
FROM: Cindy Corrente, Utilities Finance Manager *Cindy*
THRU: W. Erik Olson, Director of Utilities *W. Erik Olson*
SUBJECT: Deposit Refunds for Long Term Tenants

BACKGROUND:

Presently, Indian River County Utilities collects deposits for every account opened. These deposits equate to \$50.00 per Equivalent Residential Unit, regardless of property type (Residential or Commercial) or customer type (Owner or Tenant). Presently, after twenty four months of on time payments, owners of properties are eligible for refunds of their deposits. Tenants, on the other hand, are not eligible for deposit refunds until their accounts are closed.

ANALYSIS:

Indian River County Utilities has many long term tenants whom will never be eligible for a deposit refund, regardless of their payment history. Included in this group of customers are owners of manufactured homes. Although the customer owns their home, they do not own the property on which the home is located. In these situations, the land owner may be held responsible for monthly service availability charges left unpaid by the tenant. However, history has shown that many of these home owners become customers with long standing good payment history. Since they own their homes, they are likely to maintain the utility account for many years. As County Ordinance is written presently, these customers are not eligible for a deposit refund until they terminate their account. In essence, the account is not terminated unless the customer sells their home. Since many customers in this category reside in these homes either full time or seasonally, the likelihood of them terminating their accounts is rare. Thus, the likelihood of having their deposit refunded is just as rare. In order to recognize the need to reward good payment history for all customers, regardless of whether or not they own the property affiliated with their utility account, staff has reviewed the current business practices of the department.

RECOMMENDATION

Staff recommends consideration of an amendment to IRC Ordinance 201.08H (1) and (2) to allow for refunds of deposits for both owners and tenants based on their payment history and to proceed with setting the required public hearing necessary to change the Code to allow for deposit refunds.


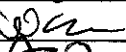

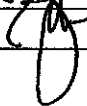
Attachment 1: Proposed Ordinance Language

Approved:



for Joseph A. Baird, County Administrator

For: November 20, 2012 (Date)

Indian River Co.	Approved	Date
Administration		11/15/12
Utilities	CME	11-9-12
Utilities		11/9/12
Legal		11/13/12
Budget		11/14/12

ATTACHMENT 1

Section 201.08(H) (1) and 201.08 (H) (2) of the Code of Indian River County, Florida, is hereby amended to read as follows (new language indicated by underline, and deleted language indicated by ~~striketrough~~):

Deposits required upon opening, transferring, reconnecting; refund policy.

(1)

The county shall require a deposit for each water and sewer account opened, transferred to another name, or reconnected to the system based on the number of ERUs. The deposit will be retained in a non-interest bearing account. Upon discontinuance of service and rendering of final bill, the deposit shall be refunded, less any amount remaining unpaid. In the event any customer's service is shut off for nonpayment, prior to reconnection the customer will pay the ~~accrued service-availability-charge~~ account balance plus, if at the discretion of the department it is necessary to insure payment, a deposit equal to twice the customer's average monthly bill in lieu of following the schedule set forth hereafter. Customers who are owners of the property for which the account is opened who have not been assessed late payment fees or been shut off for nonpayment for a period of twenty-four (24) months shall receive a refund of their deposit; except that deposits of customers who are tenants or who otherwise rent or lease the structure served by water or sewer utilities will be retained until service is discontinued to that customer. and customers who are tenants of the property for which the account is opened who have not been assessed late payment fees or been shut off for nonpayment for a period of sixty (60) consecutive months shall receive a refund of their deposit. Customers who are tenants in mobile home communities where the community was previously connected to either water or sewer and whose community then connected to the other service thereby requiring a deposit for said service, shall be eligible for the new service deposit refund after twenty-four (24) consecutive months, provided they met the sixty (60) consecutive month requirement for a deposit refund for the first connected service. Customers eligible for refunds under this exception will be required to request such refund. Staff will evaluate eligibility using the tenant rules above and process said refund. All deposit refunds will be applied to the active account or credited to the final bill as per the above described process. Separate refund checks will not be processed.

(2)


~~Deposits paid by owners for commercial accounts. For the purpose of the refunding of required deposits pursuant to subsection 201.08 H.(1), the categories of equivalent residential units assigned to schools (subsection 201.07 9.); churches (subsection 201.07 10.); clubs (subsection 201.07 11.); service stations (subsection 201.07 12.); restaurants (subsection 201.07 13.); tavern (subsection 201.07 14.); laundry/dry cleaners (subsection 201.07 15.); supermarkets (subsection 201.07 16.); commercial business (subsection 201.07 17.); office building (subsection 201.07 18.); hospitals (subsection 201.07 20.); warehouse (subsection 201.07 21.); industrial and manufacturing plant (subsections 201.07 22. and 23.); and barbershop/hairdresser (subsection 201.07 24.) shall be deemed to be commercial accounts; provided, however, that the deposit is paid by the owner of the real property. Any deposit paid by the tenant or other non-owner of the real property is not subject to refund until service is discontinued to that customer. The deposits paid by the owners of real property in connection with equivalent residential units~~



Office of
**INDIAN RIVER COUNTY
ATTORNEY**

Alan S. Polackwich, Sr., County Attorney
William K. DeBraul, Deputy County Attorney
Brooke W. Odom, Assistant County Attorney

MEMORANDUM

TO: Board of County Commissioners
FROM: Alan S. Polackwich, Sr., County Attorney 
DATE: November 9, 2012
SUBJECT: Indian River County Committees – Member Reappointments


BACKGROUND.

On September 13, 2011, the Board of County Commissioners adopted Resolution 2011-072, which appointed the County Attorney's Office ("CAO") to monitor member terms of certain committees.




Specifically, the resolution requires that (1) on approximately October 15 of each year, the CAO shall contact all board appointed committee members whose terms will expire in the following January, and determine whether those members want to be considered for reappointment, and (2) at the last Board meeting in November of each year, the CAO shall present to the Board a list of all committee members requesting reappointment – at which time the Board will reappoint members from the list as it deems appropriate. Thereafter, on approximately December 1 of each year, a list of committee vacancies will be created and posted on the County website, and the Board will make appointments to fill the vacancies no later than the following January 15.

The CAO has contacted committee members whose term will expire in January 2013. Attached to this memorandum is a list of those members who have requested reappointment. The Board should now review the list and make such reappointments as it deems appropriate.

**APPROVED FOR NOVEMBER 20, 2012
B.C.C. MEETING – ATTORNEY'S MATTERS**



COUNTY ATTORNEY

Indian River Co.	Approved	Date
Administrator		11/15/12
County Attorney		11.13.12
Budget		11/14/12
Department		---
Risk Manager		---

Board of County Commissioners
November 9, 2012
Page Two

It should be noted that many committee members have indicated that they do not desire to be reappointed. Thus, the list of vacancies which will have to be filled by January 15, 2013 will be substantial. A list of the anticipated vacancies is attached for informational purposes.

RECOMMENDATION.

The County Attorney recommends that the Board consider the attached list of committee members requesting reappointment, and reappoint such members as the Board deems appropriate.

ATTACHMENT(S).

1. List of Committee Members Requesting Reappointment
2. List of Anticipated Committee Vacancies (Informational Purposes Only)

ASP:LAC

COMMITTEE RE-APPOINTMENTS
(Terms expire in January 2013)

AFFORDABLE HOUSING ADVISORY COMMITTEE
(2 Year Term)

1. Andy Bowler (Not-for-Profit Provider)
2. Julianne Price (Low Income Advocate)
3. Jens Tripson (Local Planning Agency)

AGRICULTURAL ADVISORY COMMITTEE
(2 Year Term)

1. Gary Pressley (Associated Industry Representative)
2. Sean Sexton (Cattle Industry Representative)

BEACH AND SHORE PRESERVATION ADVISORY COMMITTEE
(2 Year Term)

1. David Barney (County resident; no other qualifications required)
2. William Ferrell (County resident; no other qualifications required)
3. Mark Tripson (County resident; no other qualifications required)

CHILDREN'S SERVICES ADVISORY COMMITTEE
(4 Year Staggered Term)

1. Paul Tanner (Dist. 5 (Solari) appointee)

CODE ENFORCEMENT BOARD
(3 Year Staggered Term)

1. Aaron Bowles (Engineer)

CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS
(3 Year Staggered Term)

1. Peter Robinson (Contractor, Division I)

ECONOMIC DEVELOPMENT COUNCIL
(4 Year Staggered Term)

1. Penny Chandler (Indian River County Chamber of Commerce representative)
2. Keith Kite (Tourist industry/development representative)
3. William J. Penney (Banking industry representative)
4. Aundrea Perry (Gifford community representative)
5. Peter Robinson (Developers' representative)
6. Richard Stetson (WorkForce Development Board of the Treasure Coast representative)
7. Karl L. Zimmerman (Member-at-Large)

ENTERPRISE ZONE DEVELOPMENT AGENCY
(4 Year Staggered Term)

1. Godfrey Gipson (Non-profit community based organization representative)
2. Richard Lane (Local law enforcement agency representative)
3. Eric Menger (Business person operating in enterprise zone area)
4. Nicholas Raines (Representative of financial or insurance industry located in or providing services to the enterprise zone area) (Mr. Raines currently serves on the Enterprise Zone Development Agency as the member of public at large, but is being moved to the "financial or insurance industry representative" position).
5. Richard Stetson (WorkForce Development Board of the Treasure Coast representative)
6. Karl L. Zimmerman (Local code enforcement agency representative)

ENVIRONMENTAL CONTROL HEARING BOARD
(4 Year Staggered Term)

1. Richard Baker (Member-at-Large: Citizen not holding elective office)
2. Patrick Walther (Engineer, recommended to BCC)
3. Cynthia VanDeVoorde Hall (Attorney (Florida Bar licensed) and recommended to the BCC by the County Bar Association)

PLANNING & ZONING COMMISSION
(4 Year Staggered Term)

1. Todd Brognano (Member-at Large)
2. Brad Emmons (Dist. 5 (Solari) appointee)
3. Charles Rednour (Dist. 1 (Davis) appointee)
4. Jens Tripson (Dist. 3 (Zorc) appointee)

PUBLIC SAFETY COORDINATING COUNCIL

NONE

TOURIST DEVELOPMENT COUNCIL

(4 Year Staggered Term)

1. Susan P. Adams (IRC resident interested in tourist industry/development)
2. Scott Dipietro (IRC resident; owner/operator of motel, hotel, RV park or other tourist accommodation representative)
3. George O'Malley (IRC resident interested in tourist industry/development)

ZONING ADJUSTMENT BOARD

(4 Year Staggered Term)

1. Martin Lewis (IRC residency requirement; no qualification required)
2. Chris Marine (IRC residency requirement; no qualification required)

COMMITTEE VACANCIES
(Terms expire in January 2013, unless otherwise noted)

AFFORDABLE HOUSING ADVISORY COMMITTEE
(2 Year Term)

1. (Formerly Frank "Pete" Clements)
Representative actively engaged in residential home building industry in connection with affordable housing
2. (Formerly Allen Green)
Representative of for-profit providers of affordable housing
3. (Existing Vacancy)
Representative of those areas of labor actively engaged in home building in connection with affordable housing
4. (Existing Vacancy)
Representative of employers within the County

AGRICULTURAL ADVISORY COMMITTEE
(2 Year Term)

1. (Formerly Rusty Banack)
Representative of horticulture industry

BEACH AND SHORE PRESERVATION ADVISORY COMMITTEE

NONE

CHILDREN'S SERVICES ADVISORY COMMITTEE
(4 Year Staggered Term)

1. (Formerly Louis Aprile)
Dist. 3 (Zorc) appointee
2. (Formerly Erin Grall)
Dist. 1 (Davis) appointee
3. (Formerly Karen Deigl – served 2 consecutive terms and, per Sec. 103.22(3) IRC Code, cannot be reappointed)
Member-at-Large

CODE ENFORCEMENT BOARD
(3 Year Staggered Term)

1. (Existing Vacancy)
Architect

CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS
(3 Year Staggered Term)

1. (Formerly Donald McCall, Sr.)
Electrical Contractor
2. (Existing Vacancy)
Architect
3. (Existing Vacancy – Term expires January 2015)
Fire Safety Inspector
4. (Existing Vacancy – Term expires January 2015)
Inspector or Plans Examiner

ECONOMIC DEVELOPMENT COUNCIL
(4 Year Staggered Term – IRC Residency Requirement Unless Otherwise Noted)

1. (Formerly James Kretsch)
Member-at-Large
2. (Existing Vacancy – Term expires January 2015)
Representative from local manufacturing community

ENTERPRISE ZONE
(4 Year Staggered Term – No IRC Residency Requirement)

1. Member of public at large

ENVIRONMENTAL CONTROL HEARING BOARD

NONE

PLANNING AND ZONING

NONE

PUBLIC SAFETY COORDINATING COUNCIL

NONE

TOURIST DEVELOPMENT COUNCIL

NONE

ZONING ADJUSTMENT BOARD

(4 Year Staggered Term – No Residency Requirement)

1. (Existing Vacancy – Term expires January 2015)
Dist. 4 (O'Bryan) Appointee
2. (Existing Vacancy)
Dist. 5 (Solari) Appointee

November 20, 2012
ITEM 14.A.1

**INDIAN RIVER COUNTY
BOARD OF COUNTY COMMISSIONERS**

INTER-OFFICE MEMORANDUM

TO: Members of the Board of County Commissioners

DATE: November 14, 2012

SUBJECT: Discussion regarding Economic Competition

FROM: Tim Zorc
Commissioner, District 3

Request Board of County Commissioners' discussion addressing Indian River County's economic development competition with possible direction to staff for a survey/study of other areas' economic development efforts and policies.

TZ;mlp

**November 20, 2012
ITEM 14.A.2**

**INDIAN RIVER COUNTY
BOARD OF COUNTY COMMISSIONERS**

INTER-OFFICE MEMORANDUM

TO: Members of the Board of County Commissioners
DATE: November 14, 2012
SUBJECT: Discussion regarding Indian River Lagoon
FROM: Tim Zorc
Commissioner, District 3

Request Board of County Commissioners' discussion regarding scheduling a public workshop to address protection and preservation of the Indian River Lagoon.

TZ;mlp