

**INDEX TO MINUTES OF REGULAR MEETING**  
**OF BOARD OF COUNTY COMMISSIONERS**  
**OF JUNE 13, 2006**

1.	CALL TO ORDER .....	1
2.	INVOCATION .....	1
3.	PLEDGE OF ALLEGIANCE.....	1
4.	ADDITIONS/DELETIONS TO THE AGENDA/ EMERGENCY ITEMS.....	2
5.	PROCLAMATIONS AND PRESENTATIONS - NONE .....	2
6.	APPROVAL OF MINUTES .....	2
	6.A. <i>Regular Meeting of May 2, 2006</i> .....	2
	6.B. <i>School Concurrency Workshop Meeting of May 3, 2006</i> .....	3
	6.C. <i>Regular Meeting of May 16, 2006</i> .....	3
	6.D. <i>Traffic Study Workshop of May 23, 2006</i> .....	3
7.	CONSENT AGENDA .....	4
	7.A. <i>Approval of Warrants</i> .....	4
	7.B. <i>Appointment to the Public Library Advisory Board</i> .....	4

7.C. *Resolution Declaring Support of Adding Sections of State Road A-1-A, U.S. Highway 1, and County Road 512 to the Indian River Lagoon Scenic Highway Corridor* 4

7.D. *Progress Report – New County Administration Buildings* ..... 5

7.E. *43<sup>rd</sup> Ave Sub Complex – Utility Easement (Masteller, Moler and Associates, Inc.)* .... 5

7.F. *Modification of Dedication No. 23919 from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida to Indian River County* ..... 5

7.G. *Federal Fiscal Year 2006 Edward Byrne Memorial Justice Assistance Grant (JAG)*. 6

7.H. *Miscellaneous Budget Amendment 017* ..... 6

7.I. *Restoration of Wabasso Beach Park; Architectural Services Coastal Technology Corporation Work Order CT-1* ..... 7

7.J. *60 Vero Investments, LLC’s Request for Extension of Site Plan Approval for a Multi-Family Residential Development to be Known as Vero Grove Townhomes* ..... 7

7.K. *Public Utility Easements along 49<sup>th</sup> Street* ..... 8

7.L. *Request for Final Payment and Release of Retainage for Work Order No. 1-RR for the Rockridge Subdivision Surge Protection Project*..... 8

7.M. *Work Order #2 Applied Technology and Management Inc. Sectors 1&2 Biological Monitoring* ..... 9

7.N. *Work Order #3 Applied Technology and Management Inc. Sector 7 Biological Monitoring* ..... 9

7.O. *Approval of Work Order No. VI with Malcolm Pirnie, Inc. for Support Engineering Services Related to an Alternate Design to the Existing Vortex Treatment System Design for the North, Main, and South Relief Canals* ..... 10

7.P. *Approval of FY 2006-2007 and 2007-2008 Radiological Emergency Preparedness Agreement* ..... 10

7.Q.	<i>Approval of FY 06/07 Hazardous Materials Emergency Plan Updates</i> .....	11
8.	CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES – NONE .....	11
9.	PUBLIC ITEMS .....	11
9.A.	<i>PUBLIC HEARINGS</i> .....	11
9.A.1.	Indian River County School Board’s Request for Abandonment of a Portion of 14 <sup>th</sup> Street Lying between 16 <sup>th</sup> Avenue and 20 <sup>th</sup> Avenue [Legislative].....	11
9.A.2.	Commander Groves’ request to rezone +/- 247.67 acres from A-1 to RS-3 [Quasi-Judicial].....	12
9.A.3.	William D. Bailey’s request to rezone +/- .52 acres from IG to IL [Quasi-Judicial].....	12
9.A.4.	LVS Vero LLC’s Request for Small Scale Comprehensive Plan Future Land Use Amendment Approval to redesignate 3.28 Acres From C/1 to M-1; and to Rezone those 3.28 acres from CL to RM-8 - postponed until July 11, 2006.....	14
9.B.	<i>PUBLIC DISCUSSION ITEMS - NONE</i> .....	14
9.C.	<i>PUBLIC NOTICE ITEMS</i> .....	14
9.C.1.	Notice of Public Hearings June 20, 2006.....	14
	Tax Equity Fiscal Responsibility Act (TEFRA) Public Hearing, Escambia County Housing Finance Authority, Single Family Mortgage Revenue Bonds - Administrative.....	14
9.C.2.	Notice of Public Hearing June 20, 2006 .....	14
	Vero First Developers, Inc.: Request to rezone 11.73 acres located south of State Road 60 and approximately 145 feet west of 63 <sup>rd</sup> Court from A-1 to RM-6 Vero First Developers, Owners. Houston Cuozzo Group Inc., Agents – Quasi-Judicial .....	14

10. COUNTY ADMINISTRATORS MATTERS - NONE .....	15
11. DEPARTMENTAL MATTERS.....	15
<i>11.A. Community Development - None</i> .....	15
<i>11.B. Emergency Services</i> .....	15
11.B.1. Request from Sebastian Police Department for a Public Safety Answering Point (PSAP) – Deferred until June 20, 2006.....	15
<i>11.C. General Services - None</i> .....	15
<i>11.D. Human Resources</i> .....	15
11.D.1. Teamsters (Paramedics) Collective Bargaining Agreement (October 1, 2005 – September 30, 2006) .....	15
<i>11.E. Human Services - None</i> .....	16
<i>11.F. Leisure Services - None</i> .....	16
<i>11.G. Office of Management and Budget - None</i> .....	16
<i>11.H. Recreation - None</i> .....	16
<i>11.I. Public Works</i> .....	16
11.I.1. Developer’s Agreement with Vero Village, LLC for Paving 37 <sup>th</sup> Street from 66 <sup>th</sup> Avenue to 58 <sup>th</sup> Avenue.....	16
11.I.2. Developer’s Agreement with Sun Sky USA, LLC for a Left Turn Lane Along 41 <sup>st</sup> Street west of 38 <sup>th</sup> Avenue .....	17
11.I.3. Chester E. and Lynn R. Wilcox Right of Way 70 <sup>th</sup> Avenue (Powerline Road).....	17
11.I.4. Right-of Way Acquisition, Oslo Road Widening and Improvements County Project No. 9705A Joseph M. Woodhouse & David L. Woodhouse, Owners .....	18

11.I.5	Right-of Way Acquisition, Oslo Road Widening and Improvements County Project No. 9705A Diamond Tropical Realty, Inc., Owner.....	18
11.I.6.	Right-of-Way Acquisition, Oslo Road Widening and Improvements County Project No. 9705A Elbert & Shirley Mae McDougald, owners .....	19
11.I.7.	Right-of-Way Acquisition, Oslo Road Widening and Improvements, Phase II, County Project No. 0408, Ball Groves, LLC, and Peggy Schwey, owners .....	19
<i>11.J.</i>	<i>UTILITIES SERVICES.....</i>	<i>20</i>
11.J.1.	4 <sup>th</sup> Street at US 1 FDOT Resurfacing Project No. 228583-3-52-01, Conflict with Existing 12 inch Water Main .....	20
11.J.2.	Amendment No. 2 to Work Order No. 1 with Schulke, Bittle & Stoddard, LLC for Construction of a Master Planned Force Main from SR 60 South on 74 <sup>th</sup> Avenue, West on 12 <sup>th</sup> Street and South on 82 <sup>nd</sup> Avenue to the West Regional Wastewater Treatment Facility UCP 2598.....	20
12.	COUNTY ATTORNEY - NONE.....	21
13.	COMMISSIONERS ITEMS.....	21
	<i>13.A. Commissioner Arthur R. Neuberger, Chairman - None .....</i>	<i>21</i>
	<i>13.B. Commissioner Gary C. Wheeler, Vice Chairman - None .....</i>	<i>21</i>
	<i>13.C. Commissioner Sandra L. Bowden - None .....</i>	<i>21</i>
	<i>13.D. Commissioner Wesley S. Davis - None .....</i>	<i>21</i>
	<i>13.E. Commissioner Thomas S. Lowther - None.....</i>	<i>21</i>
14.	SPECIAL DISTRICTS AND BOARDS .....	21
	<i>14.A. Emergency Services District - None .....</i>	<i>21</i>
	<i>14.B. Solid Waste Disposal District - None .....</i>	<i>21</i>

*14.C. Environmental Control Board - None*..... 21

15. ADJOURNMENT..... 22

June 13, 2006

**REGULAR MEETING OF THE BOARD OF COUNTY**  
**COMMISSIONERS**

The Board of County Commissioners of Indian River County, Florida, met in Regular Session at the County Commission Chambers, 1840 25<sup>th</sup> Street, Vero Beach, Florida, on Tuesday, June 13, 2006, at 9:00 a.m. Present were Vice Chairman Gary C. Wheeler, and Commissioners Sandra L. Bowden, Wesley S. Davis and Thomas S. Lowther. **Absent** were Chairman Neuberger and County Administrator Joseph Baird. **Also present** were County Assistant Administrator Michael Zito, County Attorney William G. Collins II, Executive Aide to the Board Kimberly Massung, and Deputy Clerk Maria I. Suesz.

**1. CALL TO ORDER**

Vice Chairman Gary C. Wheeler called the meeting to order at 9:00 a.m.

**2. INVOCATION**

Reverend Carol Trax, Community Church, delivered the Invocation.

**3. PLEDGE OF ALLEGIANCE**

Commissioner Wesley S. Davis led the Pledge of Allegiance to the Flag.

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

The following changes were made to the agenda:

1. Delete **Item 9.A.2** – Commander Development Group requested this item be removed from the agenda.
2. Delete **Item 9.A.4** – L.V.S. Vero LLC requested this item be removed from the agenda.
3. Defer **Item 11.B.1** until June 20, 2006

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board made the above changes to the Agenda.

County Attorney William G. Collins, II stated that the two items removed from the public hearing agenda would have to be re-advertised and rescheduled.

## **5. PROCLAMATIONS AND PRESENTATIONS - NONE**

## **6. APPROVAL OF MINUTES**

### **6.A. REGULAR MEETING OF MAY 2, 2006**

The Chairman asked if there were any corrections or additions to the Minutes of this meeting. There were none.

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, by a 4-0 vote, the Board approved the Minutes of the Regular Meeting of May 2, 2006, as written and distributed.



**6.B. SCHOOL CONCURRENCY WORKSHOP MEETING OF MAY 3, 2006**

The Chairman asked if there were any corrections or additions to the Minutes. There were none.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board approved the Minutes of the School Concurrency Workshop Meeting of May 3, 2006, as written and distributed.

**6.C. REGULAR MEETING OF MAY 16, 2006**

The Chairman asked if there were any corrections or additions to the Minutes. There were none.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Lowther, by a 4-0 vote, the Board approved the Minutes of the Regular Meeting of May 16, 2006, as written and distributed.

**6.D. TRAFFIC STUDY WORKSHOP OF MAY 23, 2006**

The Chairman asked if there were any corrections or additions to the Minutes. There were none.

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Davis, by a 4-0 vote, the Board approved the Minutes of the Traffic Impact Study Workshop with the Planning and Zoning Commissioner of May 23, 2006, as written and distributed.

## **7. CONSENT AGENDA**

### **7.A. APPROVAL OF WARRANTS**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, the Board approved the list of Warrants as issued by the Clerk to the Board for the time period of May 26<sup>th</sup> to June 1, 2006, as requested in the memorandum of June 1, 2006

### **7.B. APPOINTMENT TO THE PUBLIC LIBRARY ADVISORY BOARD**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board approved the appointment of Joel Tyson to the Public Library Advisory Board (PLAB) replacing Margaret Kamakaris, and his term will run through January 2008, as requested in the memorandum of June 6, 2006.

### **7.C. RESOLUTION DECLARING SUPPORT OF ADDING SECTIONS OF STATE ROAD A-1-A, U.S. HIGHWAY 1, AND COUNTY ROAD 512 TO THE INDIAN RIVER LAGOON SCENIC HIGHWAY CORRIDOR**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board adopted **Resolution 2006-084**, providing support for the designation of portions of State Road A-1-A, U.S. Highway 1, and County Road 512 as part of the Indian River Lagoon Scenic Highway Corridor, said roads lying in the unincorporated section of Indian River County, Florida.

**7.D. PROGRESS REPORT – NEW COUNTY ADMINISTRATION  
BUILDINGS**

The Board acknowledged the Progress Report.

**7.E. 43<sup>RD</sup> AVE SUB COMPLEX – UTILITY EASEMENT  
(MASTELLER, MOLER AND ASSOCIATES, INC.)**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board approved the easement and authorized the Chairman to execute the document, as recommended in the memorandum of June 6, 2006.

DOCUMENT IS ON FILE IN THE OFFICE OF THE CLERK OF THE BOARD

**7.F. MODIFICATION OF DEDICATION No. 23919 FROM THE  
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST  
FUND OF THE STATE OF FLORIDA TO INDIAN RIVER COUNTY**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board authorized the Chairman to (1) execute the Modification of Dedication No. 23919 from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida to Indian River County as revised by the State to accept dedication of additional properties and (2) reaffirm the Modification to Lease with the Environmental Learning Center, Inc. to include those additional properties with the Environmental Learning Center's leasehold properties, as recommended in the memorandum of June 2, 2006.

MODIFICATION OF DEDICATION IS ON FILE  
IN THE OFFICE OF THE CLERK OF THE BOARD

**7.G. FEDERAL FISCAL YEAR 2006 EDWARD BYRNE MEMORIAL  
JUSTICE ASSISTANCE GRANT (JAG)**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board approved the Substance Abuse Council Advisory Board's recommendations and authorized the Board Chairman to sign the grant applications and other necessary related documents for submittal to the State prior to the deadlines of Friday, June 23, 2006, as recommended in the memorandum of June 2, 2006.

GRANT DOCUMENTS ARE ON FILE IN THE  
OFFICE OF THE CLERK TO THE BOARD

**7.H. MISCELLANEOUS BUDGET AMENDMENT 017**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board adopted **Resolution 2006-085**, amending the fiscal year 2005-2006 Budget.

**7.I. RESTORATION OF WABASSO BEACH PARK; ARCHITECTURAL SERVICES COASTAL TECHNOLOGY CORPORATION WORK ORDER CT-1**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board approved Work Order CT-1 with Coastal Technology Corporation, for the preparation of the contract bid documents, permitting services, bidding phase, and construction administration services, in the total amount of \$47,797.00, as recommended in the memorandum of June 1, 2006.

WORK ORDER NUMBER CT-1 IS ON FILE  
IN THE OFFICE OF THE CLERK TO THE BOARD

**7.J. 60 VERO INVESTMENTS, LLC'S REQUEST FOR EXTENSION OF SITE PLAN APPROVAL FOR A MULTI-FAMILY RESIDENTIAL DEVELOPMENT TO BE KNOWN AS VERO GROVE TOWNHOMES**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board approved 60 Vero Investments, LLC's request for a one-year extension of the revised, approved site plan for Vero Grove Townhomes with all original approval conditions to remain in effect. The new site plan approval expiration date will be June 21, 2007, as recommended in the memorandum of June 5, 2006.

**7.K. PUBLIC UTILITY EASEMENTS ALONG 49<sup>TH</sup> STREET**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board authorized the Chairman to execute for Waterway Village DRI, DiVosta Homes, L.P. request for two public utility easements across the dedicated sites for a 18-acre school and a 4-acre fire station, as recommended in the memorandum of June 2, 2006.

EASEMENT ON FILE IN THE OFFICE OF THE CLERK OF THE BOARD

**7.L. REQUEST FOR FINAL PAYMENT AND RELEASE OF RETAINAGE FOR WORK ORDER NO. 1-RR FOR THE ROCKRIDGE SUBDIVISION SURGE PROTECTION PROJECT.**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board approved release of retainage and payment to Malcolm Pirnie, Inc. of the entire invoice (\$18,000), as recommended in the memorandum of June 6, 2006.

**7.M. WORK ORDER #2 APPLIED TECHNOLOGY AND  
MANAGEMENT INC. SECTORS 1&2 BIOLOGICAL MONITORING**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board approved Work Order #2 to the contract with Applied Technology and Management Inc., and authorized the Chairman to sign on behalf of the County, as recommended in the memorandum of June 1, 2006.

WORK ORDER NO. 2 IS ON FILE IN  
THE OFFICE OF THE CLERK OF THE BOARD

**7.N. WORK ORDER #3 APPLIED TECHNOLOGY AND  
MANAGEMENT INC. SECTOR 7 BIOLOGICAL MONITORING**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board approved Work Order #3 to the contract with Applied Technology and Management Inc., and authorized the Chairman to sign on behalf of the County, as recommended in the memorandum of June 1, 2006.

WORK ORDER #3 IS ON FILE IN THE  
OFFICE OF THE CLERK OF THE BOARD

**7.O. APPROVAL OF WORK ORDER NO. V1 WITH MALCOLM  
PIRNIE, INC. FOR SUPPORT ENGINEERING SERVICES RELATED TO  
AN ALTERNATE DESIGN TO THE EXISTING VORTEX TREATMENT  
SYSTEM DESIGN FOR THE NORTH, MAIN, AND SOUTH RELIEF  
CANALS**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board approved Work Order No. V1 with Malcolm Pirnie, Inc., and authorized the Chairman to execute it on behalf of the County, as recommended in the memorandum of May 30, 2006.

WORK ORDER NUMBER V1 IS ON FILE IN THE  
OFFICE OF THE CLERK OF THE BOARD

**7.P. APPROVAL OF FY 2006-2007 AND 2007-2008  
RADIOLOGICAL EMERGENCY PREPAREDNESS AGREEMENT**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board approved Fiscal Year 2006/2007 and FY 2007/2008 Radiological Emergency Preparedness Agreement and authorized the Chairman to execute the necessary documents, as recommended in the memorandum of June 5, 2006.

AGREEMENT IS ON FILE IN THE  
OFFICE OF THE CLERK OF THE BOARD



**7.Q. APPROVAL OF FY 06/07 HAZARDOUS MATERIALS  
EMERGENCY PLAN UPDATES**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board adopted **Resolution 2006-086** approved the Hazardous Materials Emergency Plan 2006 update; authorizing the Director of Emergency Services to revise the plan as needed during 2006.

2006 UPDATE IS ON FILE IN THE  
OFFICE OF THE CLERK TO THE BOARD

**8. CONSTITUTIONAL OFFICERS AND  
GOVERNMENTAL AGENCIES – NONE**

**9. PUBLIC ITEMS**

**9.A. PUBLIC HEARINGS**

**9.A.1. INDIAN RIVER COUNTY SCHOOL BOARD'S REQUEST FOR  
ABANDONMENT OF A PORTION OF 14<sup>TH</sup> STREET LYING BETWEEN 16<sup>TH</sup>  
AVENUE AND 20<sup>TH</sup> AVENUE [LEGISLATIVE]**

PROOF OF PUBLICATION OF ADVERTISEMENT FOR HEARING  
IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

Planning Director Stan Boling presented this item to the Board. The School Board requested the right-of-way, which is a “paper” street on the map, be abandoned to give them

more flexibility to resolve the encroachment problem that exists between the Vero Beach High School and Vero Beach Elementary sites. County Utilities, City of Vero Beach, and County staff reviewed this right-of-way, and agreed to the abandonment request subject to retainage of a drainage unit over the south half of the right-of-way.

Mr. Boling answered questions by the Commissioners regarding parking and utilities in the right-of-way area.

The Chairman opened and closed the public hearing because there were no speakers.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Lowther, by a 4-0 vote, the Board adopted **Resolution 2006-087**, providing for the closing, abandonment, vacation and discontinuance of a portion of 14<sup>th</sup> Street lying between 16<sup>th</sup> Avenue and 20<sup>th</sup> Avenue, reserving a drainage easement over the south half of the right-of-way, said land lying in Indian River County, Florida.

**9.A.2. COMMANDER GROVES' REQUEST TO REZONE +/- 247.67 ACRES FROM A-1 TO RS-3 [QUASI-JUDICIAL]**

This item was pulled at the request of the applicant.

**9.A.3. WILLIAM D. BAILEY'S REQUEST TO REZONE +/- .52 ACRES FROM IG TO IL [QUASI-JUDICIAL]**

PROOF OF PUBLICATION OF ADVERTISEMENT FOR HEARING

IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

Community Development Director Bob Keating presented this request to the Board using a PowerPoint presentation (copy on file). The site is south of N. Gifford Road and W of 43<sup>rd</sup> Avenue. The purpose for this request is to change the zoning from General Industrial to Light Industrial to allow more light industrial uses than general industrial uses. The Planning and Zoning Commission voted unanimously to recommend that the Board change the zoning as requested. General Industrial is the only zoning district that allows uses as intense as auto/salvage yards, and this property is surrounded on three sides by auto/salvage yards. Mr. Keating answered questions by the Commissioners regarding the differences in the types of industrial zoning.

The Chairman opened the public hearing.

**Rose Smith**, living to the south side of this property, spoke in favor of this issue

**Shannon Cook**, 1868 Shuman Drive, advocated the adoption of this ordinance.

**Freddie Woolfork**, 4590 57<sup>th</sup> Avenue, advocated the adoption of this ordinance especially since the site is located in the Gifford area, inside the Enterprise Zone.

There were no additional speakers and the Chairman closed the public hearing.

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Davis, by a 4-0 vote, the Board adopted Ordinance 2006-016, amending the zoning ordinance and the accompanying zoning map for +/- .52 acres located at the southwest quadrant of the intersection of 45<sup>th</sup> Street and 45<sup>th</sup> Avenue from IG, General Industrial District, to IL, Light Industrial District; and providing codification, severability, and effective date.

9.A.4. LVS VERO LLC'S REQUEST FOR SMALL SCALE COMPREHENSIVE PLAN FUTURE LAND USE AMENDMENT APPROVAL TO REDESIGNATE 3.28 ACRES FROM C/1 TO M-1; AND TO REZONE THOSE 3.28 ACRES FROM CL TO RM-8 - POSTPONED UNTIL JULY 11, 2006

This item was pulled at the request of the applicant.

9.B. PUBLIC DISCUSSION ITEMS - NONE

9.C. PUBLIC NOTICE ITEMS

9.C.1. NOTICE OF PUBLIC HEARINGS JUNE 20, 2006

TAX EQUITY FISCAL RESPONSIBILITY ACT (TEFRA) PUBLIC HEARING, ESCAMBIA COUNTY HOUSING FINANCE AUTHORITY, SINGLE FAMILY MORTGAGE REVENUE BONDS - ADMINISTRATIVE

9.C.2. NOTICE OF PUBLIC HEARING JUNE 20, 2006

VERO FIRST DEVELOPERS, INC.: REQUEST TO REZONE 11.73 ACRES LOCATED SOUTH OF STATE ROAD 60 AND APPROXIMATELY 145 FEET WEST OF 63<sup>RD</sup> COURT FROM A-1 TO RM-6 VERO FIRST DEVELOPERS, OWNERS. HOUSTON CUOZZO GROUP INC., AGENTS - QUASI-JUDICIAL

EXECUTIVE AIDE TO THE BOARD KIM MASSUNG READ THE NOTICE INTO THE RECORD.

## **10. COUNTY ADMINISTRATORS MATTERS - NONE**

## **11. DEPARTMENTAL MATTERS**

### **11.A. COMMUNITY DEVELOPMENT - NONE**

### **11.B. EMERGENCY SERVICES**

#### **11.B.1. REQUEST FROM SEBASTIAN POLICE DEPARTMENT FOR A PUBLIC SAFETY ANSWERING POINT (PSAP) – DEFERRED UNTIL JUNE 20, 2006**

This item was deferred until June 20, 2006.

### **11.C. GENERAL SERVICES - NONE**

### **11.D. HUMAN RESOURCES**

#### **11.D.1. TEAMSTERS (PARAMEDICS) COLLECTIVE BARGAINING AGREEMENT (OCTOBER 1, 2005 – SEPTEMBER 30, 2006)**

Assistant County Administrator Mike Zito explained that this agreement addresses an impasse that the County reached with the paramedics through the consolidation process. It also addressed their COLA increase and allows the County to move forward with consolidation. It left approximately 46 of the paramedics and firefighters without union representation, but the County is honoring their prior bargaining unit contract and treating them as though they are still in the unit.

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Davis, by a 4-0 vote, the Board approved the Collective Bargaining Agreement with Teamsters Local 769 for the paramedics, as recommended in the memorandum of June 6, 2006.

AGREEMENT IS ON FILE IN THE  
OFFICE OF THE CLERK OF THE BOARD

**11.E. HUMAN SERVICES - NONE**

**11.F. LEISURE SERVICES - NONE**

**11.G. OFFICE OF MANAGEMENT AND BUDGET - NONE**

**11.H. RECREATION - NONE**

**11.I. PUBLIC WORKS**

**11.I.1. DEVELOPER'S AGREEMENT WITH VERO VILLAGE, LLC FOR  
PAVING 37<sup>TH</sup> STREET FROM 66<sup>TH</sup> AVENUE TO 58<sup>TH</sup> AVENUE**

Public Works Director Jim Davis clarified that Staff requested the property owners on the north side of the right-of-way to donate 10 feet, and asked the property owners to give them a temporary construction easement, so the County could transition the yards back into the roads.

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Davis, by a 4-0 vote, the Board approved Alternative No. 1, the Developer's Agreement with Vero Village, LLC, as recommended in the memorandum of May 30, 2006

AGREEMENT IS ON FILE IN THE OFFICE OF THE CLERK OF THE BOARD

**11.I.2. DEVELOPER'S AGREEMENT WITH SUN SKY USA, LLC FOR A  
LEFT TURN LANE ALONG 41<sup>ST</sup> STREET WEST OF 38<sup>TH</sup> AVENUE**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board approved Alternative No. 1, Developer's Agreement with Sun Sky USA and authorized the Chairman to execute the Agreement, as recommended in the memorandum of May 30, 2006.

**11.I.3. CHESTER E. AND LYNN R. WILCOX RIGHT OF WAY 70<sup>TH</sup>  
AVENUE (POWERLINE ROAD)**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board approved Alternative No. 1, the developer's agreement and authorized the Chairman's signature, whereby the developers will fund paving the west 2,080 LF of 37<sup>th</sup> Street and the County will fund the east 3,200 LF, as recommended in the memorandum of June 2, 2006.

AGREEMENT IS ON FILE IN THE OFFICE OF THE CLERK OF THE BOARD

**11.I.4. RIGHT-OF WAY ACQUISITION, OSLO ROAD WIDENING AND IMPROVEMENTS COUNTY PROJECT NO. 9705A JOSEPH M. WOODHOUSE & DAVID L. WOODHOUSE, OWNERS**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board approved Option 1: the purchase at the counter-offered purchase price of \$15,000.00, allowing the Oslo Road Widening Project to go forth; authorizing the Chairman to execute the contract to prevent possible delays to the Oslo Road project, as recommended in the memorandum of June 1, 2006.

AGREEMENT IS ON FILE IN THE OFFICE OF THE CLERK OF THE BOARD

**11.I.5 RIGHT-OF WAY ACQUISITION, OSLO ROAD WIDENING AND IMPROVEMENTS COUNTY PROJECT NO. 9705A DIAMOND TROPICAL REALTY, INC., OWNER**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, by a 4-0 vote, the Board approved Option 1: approving the purchase at the counter offered purchase price of \$68,000.00, allowing the Oslo Road Widening Project to go forth, authorizing the Chairman to execute the contract to prevent possible delays to the Oslo Road project, as recommended in the memorandum of May 31, 2006.

AGREEMENT IS ON FILE IN THE OFFICE OF THE CLERK OF THE BOARD



**11.I.6. RIGHT-OF-WAY ACQUISITION, OSLO ROAD WIDENING AND IMPROVEMENTS COUNTY PROJECT NO. 9705A ELBERT & SHIRLEY MAE MCDUGALD, OWNERS**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board approved Option 1: the purchase at the counter-offered purchase price of \$8,000.00, allowing the Oslo Road Widening Project to go forth, authorizing the Chairman to execute the contract to prevent possible delays to the Oslo Road project, as recommended in the memorandum of June 1, 2006.

AGREEMENT IS ON FILE IN THE OFFICE OF THE CLERK OF THE BOARD

**11.I.7. RIGHT-OF-WAY ACQUISITION, OSLO ROAD WIDENING AND IMPROVEMENTS, PHASE II, COUNTY PROJECT NO. 0408, BALL GROVES, LLC, AND PEGGY SCHWEY, OWNERS**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board approved Option 1, the purchase at the counter-offered and re-negotiated purchase price of \$50,000.00, allowing the Oslo Road Widening Project to go forth; authorizing the Chairman to execute the contract to prevent possible delays to the Oslo Road project, as recommended in the memorandum of June 2, 2006.

Commissioner Davis commented that they have had a lot of widening and acquisitions to Oslo Road and they were getting closer to Powerline Road. This will give them a second entrance into the southern portion of Sebastian Highlands. He complimented staff for picking up the pace and doing a good job.

AGREEMENT IS ON FILE IN THE OFFICE OF THE CLERK OF THE BOARD

## **11.J. UTILITIES SERVICES**

### **11.J.1. 4<sup>TH</sup> STREET AT US 1 FDOT RESURFACING PROJECT No. 228583-3-52-01, CONFLICT WITH EXISTING 12 INCH WATER MAIN**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, by a 4-0 vote, the Board approved payment to the FDOT for a total amount not to exceed \$49,514.00, as recommended in the memorandum of June 6, 2006.

### **11.J.2. AMENDMENT No. 2 TO WORK ORDER No. 1 WITH SCHULKE, BITTLE & STODDARD, LLC FOR CONSTRUCTION OF A MASTER PLANNED FORCE MAIN FROM SR 60 SOUTH ON 74<sup>TH</sup> AVENUE, WEST ON 12<sup>TH</sup> STREET AND SOUTH ON 82<sup>ND</sup> AVENUE TO THE WEST REGIONAL WASTEWATER TREATMENT FACILITY UCP 2598**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, by a 4-0 vote, the Board approved Amendment No. 2 to Work Order No. 1 with SBS in the amount of \$176,775.80 for an increase of \$14,200.00 to provide design, permitting and construction

services for the subject master planned force main, as recommended in the memorandum of May 31, 2006.

AMENDMENT IS ON FILE IN THE OFFICE OF THE CLERK OF THE BOARD

**12. COUNTY ATTORNEY - NONE**

**13. COMMISSIONERS ITEMS**

**13.A. COMMISSIONER ARTHUR R. NEUBERGER, CHAIRMAN - NONE**

**13.B. COMMISSIONER GARY C. WHEELER, VICE CHAIRMAN - NONE**

**13.C. COMMISSIONER SANDRA L. BOWDEN - NONE**

**13.D. COMMISSIONER WESLEY S. DAVIS - NONE**

**13.E. COMMISSIONER THOMAS S. LOWTHER - NONE**

**14. SPECIAL DISTRICTS AND BOARDS**

**14.A. EMERGENCY SERVICES DISTRICT - NONE**

**14.B. SOLID WASTE DISPOSAL DISTRICT - NONE**

**14.C. ENVIRONMENTAL CONTROL BOARD - NONE**

## **15. ADJOURNMENT**

ALL BACKUP DOCUMENTATION ARE ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD AND  
ARE HEREBY MADE A PART OF THESE MINUTES

There being no further business, on Motion duly made, seconded and carried, the  
Board adjourned at 9:28 a.m.

ATTEST:

\_\_\_\_\_  
Jeffrey K. Barton, Clerk

\_\_\_\_\_  
Arthur R. Neuberger, Chairman

Minutes Approved: \_\_\_\_\_

BCC/MIS/2006Minutes