



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

TUESDAY, AUGUST 20, 2013 - 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

**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
Dylan Reingold, County Attorney
Jeffrey R. Smith, Clerk to the Board**

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|----|---|--------------------------------|
| 1. | <u>CALL TO ORDER</u> | <u>9:00 A.M.</u> |
| 2. | <u>INVOCATION</u> | Stan Boling, Planning Director |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | Commissioner Tim Zorc |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | |
| A. | Proclamation and Retirement Award Honoring Mary T. Hightower on Her Retirement from Indian River County Board of County Commission Department of General Services/Parks Division with Thirty-Five Years Service | |
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5.	<u>PROCLAMATIONS and PRESENTATIONS</u>	<u>PAGE</u>
	<i>B. There is no Item 5B</i>	
	C. Presentation of Proclamation Recognizing August 11 Through August 17, 2013 as National Health Center Week	5
	D. Presentation of Proclamation Designating the Month of September, 2013 as Ovarian Cancer Awareness Month	6
	E. Presentation of Proclamation Recognizing September 19, 2013 as It Can Wait National Day of Action	7
6.	<u>APPROVAL OF MINUTES</u>	
	A. Regular Meeting of July 2, 2013	
	B. Regular Meeting of July 9, 2013	
	C. Regular Meeting of July 16, 2013	
7.	<u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	
	A. Town of Indian River Shores 2013/2014 Committee Appointments (memorandum dated July 19, 2013)	8-9
	B. Proof of Publication of Unclaimed Monies for Cash Bonds Deposited with the Clerk of the Circuit Court prior to January 1, 2012 is on file in the office of the Clerk to the Board	
	C. Biennial Report of Indian River County Entrance Fees and Expenses for the Sebastian Inlet State Park is on file in the office of the Clerk to the Board	
	D. Vero Lakes Water Control District General Fund Budget for the year ending September 30, 2014 is on file in the office of the Clerk to the Board	
8.	<u>CONSENT AGENDA</u>	
	A. Approval of Warrants – July 4, 2013 to July 11, 2013 (memorandum dated July 11, 2013)	10-17

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
B.	Approval of Warrants – July 12, 2013 to July 18, 2013 (memorandum dated July 18, 2013)	18-26
C.	Approval of Warrants – July 19, 2013 to July 25, 2013 (memorandum dated July 25, 2013)	27-34
D.	Approval of Warrants – July 26, 2013 to August 1, 2013 (memorandum dated August 1, 2013)	35-43
E.	Approval of Warrants – August 2, 2013 to August 8, 2013 (memorandum dated August 8, 2013)	44-49
F.	Dori Slosberg Driver Education Safety Act Indian River County Traffic Education Program Trust Fund (memorandum dated July 26, 2013)	50-51
G.	Quarterly Summary Report for Assessment of Additional Court Costs for Quarter Ending 06/30/13 (memorandum dated July 26, 2013)	52-55
H.	Quarterly OPEB Trust Report for Quarter Ending 06/30/13 (memorandum dated July 26, 2013)	56-58
I.	Quarterly Investment Report for Quarter Ending 06/30/2013 (memorandum dated July 26, 2013)	59-71
J.	Request from Indian River County Supervisor of Elections, Leslie R. Swan, for Adoption of a Proposed Resolution Regarding a Change in Procedure Requiring Electronic Filing of Campaign Finance Reports (letter dated July 31, 2013)	72-82
K.	Request from Indian River County Tax Collector, Carole Jean Jordan, CFC, that the Board of County Commission Order the Tax Roll to be Extended Prior to Completion of the Value Adjustment Board Hearings (memorandum dated August 12, 2013)	83-84
L.	Application for Board of County Commissioner Appointee to the Children’s Services Advisory Committee (CSAC) (memorandum dated July 25, 2013)	85-89
M.	Out of County Travel to attend the 2013-14 Florida Association of Counties Legislative Conference (memorandum dated July 27, 2013)	90-91

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
N.	Out of County Travel to attend the Florida Association of Counties Policy Committee Conference (memorandum dated August 9, 2013)	92-94
O.	Resolution Formally Designating a Portion of County Owned Property Along Oslo Road to 20 th Avenue as Right-of-Way (memorandum dated August 6, 2013)	95-99
P.	Resolution Cancelling Taxes on Property Acquired by the City of Sebastian to Become Part of the City's Park System (memorandum dated August 5, 2013)	100-117
Q.	Resolutions Canceling Taxes on Properties Acquired by the City of Fellsmere for the Benefit of the Municipal Water System (memorandum dated August 6, 2013)	118-137
R.	There is No Item 8R - it was Moved to Presentations 5A	---
S.	Pulte Group's (DiVosta Homes) Request to Modify the Waterway Village DRI Development Order to Require Biennial rather than Annual Project Status Reports (memorandum dated August 1, 2013)	140-153
T.	Resolution Requesting Funding Assistance from State of Florida Beach Erosion Control Program – FY 2014/15 (memorandum dated August 6, 2013)	154-155
U.	Right-of-Way Acquisition: 5480 85 th Street, Sebastian, Fl 32958, Project Parcels #424, #724, Seller: St. Sebastian Conference of St. Vincent DePaul Society, Inc. (memorandum dated August 8, 2013)	156-171
V.	Right-of-Way Acquisition: 4650 85 th Street, 4695 86 th Place and 4595 87 th Street, Project Parcels #772, #473, #773, #474, # 774, and #874, Seller: 510, LLC (memorandum dated August 8, 2013)	172-211
W.	Approval of the CERT (Community Emergency Response Team) Public CPR & AED Training Classes and Equipment (memorandum dated August 9, 2013)	212-214

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
X.	Request to Approve a Memorandum of Engagement with Lamb and Lerch for Foreign Trade Zone Consultant Services (memorandum dated August 5, 2013)	215-218
Y.	State Aid Application/Agreement (memorandum dated August 7, 2013)	219-226
Z.	Rejection of Bids for IRC Bid No. 2013045 – South County RO Acid Tank Replacement (memorandum dated August 12, 2013)	227-234
AA.	Request for Ratification of an Indian River County Board of County Commissioners and the Florida Housing Finance Corporation Agreement for Tenant Based Rental Assistance that was Executed by County Administrator Joseph Baird During the Board’s Summer Recess (memorandum dated August 5, 2013)	235-266
BB.	Request for Approval of a revised Technical Assistance Grant Agreement between the Department of Economic Opportunity (DEO) and Indian River County (memorandum dated August 7, 2013)	267-312
CC.	Right-of-Way Acquisition, 8570 US Highway 1, Sebastian, Fl 32958, Project Parcel #468, Seller: Charles W. Carneal, Jr. (deceased 9/28/11) c/o Carolyn Wendell Markey, Personal representative of the estate of Charles Wendell Carneal, Jr. (memorandum dated August 8, 2013)	313-321
DD.	Grand Harbor North Project, Proposed Wetland Treatment System, Preliminary Plan and Analysis (memorandum dated August 14, 2013)	322-330
EE.	Approval of Lease Agreement with Indian River Sports Complex, Inc. for Use of 16 th Street Ball Fields (memorandum dated July 25, 2013)	331-345
FF.	Change Order No. 2, Old Dixie Highway Sidewalk from 8 th Street to SR 60, IRC Project No. 1102, Bid No. 2012052 (memorandum dated August 2, 2013)	346-351
GG.	Selection of Continuing Professional Surveying and Mapping Services RFQ# 2013043 – IRC Project No. 1333 (memorandum dated August 9, 2013)	352-353

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
	HH. F.D.O.T. Small County Outreach Program (SCOP) Agreement and Resolution Authorizing the Chairman’s Signature for Construction (Resurfacing) and Construction Engineering Inspection (CEI) Services of Indian River Boulevard from SR-5/US1 to SR-656/17 th Street, IRC Project No. 1302 FM No. 433067-1-58-01 (memorandum dated August 1, 2013)	354-372
	II. Amendment No. 1 to Work Order No. 1, Dunkelberger Engineering and Testing, Inc. for 66 th Avenue Roadway Improvements – Phase 2 (4 th Street to 16 th Street) IRC Project No. 9810B (memorandum dated August 9, 2013)	373-378
	JJ. Selection of Continuing Environmental and Biological Support Services for Civil and Environmental Engineering Projects RFQ# 2013044 IRC Project No. 1334 (memorandum dated August 7, 2013)	379-380
	KK. Amendment No. 4 to Work Order No. 1 – G.K. Environmental, Inc., Oslo Road Boat Ramp, IRC Project No. 0381 (memorandum dated August 9, 2013)	381-385
	LL. Approval of Lease Agreement with Indian River Lacrosse Association, Inc. (memorandum dated August 1, 2013)	386-396
	MM. 26 th Street Advance Acquisition of Right-of-Way – 2605 47 th Avenue (memorandum dated August 13, 2013)	397-412
	NN. 26 th Street Advance Acquisition of Right-of-Way – 5020 26 th Street (memorandum dated August 13, 2013)	413-428
	OO. Conveyance of a Modified Perpetual Easement to Florida Department of Transportation for new U.S. 1 South County Bridge (memorandum dated August 13, 2013)	429-438
	PP. Miscellaneous Budget Amendment 023 (memorandum dated August 14, 2013)	439-444
	QQ. Amendment No. 1 to Indian River County South County Regional Park Intergenerational Recreation Facility Professional Civil Engineering and Architectural Services Consultant Agreement RFQ No. 2012024 – IRC Project No. 1135 (memorandum dated August 13, 2013)	445-451

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
	RR. Request for Satisfaction of Code Enforcement Lien at 1776 Cypress Lane, Seagrove Subdivision (memorandum dated August 14, 2013)	452-460
	SS. Proclamation and Retirement Award Honoring Alan K. Wheatley on His Retirement from Indian River County Board of County Commissioners Department of Utility Services/Wastewater Collection with Nineteen Years Service	
	TT. Presentation of Proclamation and Retirement Award Honoring Greg Hall on His Retirement from Indian River County Board of County Commissioners Department of Public Works Road & Bridge Division with Thirty Seven Years Service	
9.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	
	A. <u>Indian River County Supervisor of Elections – Leslie R. Swan</u> Request for Certification that the Board of County Commissioners Will Provide Matching Funds for the Federal Election Activities Grant for FY 2013-2014 (letter dated July 30, 2013)	461-464
	B. <u>Indian River County Sheriff – Deryl Loar</u>	
	1. Expenditure from the Criminal and Sex Offender Registrant Fee Account (letter dated July 30, 2013)	465-495
	2. Request for Budget Amendment that Proceeds from Auction of Surplus Property and Vehicles Be Used to Acquire Like-Kind Property (letter dated August 12, 2013)	496
10.	<u>PUBLIC ITEMS</u>	
	A. <u>PUBLIC HEARINGS</u>	
	1. County Initiated Request to Redesignate ± 70 Acres from C-2, Conservation-2 (up to 1 unit/40 acres), and L-2, Low-Density Residential-2 (up to 6 units/acre), to C-1, Conservation-1 (Zero Density), and Rezone those ± 70 Acres from RS-6 Single-Family Residential District (up to 6 units/acre), and RS-1, Single Family Residential District (up to 1 unit/acre), to Con-1, Conservation-1 District (zero density) (memorandum dated August 4, 2013)	497-513
	Legislative	

10.	<u>PUBLIC ITEMS</u>	<u>PAGE</u>
A. <u>PUBLIC HEARINGS</u>		
2.	Consideration of Proposed Land Development Regulation (LDR) Amendment to Section 911.15(1)(d), West County Industrial Park Height Exception (memorandum dated July 15, 2013) Legislative	514-526
3.	Providence Pointe Vero Beach, LLC's Request to Rezone Approximately 186.33 Acres from A-1, Agricultural 1 (up to 1 unit/5 acres), and RS-3, Residential Single-Family (up to 3 units/acre), to Planned Development Traditional Neighborhood Design (PDTND) and to Obtain Conceptual Planned Development Plan Approval For a Project to be Known as Providence Pointe (memorandum dated July 31, 2013) Legislative	527-583
4.	Proposed Fertilizer and Landscape Management Ordinance, Public Hearing/Consideration of Final Adoption (memorandum dated August 8, 2013) Legislative	584-595
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 B. J. McClure, Attorney for Indian River Aerodrome Property Owners Association (IRAPOA) Regarding Termination of IRAPOA Water Project UCP-4100	596-628
2.	Request to Speak from Jim Davis Regarding Indian River Aerodrome Water Project No. UCP-4100 Reinstatement of Estimate Study for County Water	629
3.	Request to Speak from Ardra and Bill Rigby Regarding Equality and Affirmative Opportunity	630
4.	Request to Speak from Neal Abarbanell Regarding Long to be resolved problems regarding County Code Enforcement's and Public Safety's failure to address/selection policies and rules in rural area of Indian River County	631
5.	Request to Speak from Charles Wilson Regarding Depositing Money with the County	632

10.	<u>PUBLIC ITEMS</u>	<u>PAGE</u>
	C. <u>PUBLIC NOTICE ITEMS</u>	
	None	
11.	<u>COUNTY ADMINISTRATOR MATTERS</u>	
	None	
12.	<u>DEPARTMENTAL MATTERS</u>	
	A. <u>Community Development</u>	
	1. Request to Approve an Amended and Re-Styled Agreement between Indian River Habitat for Humanity and Indian River County for Neighborhood Stabilization Program 3 (NSPC) Community Development Block Grant (CDBG) Programmatic Services and Amended and Re-Styled NSP3 Single-Family Purchase, Redevelopment and Sales Program Manual (memorandum dated August 12, 2013)	633-640
	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>	
	1. Recreational Revenue Refunding Bonds, Series 2003, Approval of Resolution for Early Payoff (memorandum dated August 9, 2013)	641-646

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
	G. <u>Office of Management and Budget</u>	
	2. Spring Training Facility Revenue Bonds, Series 2001 Approval of Resolution for Partial Early Payoff Budget Amendment 024 (memorandum dated August 7, 2013)	647-654
	H. <u>Recreation</u>	
	None	
	I. <u>Public Works</u>	
	None	
	J. <u>Utilities Services</u>	
	1. Evaluation of Receiving TMDL Credits for Past Projects (memorandum dated August 9, 2013)	655-661
	2. Sewer Feasibility Study for the North Sebastian Area – UCP 4101 (memorandum dated August 9, 2013)	662-669
	3. Sewer Feasibility Study for the Summerplace Area – UCP 4101 (memorandum dated August 9, 2013)	670-679
13.	<u>COUNTY ATTORNEY MATTERS</u>	
	A. Consideration of Purchase of Surplus State Land – Former Indian River Correctional Institute (memorandum dated July 26, 2013)	680-681
	B. Developer Request for Additional 2-Year Extension to Construct Required Sidewalk Improvements (memorandum dated August 7, 2013)	682-683
	C. Approval of Expert Witness Fees for William Bethel: Parcel 108 (memorandum dated August 14, 2013)	684-696
14.	<u>COMMISSIONERS ITEMS</u>	
	A. <u>Commissioner Joseph E. Flescher, Chairman</u>	
	1. Correspondence with the President of the United States (memorandum dated August 9, 2013)	697-699
	2. City of Vero Beach Electric Sale to Florida Power & Light (FPL) (memorandum dated August 9, 2013)	700

14.	<u>COMMISSIONERS ITEMS</u>	<u>PAGE</u>
B.	<u>Commissioner Wesley S. Davis, Vice Chairman</u> None	
C.	<u>Commissioner Peter D. O’Bryan</u>	
	1. Florida Atlantic University Relations Internship Program (memorandum dated August 12, 2013)	701-702
D.	<u>Commissioner Bob Solari</u>	
	1. Fellsmere and the Enterprise Zone (memorandum dated August 5, 2013)	703-706
E.	<u>Commissioner Tim Zorc</u>	
	1. Lobbyist Registration (memorandum dated August 14, 2013)	707
15.	<u>SPECIAL DISTRICTS AND BOARDS</u>	
A.	<u>Emergency Services District</u>	
	1. Approval of Minutes Meeting of June 18, 2013	
	2. City of Fellsmere Fire Marshal’s Office (memorandum dated August 6, 2013)	708-719
B.	<u>Solid Waste Disposal District</u>	
	1. Approval of Minutes Meeting of June 11, 2013	
	2. Approval of Minutes Meeting of June 18, 2013	
	3. Final Pay for Amendment No. 2 to Republic Services for Landfill Ditch Enhancement Project (memorandum dated August 13, 2013)	720-727
	4. Sixth Amendment to SWDD Feedstock Supply Agreement with INPB (memorandum dated August 14, 2013)	728-730
C.	<u>Environmental Control Board</u> 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, 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.***