



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

TUESDAY, JANUARY 13, 2009 - 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

**Wesley S. Davis, Chairman
Joseph E. Flescher, Vice Chairman
Gary C. Wheeler
Peter D. O'Bryan
Bob Solari**

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

**Joseph A. Baird, County Administrator
William G. Collins II, County Attorney
Jeffrey K. Barton, Clerk to the Board**

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| 1. | <u>CALL TO ORDER</u> | <u>9:00 A.M.</u> |
| 2. | <u>INVOCATION</u> | Deputy Teddy Floyd, Indian River County Sheriff's Office, Crime Prevention Unit |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | Commissioner Wesley S. Davis, Chairman |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | |
| | None | |

6.	<u>APPROVAL OF MINUTES</u>	<u>PAGE</u>
A.	Workshop of October 20, 2008 – Comprehensive Plan Evaluation and Appraisal Report	
7.	<u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	
A.	Notice of Regular Quarterly Meetings of 2009, St. Johns Improvement District on file in the Office of the Clerk to the Board	
B.	Enterprise Zone Development Agency (memorandum dated January 2, 2009)	1-4
C.	Affordable Housing Advisory Committee (memorandum dated January 2, 2009)	5-7
D.	2009 Election of MPO Citizens Advisory Committee (MPOCAC) Chairman and Vice Chairman (memorandum dated January 7, 2009)	8
E.	2009 Election of MPO Technical Advisory Committee (MPOTAC) Chairman and Vice Chairman (memorandum dated January 7, 2009)	9
8.	<u>CONSENT AGENDA</u>	
A.	Provence Bay Sidewalk Extension Request, Developer: Centex Homes (memorandum dated January 6, 2009)	10-22
B.	Florida Power and Light (FPL) Agreement to Install Additional Street Lights in the Vero Lake Estates Street Lighting Districts (memorandum dated January 6, 2009)	23-32
C.	Approval Work Order No. 1 (engineering) with A.M. Engineering and Testing, Inc., Providing Professional Geotechnical Services in Accordance with the Annual Geotechnical Services Contract for Indian River County Parks Maintenance Complex, IRC Project No. 0701 (memorandum dated December 30, 2008)	33-41
D.	Professional Services with G. K. Environmental, Inc. for 53 rd Street Roadway Improvements, IRC Project No. 0107 (memorandum dated December 29, 2008)	42-45

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
E.	Wabasso Beach Park Restoration; Project No. 0822 Bid Number 2008070, Change Order No. 1; Ocean Gate General Contractors Inc. (memorandum dated January 6, 2009)	46-49
F.	Professional Engineering Services Agreement, CR 512 Corridor Improvements – IRC Project No. 9611 Addendum No. 15 (Masteller & Moler, Inc.) (memorandum dated January 5, 2009)	50-52
G.	Work Order No. 5 (Engineering/Survey) GlobalMind (fka Nick Miller, Inc.), Final Pay and Release of Retainage, Indian River County Vertical Control Network (IRCVCN), Indian River County Master Contract 0504 (memorandum dated January 5, 2009)	53-54
H.	Work Order No. 3 – Release of Retainage, Indian River County Vertical Control Network (IRCVCN) with GlobalMind (fka Nick Miller, Inc.), Indian River County Project No. 0504 (memorandum dated January 5, 2009)	55-56
I.	Work Order No. 4 GlobalMind (fka Nick Miller, Inc.), Final Pay and Release of Retainage, Indian River County Vertical Control Network (IRCVCN), Project 0504 (memorandum dated January 5, 2009)	57-58
J.	Approval of Bid Award for IRC Bid No. 2009022, 129 th Place Subdivision Water Assessment Project (memorandum dated January 5, 2009)	59-71
K.	Commercial/Industrial Demand Reduction Rider Agreement with Florida Power & Light (memorandum dated December 12, 2008)	72-82
L.	Approval of Bid Award for IRC Bid No. 2009028 Upgrade Electrical Service to Midway at the IRC Fairgrounds (memorandum dated January 7, 2009)	83-87
M.	Approval of Request for Proposals 2009-016 for Custodial Services (memorandum dated January 7, 2009)	88-119
N.	A Resolution in Support of the Dr. Martin Luther King Jr. Holiday Parade (memorandum dated January 7, 2009)	120-122
O.	2009 BCC Committee Appointments and Re-Appointments (memorandum dated January 8, 2009)	123-160

9.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	<u>PAGE</u>
	None	
10.	<u>PUBLIC ITEMS</u>	
	A. <u>PUBLIC HEARINGS</u>	
	None	
	B. <u>PUBLIC DISCUSSION ITEMS</u>	
	Please give your name and address, and then give your remarks. Please try to limit your remarks to three minutes.	
	1. Request to Speak from Fred Mensing Regarding Change of Bid Award Rules	161
	2. Request to Speak from Frank Zorc Regarding Contamination at the Airport	162
	3. Request to Speak from Joseph Paladin, Black Swan Consulting Regarding Resolution 139 ROW	163
	C. <u>PUBLIC NOTICE ITEMS</u>	
	1. <u>Notice of Scheduled Public Hearing January 20, 2009:</u> Sunnyside Up 1, LLC's Request to Rezone Approximately 40.3 Acres from RM-6, Residential Multi-Family District (up to 6 units/acre), and RM-8, Residential Multi-Family District (up to 8 units/acre), to PDTND (Planned Development Traditional Neighborhood Design) and Obtain Conceptual PD Plan Approval for a Project to be Known as Sunnyside Up	164
	Legislative	
11.	<u>COUNTY ADMINISTRATOR MATTERS</u>	
	None	
12.	<u>DEPARTMENTAL MATTERS</u>	
	A. <u>Community Development</u>	
	None	
	B. <u>Emergency Services</u>	
	None	

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
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>	
	1. CR 512, Phase IV – Project No. 9611B, Bid Number 2008012, Change Order No. 2 Update (no back-up)	
	2. Murphy Land Reservations for Roadway Improvement Projects (memorandum dated January 2, 2009)	165-209
J.	<u>Utilities Services</u>	
	1. West Regional Wastewater Treatment Plant Expansion from 2 mgd to 6 mgd – Change Order 2 for Expansion of the Effluent Distribution Pumps & Extension to Contract Completion – UCP- 2621 (memorandum dated December 29, 2008)	210-218
	2. Approval of Work Order No. 19 with Geosyntec for Ground Water Assessment and Monitoring Proposal North County Water Facility (memorandum dated January 5, 2009)	219-235

13.	<u>COUNTY ATTORNEY MATTERS</u>	<u>PAGE</u>
A.	Disclosure of Written Communications Regarding Ex-Parte (One-sided) Contacts on Quasi-Judicial Matters (memorandum dated January 6, 2009)	236-251
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14.	<u>COMMISSIONERS ITEMS</u>	
A.	<u>Commissioner Wesley S. Davis, Chairman</u>	
1.	Current Committee Applications	252-256
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B.	<u>Commissioner Joseph E. Flescher, Vice Chairman</u>	
	None	
C.	<u>Commissioner Gary C. Wheeler</u>	
	None	
D.	<u>Commissioner Peter D. O'Bryan</u>	
	None	
E.	<u>Commissioner Bob Solari</u>	
	None	
15.	<u>SPECIAL DISTRICTS AND BOARDS</u>	
A.	<u>Emergency Services District</u>	
	None	
B.	<u>Solid Waste Disposal District</u>	
1.	Approval of Minutes Regular Meeting of November 18, 2008	
2.	Approval of Minutes Regular Meeting of December 9, 2008	
3.	Update to the SWDD Board on the New Planet Energy Proposal for Waste to Energy (memorandum dated January 6, 2008)	257-260
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15. **SPECIAL DISTRICTS AND BOARDS**

PAGE

C. **Environmental Control Board**

None

16. **ADJOURNMENT**

Anyone who may wish to appeal any decision which may be made at this meeting will need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal will be based.

Anyone who needs a special accommodation for this meeting may contact the County's Americans with Disabilities Act (ADA) Coordinator at (772) 226-1223 (TDD # 772-770-5215) at least 48 hours in advance of meeting.

The full agenda is available on line at the Indian River County Website at www.ircgov.com 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.***