



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

COMMISSION AGENDA

TUESDAY, DECEMBER 5, 2006 - 9:00 A.M.

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

COUNTY COMMISSIONERS

**Gary C. Wheeler, Chairman
Sandra L. Bowden, Vice Chairman
Wesley S. Davis
Joseph E. Flescher
Peter D. O'Bryan**

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

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|-----------|---------------------------------------------------------------------------|----------------------------------|
| 1. | <u>CALL TO ORDER</u> | <u>9:00 A.M.</u> |
| 2. | <u>INVOCATION</u> | Jim Davis, Public Works Director |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | Gary C. Wheeler, Chairman |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | |
| A. | Proclamation Designating December 7, 2006 as Pearl Harbor Remembrance Day | <u>1</u> |

6.	<u>APPROVAL OF MINUTES</u>	<u>PAGE</u>
A.	Regular Meeting of September 19, 2006	
B.	Regular Meeting of October 3, 2006	
C.	Regular Meeting of October 10, 2006	
7.	<u>CONSENT AGENDA</u>	
A.	Approval of Warrants – November 10 – November 16, 2006 (memorandum dated November 16, 2006)	2-10
B.	Pre-Session Legislative Delegation Luncheon (memorandum dated November 29, 2006)	11-13
C.	School Board Appointments to County Committees (memorandum dated November 29, 2006)	14-17
D.	Board of County Commissioners Committee Assignments (memorandum dated November 28, 2006)	18-22
E.	Election of Chairman for School Planning Elected Officials Oversight Committee (EOOC) 2006 (memorandum dated November 15, 2006)	23
F.	Request for Floodplain Cut and Fill Balance Waiver for Michael Creek Fill Material (memorandum dated November 21, 2006)	24-26
G.	Woodfield P.D., Phase 2, Request from Developer, Centex / Lennar at Woodfield, LLC for an Extension to Complete Required Improvements (memorandum dated November 28, 2006)	27-42
H.	Humane Society Contract, Second Amendment and Extension (memorandum dated November 28, 2006)	43-57
I.	Miscellaneous Budget Amendment 004 (memorandum dated November 27, 2006)	58-61
J.	Miscellaneous Budget Amendment 005 (memorandum dated November 21, 2006)	62-66

7.	<u>CONSENT AGENDA (CONT'D.)</u>	<u>PAGE</u>
	K. GFOA 2007 Annual Conference (memorandum dated November 29, 2006)	67-71
	L. Agreement of IRC / Pointe West / Pyrotecnico for fireworks (memorandum dated November 15, 2006)	72-77
	M. Bid Award for IRC Bid No. 2007020, Gifford Health Center Grading, Paving, Drainage and Bus Shelter Improvements (memorandum dated November 16, 2006)	78-83
	N. Bid Award: IRC #2007021 Annual Bid for Aluminum Sign Blanks and Hardware, Public Works Department/Traffic Engineering Division (memorandum dated November 28, 2006)	84-131
	O. Bid Award: Bid # 2007015 Annual Bid for Antiscalant, Utilities Department Water Production Division (memorandum dated November 28, 2006)	132-138
	P. Bid Award: IRC #2007022 Annual Bid for Traffic Signal Equipment, Traffic Engineering Division Public Works Department (memorandum dated November 28, 2006)	139-162
	Q. Approval for Final Payment to the School District of Indian River County per Developer's Agreement to extend Master Planned Water Mains to the New Liberty Magnet School Site (memorandum dated November 27, 2006)	163-164
	R. VeroLago, Phases 2, 3, 4 and 5 Request from Developer, Centex Homes, for an Extension to Complete Required Improvements (memorandum dated November 27, 2006)	165-212
	S. Ashley Lakes North, Developer: Ashley Lakes North, LLC (Stanley Markofsky / Mark Ackerman – Managing Members), Ratification of Modification to Contract for Construction of Required Improvements (memorandum dated November 29, 2006)	213-220
	T. Quail Creek PD, Developer: SLM Investments, LLC (Stanley Markofsky / Mark Ackerman / Eugene Shalik / Edward Kalikow – Managing Members), Ratification of Modification to Contract for Construction of Required Improvements (memorandum dated November 29, 2006)	221-229

8.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	<u>PAGE</u>
	None	
9.	<u>PUBLIC ITEMS</u>	
A.	<u>PUBLIC HEARINGS</u>	
1.	Tax Equity and Fiscal Responsibility Act (TEFRA), Palm Beach County Health Facilities Authority Retirement Community Revenue Bonds (memorandum dated November 27, 2006)	230-236
	Administrative	
2.	Amend Chapter 207, Licensing and License Taxes of The Indian River County Code (memorandum dated November 27, 2006)	237-245
	Legislative	
3.	Request for Continuance of Public Hearing Regarding Consideration of Approval of Proportionate Fair Share Agreement and Developers Agreement for Oslo 27, LLC, and Approval of an Amendment to the Capital Improvements Element of the Comprehensive Plan to Include the Four Laning of 27 th Avenue from 13 th Street SW To 17 th Street SW (memorandum dated November 29, 2006)	246
	Legislative	
4.	Marbros LLC and First Atlantic Citrus, Inc.'s request to rezone +/- 2.89 acres from CG and CH to IG (memorandum dated November 16, 2006)	247-263
	Quasi-Judicial	
5.	Consideration of Proposed Amendments to LDR Chapter 910, Concurrency Management System; Title X, Impact Fees; and Chapter 912, Single-Family Development (memorandum dated November 21, 2006)	264-366
	Legislative	

9.	<u>PUBLIC ITEMS (CONT'D.)</u>	<u>PAGE</u>
	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 Joseph Paladin, Chairman, Growth Awareness Committee Regarding Proposed County Policy of Right-of-Way Acquisition	367-369
	2. Request to Speak from Marie Terranova Regarding Denial of Impact Fee Increase Exemption	370
	C. <u>PUBLIC NOTICE ITEMS</u>	
	None	
10.	<u>COUNTY ADMINISTRATOR MATTERS</u>	
	A. Proposed Legislative Needs 2007 (memorandum dated November 28, 2006)	371-372
11.	<u>DEPARTMENTAL MATTERS</u>	
	A. <u>Community Development</u>	
	1. Reconsideration of DiVosta Slab Removal Agreement (memorandum dated November 27, 2006)	373-383
	B. <u>Emergency Services</u>	
	None	
	C. <u>General Services</u>	
	1. Request for Additional Space from the Clerk of Circuit Court and the County Health Department (memorandum dated November 28, 2006)	384-386
	D. <u>Human Resources</u>	
	None	
	E. <u>Human Services</u>	
	None	

11.	<u>DEPARTMENTAL MATTERS (CONT'D.)</u>	<u>PAGE</u>
	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 III, CR 510 – Project #9611 and 001, Bid Number 2006065, Change Order # 6 (memorandum dated November 28, 2006)	387-394
	2. Florida Department of Transportation Maintenance Memorandum of Agreement (MOA) for US1 from Oslo Road to South Relief Canal for Landscape Maintenance (memorandum dated November 20, 2006)	395-448
	J. <u>Utilities Services</u>	
	1. Consulting Services Work Order No. 4 Amendment 2 with Kimley- Horn for Permitting, Design and Construction Services for Replacement of Wabasso Causeway Water and Sewer Main (memorandum dated November 4, 2006)	449-454
12.	<u>COUNTY ATTORNEY MATTERS</u>	
	A. Waterway Village – DRI Vesting (memorandum dated November 28, 2006)	455-469
13.	<u>COMMISSIONERS ITEMS</u>	
	A. <u>Commissioner Gary C. Wheeler, Chairman</u>	
	None	
	B. <u>Commissioner Sandra L. Bowden, Vice Chairman</u>	
	None	

13.	<u>COMMISSIONERS ITEMS (CONT'D.)</u>	<u>PAGE</u>
	C. <u>Commissioner Wesley S. Davis</u>	
	1. Resolution of Support for a Proposed National Sculling Training and Competition Site along the South End of the C-54 Canal (memorandum dated November 28, 2006)	470-473
	D. <u>Commissioner Joseph E. Flescher</u>	
	None	
	E. <u>Commissioner Peter D. O'Bryan</u>	
	None	
14.	<u>SPECIAL DISTRICTS AND BOARDS</u>	
	A. <u>Emergency Services District</u>	
	None	
	B. <u>Solid Waste Disposal District</u>	
	1. Approval of Minutes Meeting of October 10, 2006	
	2. Approval of Bid Award for IRC Bid # 2006105, Front End Wheeled Loader with Trash Handler and Guard Package, Utilities Department / Solid Waste Disposal District (memorandum dated November 17, 2006)	474-481
	3. Recycling Services for Schools/Government Facilities (memorandum dated September 20, 2006)	482-484
	4. Florida Tire Recycling, Inc. (FTR) Waste Tire Agreement (memorandum dated October 24, 2006)	485-491
	C. <u>Environmental Control Board</u>	
	None	
15.	<u>ADJOURNMENT</u>	

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.***