



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

**TUESDAY, JANUARY 8, 2013 - 9:00 A.M.**

**County Commission Chamber  
Indian River County Administration Complex  
1801 27<sup>th</sup> Street, Building A  
Vero Beach, Florida, 32960-3388  
[www.ircgov.com](http://www.ircgov.com)**

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**COUNTY COMMISSIONERS**

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

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

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

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- | <b>1.</b> | <b><u>CALL TO ORDER</u></b>        | <b><u>9:00 A.M.</u></b>                     | <b><u>PAGE</u></b> |
|-----------|------------------------------------|---|--------------------|
| <b>2.</b> | <b><u>INVOCATION</u></b>           | Deputy Teddy Floyd, IRC Sheriff Department  |                    |
| <b>3.</b> | <b><u>PLEDGE OF ALLEGIANCE</u></b> | Commissioner Wesley S. Davis, Vice Chairman |                    |

**CONSTITUTIONAL OFFICERS OATH OF OFFICE**

The Honorable Judge David C. Morgan, Indian River County, 19<sup>th</sup> Judicial Circuit Court of Florida

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

**5. PROCLAMATIONS and PRESENTATIONS**

- A.** Presentation on Lagoon Greenway by Ken Grudens, Executive Director, Indian River Land Trust

<b>5.</b>	<b><u>PROCLAMATIONS and PRESENTATIONS</u></b>	<b><u>PAGE</u></b>
	B. Presentation of Proclamation Designating February 21, 2013 as Harlem Ambassadors Basketball Game and Show Night at Sebastian River High School	1
<hr/>		
<b>6.</b>	<b><u>APPROVAL OF MINUTES</u></b>	
	A. Regular Meeting of November 13, 2012	
	B. Regular Meeting of November 20, 2012	
<b>7.</b>	<b><u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u></b>	
	None	
<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	
	A. Approval of Warrants – December 7, 2012 to December 13, 2012 (memorandum dated December 13, 2012)	2-9
	B. Approval of Warrants – December 14, 2012 to December 20, 2012 (memorandum dated December 20, 2012)	10-18
	C. Approval of Warrants – December 21, 2012 to December 27, 2012 (memorandum dated December 27, 2012)	19-24
	D. 2013 Blanket Authorization for Commissioners to Travel Out of County (memorandum dated November 29, 2012)	25-27
	E. Permission to Advertise for Public Hearing for Amendment to Section 100.03(4) of the Indian River County Code, Codifying and Publishing the Ordinances to Readopt the Code up to and Including Supplement 94 as Published by the Municipal Code Corporation (memorandum dated December 26, 2012)	28
	F. Amendment to Purchasing Manual (memorandum dated December 21, 2012)	29-31
	G. Work Order No. 17 – Bridge Design Associates, Inc. – Release of Retainage Pedestrian Bridge – Old Dixie Highway Sidewalk from 38 <sup>th</sup> Lane to 65 <sup>th</sup> Street, IRC Project No. 0845 (memorandum dated December 11, 2012)	32-33

<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	<b><u>PAGE</u></b>
<b>H.</b>	66 <sup>th</sup> Avenue – Phase 2 (4 <sup>th</sup> Street to 16 <sup>th</sup> Street) Subordination of Utility Interests and Agreement for Reimbursement for Additional Facility Relocations for FPL, IRC Project No. 9810B (memorandum dated December 13, 2012)	34-40
<hr style="border-top: 1px dashed black;"/>		
<b>I.</b>	Award of Bid No: 2013007 Correction, Indian River Boulevard Re-surfacing (41 <sup>st</sup> Street to 53 <sup>rd</sup> Street), IRC Project No. 1131 (memorandum dated December 14, 2012)	41
<hr style="border-top: 1px dashed black;"/>		
<b>J.</b>	Miscellaneous Budget Amendment 005 (memorandum dated January 2, 2013)	42-51
<hr style="border-top: 1px dashed black;"/>		
<b>K.</b>	Mental Health Association funding for fiscal year 2012/13 (memorandum dated January 2, 2013)	52-53
<hr style="border-top: 1px dashed black;"/>		
<b>L.</b>	Work Order No. 3 Final Pay and Release of Retainage, Masteller, Moler, Reed & Taylor, Inc. – 87 <sup>th</sup> Street Right-of-Way and Topographic Survey, IRC Project No. 1205 (memorandum dated December 18, 2012)	54-56
<hr style="border-top: 1px dashed black;"/>		
<b>M.</b>	Work Order No. 3 to the Continuing Contract Agreement for Professional Services with Schulke, Bittle & Stoddard, LLC for Engineering Drawings and Scope of Work for Roof Replacement over the Indian River County Fairgrounds Agricultural Pavilion, Indian River County Project No. 1238 (memorandum dated December 17, 2012)	57-59
<hr style="border-top: 1px dashed black;"/>		
<b>N.</b>	Addendum No. 1 to the Agreement for Old Dixie Highway Sidewalk from 8 <sup>th</sup> Street to SR 60, IRC Project No. 1102, Bid No. 2012052 (memorandum dated December 20, 2012)	60-74
<hr style="border-top: 1px dashed black;"/>		

**9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

None

**10. PUBLIC ITEMS**

**A. PUBLIC HEARINGS**

None

10. **PUBLIC ITEMS**

**PAGE**

**B. PUBLIC DISCUSSION ITEMS**

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 Robert L. Smith Regarding Initiating a Change to the Non-Conformities Regulations to Eliminate the One Year Cessation of Use Rule (Re-establish Grandfathered In Status for 4380 38<sup>th</sup> Avenue)

75-76

**C. PUBLIC NOTICE ITEMS**

None

11. **COUNTY ADMINISTRATOR MATTERS**

None

12. **DEPARTMENTAL MATTERS**

**A. Community Development**

1. Consideration of Meeting Dates for Proposed Amendments to the County's Land Development Regulations (LDRs) to Allow Outdoor Vehicle Storage Use in the CL (Limited Commercial) and CG (General Commercial) Zoning Districts (memorandum dated December 17, 2012)

77-78

**B. Emergency Services**

None

**C. General Services**

None

**D. Human Resources**

None

**E. Human Services**

None

**F. Leisure Services**

None

<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	<b><u>PAGE</u></b>
	<b>G. <u>Office of Management and Budget</u></b>	
	None	
	<b>H. <u>Recreation</u></b>	
	None	
	<b>I. <u>Public Works</u></b>	
	1. Resolutions for Paving (Millings) Improvements and to set a Public Hearing for 7 <sup>th</sup> Place Petition Millings Project from 63 <sup>rd</sup> Avenue to 60 <sup>th</sup> Avenue in the Pine Tree Park Subdivision – IRC Project No. 1212 (memorandum dated December 21, 2012)	79-93
	<b>J. <u>Utilities Services</u></b>	
	1. Approval of Amendment 1 to Work Order No. 3 with Kimley-Horn and Associates, Inc. (memorandum dated December 11, 2012)	94-99
<b>13.</b>	<b><u>COUNTY ATTORNEY MATTERS</u></b>	
	A. Possible New Incentives in the Enterprise Zone (memorandum dated December 31, 2012)	100-131
	B. Sale of Surplus State Land – Indian River Correctional Institute (memorandum dated January 2, 2013)	132-133
<b>14.</b>	<b><u>COMMISSIONERS ITEMS</u></b>	
	<b>A. <u>Commissioner Joseph E. Flescher, Chairman</u></b>	
	None	
	<b>B. <u>Commissioner Wesley S. Davis, Vice Chairman</u></b>	
	None	
	<b>C. <u>Commissioner Peter D. O’Bryan</u></b>	
	None	
	<b>D. <u>Commissioner Bob Solari</u></b>	
	None	

14. **COMMISSIONERS ITEMS** **PAGE**

- E. **Commissioner Tim Zorc**  
None

15. **SPECIAL DISTRICTS AND BOARDS**

- A. **Emergency Services District**  
None

B. **Solid Waste Disposal District**

1. Approval of Minutes – Meeting of November 13, 2012
2. Change Order No. 1 to Mancil’s Tractor Service, Inc. for Customer Convenience Center Paving Improvements (Bid No. 2012047) 134-138

- 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](http://www.ircgov.com) The full agenda is also available for review in the Board of County Commission Office, the Indian River County Main Library, the IRC Courthouse Law Library, and the North County Library.

***Commission Meeting may be broadcast live by Comcast Cable Channel 27  
Rebroadcasts continuously with the following proposed schedule:  
Tuesday at 6:00 p.m. until Wednesday at 6:00 a.m.,  
Wednesday at 9:00 a.m. until 5:00 p.m.,  
Thursday at 1:00 p.m. through Friday Morning,  
and Saturday at 12:00 Noon to 5:00 p.m.***