



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

COMMISSION AGENDA

TUESDAY, JUNE 20, 2006 - 9:00 A.M.

**County Commission Chamber
County Administration Building
1840 25th Street, Vero Beach, Florida, 32960-3365
WWW.IRCGOV.COM**

COUNTY COMMISSIONERS

**Arthur R. Neuberger, Chairman
Gary C. Wheeler, Vice Chairman
Sandra L. Bowden
Wesley S. Davis
Thomas S. Lowther**

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

**Joseph A. Baird, County Administrator
William G. Collins II, County Attorney
Kimberly Massung, Executive Aide to BCC
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> | Rev. Andrew Jefferson, Senior Pastor
St. Peter's Missionary Baptist Church |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | Commissioner Gary C. Wheeler
Vice Chairman |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | |
| A. | Presentation of Proclamation Designating June 19 – 25, 2006 as Amateur Radio Week | 1 |
| B. | Presentation of Proclamation Honoring Deputy Teddy Floyd | 2 |

6.	<u>APPROVAL OF MINUTES</u>	<u>PAGE</u>
A.	Regular Meeting of May 23, 2006	
B.	City of Vero Beach Joint Workshop of May 31, 2006	
7.	<u>CONSENT AGENDA</u>	
A.	Report Placed on File in the Office of Clerk to the Board: St. John's Water Control District – Emmett Evans Reelected to Board of Supervisors at annual meeting on May 16, 2006	
B.	Approval of Warrants (memorandum dated June 8, 2006)	3-10
C.	Resignation From the Conservation Lands Advisory Committee (CLAC) (memorandum dated June 20, 2006)	11-12
D.	Resignation from the Professional Services Advisory Committee (PSAC) (memorandum dated June 12, 2006)	13-14
E.	Deeds to School District of Indian River County, Florida (memorandum dated June 12, 2006)	15-25
F.	SDG Kings, Inc.'s Request for Final Plat Approval for a Subdivision to be Known as Oaks of Vero Phase II (memorandum dated June 12, 2006)	26-45
G.	Blue Note L.L.C.'s Request for Final Plat Approval for the Hidden Hammock Affidavit of Exemption Project (memorandum dated June 9, 2006) Quasi-Judicial	46-50
H.	Professional Engineering Services Agreement, CR 512 Corridor Improvements – IRC Project No. 9611 Addendum No. 10 (Masteller & Moler Inc.) (memorandum dated June 12, 2006)	51-62
I.	North County Regional Park, Phase II, IRC Project No. 0399 Request for Final Release of Retainage for Barth Construction, Inc. (memorandum dated June 8, 2006)	63-70

7.	<u>CONSENT AGENDA (CONT'D.)</u>	<u>PAGE</u>
J.	4 th Street Widening from U.S.1 to West of Old Dixie, Change Order No. 1 and Final Release of Retainage (memorandum dated June 9, 2006)	71-77
K.	Approval of Bid Award for IRC Bid # 2006076 Vibrating Roller for Road & Bridge – Public Works Department / Road & Bridge Division (memorandum dated June 12, 2006)	78-85
L.	Authority to File Suit for Injunctive Relief against Randy L. and Elizabeth A. Riddle (memorandum dated June 12, 2006)	86
M.	Resolution to Call Letters of Credit and Resolution to Act on Behalf of Indian River County from July 19, 2006, through and including August 21, 2006 (memorandum dated June 12, 2006)	87-92
N.	Schulke, Bittle, & Stoddard Inc.'s Request for Final Plat Approval for a Subdivision to be Known as Citrus Springs P.D. – Village G (memorandum dated June 12, 2006) Quasi-Judicial	93-100
O.	43 rd Ave Sub-complex – Security System Elections Office Change Order (memorandum dated June 13, 2006)	101-107
P.	The Fountains at Amber Lakes Subdivision, Developer: The Fountains at Amber Lakes, LLC (David B. Chase, Managing Member), Request for Authorization for Staff to Call Letter of Credit (memorandum dated June 14, 2006)	108-118
Q.	Work Order #2, Coastal Technology Corporation Inc., Beach Preservation Plan Update (memorandum dated June 12, 2006)	119-127
R.	Work Order #3, Coastal Technology Corporation Inc. Beach Preservation Plan Update (memorandum dated June 12, 2006)	128-140
S.	Proclamation Honoring Reta M. Smith on her Retirement from Indian River County Board of County Commissioners, Board of County Commissioners Office	141-142

8.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	<u>PAGE</u>
A.	<u>Kay Clem, Indian River County Supervisor of Elections</u> Budget Amendment for current year budget (memorandum dated June 7, 2006)	143-144
9.	<u>PUBLIC ITEMS</u>	
A.	<u>PUBLIC HEARINGS</u>	
1.	George Sigler's Request for Abandonment of a Portion of Right-of-Way along the West Side of 27 th Avenue SW North of 6 th Street SW (memorandum dated June 12, 2006)	145-153
	Legislative	
2.	Vero First Developers Inc.'s Request to Rezone ± 11.73 Acres from A-1 to RM-6 (memorandum dated June 9, 2006)	154-175
	Quasi-Judicial	
3.	Tax Equity Fiscal Responsibility Act (TEFRA) Public Hearing Escambia County Housing Finance Authority Single Family Mortgage Revenue Bonds (memorandum dated May 17, 2006)	176-194
	Administrative	
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 Bob Swift Regarding Concurrency Management (fax dated June 14, 2006)	195
C.	<u>PUBLIC NOTICE ITEMS</u>	
1.	<u>Notice of Public Hearing July 11, 2006:</u> Winter Beach Park Subdivision Petition Water Service 52 nd Avenue North of 65 th Street, Indian River County Project No. UCP-2633 (memorandum dated June 12, 2006)	196
	Administrative	

9.	<u>PUBLIC ITEMS (CONT'D)</u>	<u>PAGE</u>
	C. <u>PUBLIC NOTICE ITEMS (CONT'D.)</u>	
	2. Notice of Public Hearing July 11, 2006: Board Consideration to Approve Purchase of the Judah and Lloyd parcels of the "Archie Smith Fish House" Environmental Land Acquisition Project (memorandum dated June 12, 2006)	197
	Administrative	
10.	<u>COUNTY ADMINISTRATOR'S MATTERS</u>	
	A. World Changers and Regatta Construction, LLC "House in One Day Charity Project" Landfill Disposal Fees Subsidy (memorandum dated June 14, 2006)	198
11.	<u>DEPARTMENTAL MATTERS</u>	
	A. <u>Community Development</u>	
	1. Appeal by Richard Torpy, Esquire, of the Planning and Zoning Commission's Decision to Deny Preliminary Plat Approval for Pelican Bay Phase II (memorandum dated June 13, 2006)	199-234
	Quasi-Judicial	
	2. Consideration of the Indian River County Evaluation and Appraisal Report Public Participation Plan (memorandum dated June 13, 2006)	235-268
	B. <u>Emergency Services</u>	
	1. Request from Sebastian Police Department for a Public Safety Answering Point (PSAP) (memorandum dated June 7, 2006)	269-280
	C. <u>General Services</u>	
	1. Florida Power & Light (FP&L) Care to Share Agreement (memorandum dated June 13, 2006)	281-290
	D. <u>Human Resources</u>	
	None	

11.	<u>DEPARTMENTAL MATTERS (CONT'D.)</u>	<u>PAGE</u>
	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>	
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	I. <u>Public Works</u>	
	1. Overhead & Underground Utility Choices – Presentation by Florida Power & Light (memorandum dated June 9, 2006)	291
	2. Property Acquisition, 5285 66 th Avenue – 66 th Avenue Widening and Improvements County Project No. 0417, Eleanor J. Williams Colvin, Owner (memorandum dated June 5, 2006)	292-302
	3. 66 th Avenue (SR 60 to CR510) Widening Improvements, Staff Recommendations (memorandum dated June 13, 2006)	303-309
	J. <u>Utilities Services</u>	
	1. South Regional Wastewater Treatment Facility Permit Renewal and Review of Proposed Industrial Pretreatment Program & Ordinance Work Order #13 (memorandum dated June 13, 2006)	310-317
12.	<u>COUNTY ATTORNEY</u>	
	A. Organizational Meeting of the Value Adjustment Board and Resolution Appointing Value Adjustment Board Members and Providing for or Rejecting Per Diem Compensation for Value Adjustment Board (memorandum dated June 12, 2006)	318-322

12.	<u>COUNTY ATTORNEY (CONT'D.)</u>	<u>PAGE</u>
	B. Stoney Brook Farms, Request from Developer, Stoneybrook Farms Group, L.L.C. (Mark Brackett, Manager) for an Extension to Complete Required Improvements (memorandum dated June 13, 2006)	323-342
	C. Falcon Trace Plats 2 and 4 Request from Developer, Indian River Associates II, LLLP, for an Extension to Complete Required Improvements (memorandum dated January 14, 2006)	343-367
	D. Falcon Trace Plats 5 and 6 Request from Developer, Indian River Associates II, LLLP, for an Extension to Complete Required Improvements (memorandum dated January 14, 2006)	368-392
13.	<u>COMMISSIONERS ITEMS</u>	
	A. <u>Commissioner Arthur R. Neuberger, Chairman</u>	
	1. Renewal of Employment Agreement (memorandum dated June 5, 2006)	393-396
	B. <u>Commissioner Gary C. Wheeler, Vice Chairman</u>	
	None	
	C. <u>Commissioner Sandra L. Bowden</u>	
	1. Rockridge Homeowner's Association (no back-up)	
	2. Update on Lewis Barton Property (memorandum dated June 14, 2006)	397-398
	D. <u>Commissioner Wesley S. Davis</u>	
	1. Resolution of Support of the Constitutional Amendment Defining Marriage (no back-up)	
	E. <u>Commissioner Thomas S. Lowther</u>	
	None	

14. **SPECIAL DISTRICTS AND BOARDS**

PAGE

A. **Emergency Services District**

None

B. **Solid Waste Disposal District**

1. Approval of Minutes Meeting of June 6, 2006

2. Landfill Gas Control System – First Expansion
(memorandum dated June 5, 2006)

399-406

C. **Environmental Control Board**

None

15. **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:

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.