



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

TUESDAY, NOVEMBER 10, 2009 - 9:00 A.M.

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

		<u>PAGE</u>
1.	<u>CALL TO ORDER</u>	<u>9:00 A.M.</u>
2.	<u>INVOCATION</u>	Reverend Derrick West, First Baptist Church
3.	<u>PLEDGE OF ALLEGIANCE</u>	Joseph A. Baird, County Administrator
4.	<u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u>	
5.	<u>PROCLAMATIONS and PRESENTATIONS</u>	
A.	Presentation of Proclamation Designating November 11, 2009 as Veterans Day	1
B.	Presentation of Proclamation Designating November 15, 2009 as America Recycles Day	2
C.	Presentation of Proclamation Designating November 15 th thru November 21, 2009 as National Hunger and Homelessness Awareness Week	3

6.	<u>APPROVAL OF MINUTES</u>	<u>PAGE</u>
	None	
7.	<u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	
A.	Resignation and Appointment to Utility Advisory Committee (memorandum dated November 3, 2009)	4-11
B.	Survey Services: Purchase Orders Processed August 11, 2009 through November 3, 2009 (Memo No. 3) (memorandum dated October 30, 2009)	12-13
8.	<u>CONSENT AGENDA</u>	
A.	Approval of Warrants and Wires October 23, 2009 to October 29, 2009 (memorandum dated October 29, 2009)	14-21
B.	318.18(13) Florida Statutes Assessment of Additional Court Costs Quarterly Summary (memorandum dated November 2, 2009)	22-24
C.	Resolution Cancelling Taxes on Property Acquired for 43 rd Avenue Right- of-Way from Donald F. Meeks and Jane W. Meeks (memorandum dated October 29, 2009)	25-30
D.	Proclamation and Retirement Award Honoring Jennie Hadsell on Her Retirement from Indian River County Board of County Commissioners and Sandridge Golf Club	31-32
E.	Proclamation and Retirement Award Honoring Lea R. Keller on Her Retirement from Indian River County Board of County Commissioners Effective September 30, 2009	33-34
F.	Authorization to Attend GFOA Annual Conference (memorandum dated November 3, 2009)	35
G.	Agreement with IRC/Pointe West/Pyrotecnico for Fireworks (memorandum dated October 20, 2009)	36-45
H.	Right-of-Way Acquisition, Lawrence E. and Corine H. Trapp, 5755 58 th Avenue, Vero Beach (memorandum dated October 21, 2009)	46-51

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
I.	Final Pay and Release of Retainage to H&D Construction Co., Inc. for SR60 Phase 3 Improvements, Bid No. 2009027 – UCP#3098 (memorandum dated October 13, 2009)	52-75
J.	Ambersand Beach Nourishment – Sectors 1 and 2 FDEP Grant Agreement No. 07IR3 – Amendment No. 2 (memorandum dated November 2, 2009)	76-88
K.	Acceptance of Permanent Easement for Drainage (memorandum dated November 2, 2009)	89-93
L.	Vero Lago Phases 2, 3 and 5 Consents to Assignment of Sidewalk Contracts by Successor Developer, Corona Vero Lago LLC, a Delaware limited liability company (memorandum dated 11/2/09)	94-97
9.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	
A.	<u>Jeffrey K. Barton, Indian River County Clerk of Circuit Court</u> Constitutional Officer Financial Report for Fiscal Year 2008-2009 (letter dated October 27, 2009)	98-99
B.	<u>Carole Jean Jordan, Indian River County Tax Collector</u> Constitutional Officer Financial Report for Fiscal Year 2008-2009 (memorandum dated October 28, 2009)	100-108
C.	<u>David C. Nolte, Indian River County Property Appraiser</u> Constitutional Officer Financial Report for Fiscal Year 2008-2009 (letter dated October 28, 2009)	109-116
D.	<u>Kay Clem, Indian River County Supervisor of Elections</u> Constitutional Officer Financial Report for Fiscal Year 2008-2009 (letter dated October 30, 2009)	117-127
E.	<u>Deryl Loar, Indian River County Sheriff</u> Constitutional Officer Financial Report for Fiscal Year 2008-2009 (letter dated October 28, 2009)	128-130

10.	<u>PUBLIC ITEMS</u>	<u>PAGE</u>
A. <u>PUBLIC HEARINGS</u>		
1.	Consideration of an Ordinance Extending the PD (Planned Development) Zoning Reverter Deadlines for the Liberty Park, Mandala Club, Turtle Creek Preserve, and Sunnyside Up Developments (memorandum dated October 27, 2009) Legislative	131-140
2.	Victor Munoz’s Request for Abandonment of a Portion of 59 th Avenue Lying North of 24 th Street (memorandum dated October 23, 2009) Legislative	141-147
3.	County Initiated Request to Amend the Capital Improvements Element of the Comprehensive Plan (memorandum dated November 2, 2009) Legislative	148-262
B. <u>PUBLIC DISCUSSION ITEMS</u>		
1.	Request to Speak from William M. Wells Regarding Re-Review After the Fact Permits and Setback Req.	263
C. <u>PUBLIC NOTICE ITEMS</u>		
1.	<u>Notice of Scheduled Public Hearing November 17, 2009</u> Requiring Registered Sex Offenders to Identify Themselves as Registered Sex Offenders Upon Entry Into an Emergency Shelter (memorandum dated November 2, 2009) Legislative	264
11.	<u>COUNTY ADMINISTRATOR MATTERS</u>	
	None	
12.	<u>DEPARTMENTAL MATTERS</u>	
A. <u>Community Development</u>		
1.	Request for Board Authorization for Staff to Undertake a County Initiated Rezoning to Change all IG Property in Gifford to IL (memorandum dated October 29, 2009)	265-279

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
	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>	
	1. Staff Update – Sector 3 Beach Renourishment Project (no back-up)	
	J. <u>Utilities Services</u>	
	1. Consulting Engineering Services Work Order No. 9 with Schulke, Bittle & Stoddard, L.L.C. for a Master Plan 12” Water Main Extension Along 53 rd St. from Lateral “H” Canal to Indian River Blvd and Along Old Dixie Hwy. North and South of 53 rd St. – UCP- 4035 (memorandum dated October 22, 2009)	280-291
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13.	<u>COUNTY ATTORNEY MATTERS</u>	
	A. Proposed Letter "Notice of Intent to Award" Sector 3 Beach and Dune Restoration Project (memorandum dated November 5, 2009)	292-293
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14. COMMISSIONERS ITEMS

PAGE

A. Commissioner Wesley S. Davis, Chairman

None

B. Commissioner Joseph E. Flescher, Vice Chairman

None

C. Commissioner Gary C. Wheeler

None

D. Commissioner Peter D. O'Bryan

None

E. Commissioner Bob Solari

None

15. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District

None

B. Solid Waste Disposal District

None

C. Environmental Control Board

None

16. ADJOURNMENT

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

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

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