



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

**COMMISSION AGENDA**

**TUESDAY, FEBRUARY 20, 2007 - 9:00 A.M.**

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

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**COUNTY COMMISSIONERS**

<b>Gary C. Wheeler, Chairman</b>	<b>District 3</b>	<b>Joseph A. Baird, County Administrator</b>
<b>Sandra L. Bowden, Vice Chairman</b>	<b>District 5</b>	<b>William G. Collins II, County Attorney</b>
<b>Wesley S. Davis</b>	<b>District 1</b>	<b>Jeffrey K. Barton, Clerk to the Board</b>
<b>Joseph E. Flescher</b>	<b>District 2</b>	
<b>Peter D. O'Bryan</b>	<b>District 4</b>	

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| <b>1.</b> | <b><u>CALL TO ORDER</u></b>  | <b><u>9:00 A.M.</u></b>                    |
| <b>2.</b> | <b><u>INVOCATION</u></b>   | Rabbi Michael Birnholz, Temple Beth Shalom |
| <b>3.</b> | <b><u>PLEDGE OF ALLEGIANCE</u></b>   | William G. Collins II, County Attorney     |
| <b>4.</b> | <b><u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u></b>  |  |
| <b>5.</b> | <b><u>PROCLAMATIONS and PRESENTATIONS</u></b>  |  |
| <b>A.</b> | Presentation of Proclamation Designating February 24, 2007 as Mental Health Association in Indian River County Day             | 1  |
| <b>B.</b> | Presentation of Proclamation Honoring Carol Besancon on Her Retirement from Indian River County Department of Utility Services | 2-3  |

**6. APPROVAL OF MINUTES**

- A. Meeting of December 6, 2006, Alternative Water Supply Master Plan Workshop
- B. Meeting of January 17, 2007, Charter Government Workshop

**7. CONSENT AGENDA**

- A. Approval of Warrants – February 2 – February 8, 2007  
(memorandum dated February 8, 2007) ..... 4-10
- B. Out of County Travel Associated with the Florida Association of Counties  
2007 Annual Conference and Educational Exposition in Orange County,  
Florida  
(memorandum dated February 8, 2007) ..... 11-13
- C. Land Lease Agreement for Verizon Wireless Stealth Flagpole at Sea Oaks  
Wastewater Treatment Plant  
(memorandum dated February 14, 2007) ..... 14-34
- D. Property Acquisition – Tax Roll Removal and Tax Cancellation  
(memorandum dated February 8, 2007) ..... 35-68
- E. Resolution Supporting Continued Funding of Florida Forever Program  
(memorandum dated February 12, 2007) ..... 69-73
- F. Out of County Travel for the County Administrator  
(memorandum dated September 21, 2006) ..... 74-81
- G. Final Payment Work Order No. 5, Carter Associates, Inc., Supplemental  
Services No. 1  
(memorandum dated February 13, 2007) ..... 82-83
- H. Miscellaneous Budget Amendment 011  
(memorandum dated February 14, 2007) ..... 84-86
- I. Proposal by GeoSyntec Consultants, Inc. for Monitoring Well Installation  
and Semi-Annual Groundwater Monitoring at the South County RO Plant  
(memorandum dated February 12, 2007) ..... 87-88
- J. Authorization for Radio Communications Work in Emergency Operations  
Center (EOC) by Communications International, Inc.  
(memorandum dated February 14, 2007) ..... 89-92

<b>7.</b>	<b><u>CONSENT AGENDA (CONT'D.)</u></b>	<b><u>PAGE</u></b>
	<b>K.</b> Progress Report – New County Administration Building and New Emergency Operations Center (memorandum dated February 14, 2007)	93-98
	<b>L.</b> Acceptance of Change Order No. 5, New County Emergency Operations Center (memorandum dated February 14, 2007)	99-116
	<b>M.</b> Permanent Part-Time Employment Agreement with Project Engineer Clifford J. Suthard, P.E. (memorandum dated February 14, 2007)	117-122
	<b>N.</b> Request for Board Approval of a Work Plan Modification, a Budget Amendment and Closeout of the County’s Community Development Block Grant (CDBG) Housing Rehabilitation Project (memorandum dated February 12, 2007)	123-132
	<b>O.</b> State Lobbyist Agreement Renewal (memorandum dated January 22, 2007)	133-135
	<b>P.</b> Local Agency Program Agreement for the 12 <sup>th</sup> Street Sidewalk Improvements between Vero Beach Elementary School and 11 <sup>th</sup> Avenue, Indian River County Project No. 0216, FM No. 416083-1-58-01 (memorandum dated February 7, 2007)	136-164
	<b>Q.</b> Local Agency Program Agreement for the 12 <sup>th</sup> Street Sidewalk Improvements between 43 <sup>rd</sup> Avenue and 27 <sup>th</sup> Avenue, Indian River County Project No. 0604, FM No. 416084-1-58-01 (memorandum dated February 7, 2007)	165-193

**8. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

None

**9. PUBLIC ITEMS**

**A. PUBLIC HEARINGS**

<b>1.</b>	Public Hearing for Adoption of an Ordinance Establishing the West Wabasso Street Lighting Municipal Service Benefit Unit (memorandum dated February 13, 2007)	194-210
	<b>Legislative</b>	

<b>9.     <u>PUBLIC ITEMS (CONT'D.)</u></b>	<b><u>PAGE</u></b>
<b>A.     <u>PUBLIC HEARINGS (CONT'D.)</u></b>	
2.     Settlement of Lawsuit, Nextel South Corporation v. Indian River County, U.S. District Court, Southern District, Case No. 06-14274-Civ-Graham (memorandum dated February 13, 2007)	211-243
<b>Quasi-Judicial</b>	
3.     Public Hearing – February 20, 2007 to Amend Chapter 307, of the Indian River County Code by Creating Section 307.13 Prohibition of All Terrain Vehicle Operation on Unpaved Roadways (memorandum dated February 12, 2007)	244-248
<b>Legislative</b>	
4.     Request for Authorization to Submit an FY 2006/07 Grant Application for 49 CH. 53, Section 5307 Mass Transit Capital and Operating Assistance (memorandum dated February 8, 2007)	249-264
<b>Legislative</b>	
5.     Consideration of the Purchase of Agricultural Conservation Easements on Sexton Ranch under the County Environmental Lands Program (Continued from the January 16, 2007 Board Meeting) (memorandum dated February 13, 2007)	265-387
<b>Administrative</b>	
<b>B.     <u>PUBLIC DISCUSSION ITEMS</u></b>	
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 Keith D. Hedin, Vice Chair, Code Enforcement Board Regarding Appeal of Code Fine – Board Overturned Code Fine with No County Staff Input	388
<b>C.     <u>PUBLIC NOTICE ITEMS</u></b>	
1. <u>Notice of Scheduled Public Hearings for March 6, 2007 Meeting:</u> (memorandum dated February 9, 2007)	389-390
<b>A.     Double R&amp;D Inc:</b> Request to change the land use designation for ±40.23 acres located west of 86 <sup>th</sup> Avenue and south of the City of Sebastian from R, Rural Residential (up to 1 unit/acre), to L-1, Low Density Residential-1 (up to 3 units/acre), and to rezone those 40.23 acres from A-1, Agricultural-1 District (up to 1 unit/5 acres), to RS-3, Single Family Residential District-1 (up to 3 units/acre). Double R&D, Owner. MBV Engineering, Inc., Agent. <b>[Legislative]</b>	

9. **PUBLIC ITEMS (CONT'D.)** **PAGE**

C. **PUBLIC NOTICE ITEMS (CONT'D.)**

1. Notice of Scheduled Public Hearings for March 6, 2007 Meeting:  
(memorandum dated February 9, 2007) 389-390
- B. County Initiated: Request to change the land use designation for 3,088 acres located south of the City of Fellsmere in Township 32 South, Range 37 East and part of Sections 7, 8, 9, and 18, Township 32 South, Range 38 East from C-1, Conservation-1 (Zero Density), to Ag-2, Agricultural-2 (Up to 1 Unit/10 Acres), and to rezone those 3,088 acres from CON-1, Conservation-1 (Zero Density), to A-2, Agricultural-2 District (up to 1 unit/10 Acres). St. John's River Water Management District, Owner. [Legislative]
- C. **Quail Ridge of Vero Beach, LLC:** Request to amend the Comprehensive Plan's Future Land Use Element Policy 5.8. [Legislative]
- D. **County Initiated:** Request to change the land use designation for 12.46 acres located 650 feet north of 49<sup>th</sup> Street and west of Lateral "H" canal and 34.05 acres located 265 feet north of 49<sup>th</sup> Street and east of Lateral "H" canal from L-2, Low Density Residential-2 (up to 6 units/acre), to PUB, Public. Board of County Commissioners, Owner. [Legislative]

10. **COUNTY ADMINISTRATOR MATTERS**

None

11. **DEPARTMENTAL MATTERS**

A. **Community Development**

1. Demolition of various structures located at 5900 5<sup>th</sup> Street SW  
(memorandum dated February 12, 2007) 391-396

B. **Emergency Services**

None

C. **General Services**

None

<b>11.</b>	<b><u>DEPARTMENTAL MATTERS (CONT'D.)</u></b>	<b><u>PAGE</u></b>
	<b>D. <u>Human Resources</u></b>	
	None	
	<b>E. <u>Human Services</u></b>	
	None	
	<b>F. <u>Leisure Services</u></b>	
	None	
	<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. Right-of-Way Acquisition, 74 <sup>th</sup> Avenue South of State Rd. 60 and South of 12 <sup>th</sup> Street, Capital Trust Company of Delaware, as Trustee of the Irvin Basil Keller Individual Retirement Trust U/A/D October 4, 2003 (memorandum dated February 9, 2007)	397-407
	2. CR 512, Phase III, CR 510 – Project #9611 & 0001, Bid Number 2006065, Change Order No. 7 (memorandum dated February 13, 2007)	408-414
	<b>J. <u>Utilities Services</u></b>	
	1. Change Order No. 1 to IRC Contract 2006025 with TLC, Inc. for Membrane Restoration Work at the South RO Plant (memorandum dated February 12, 2007)	415-423
	2. North County Reverse Osmosis Water Treatment Plant, Water Quality Sampling by Camp Dresser & McKee, Inc. (CDM), Amendment No. 1 to Work Order No. 6 (memorandum dated January 26, 2007)	424-428

- | <b>11.</b>                                  | <b><u>DEPARTMENTAL MATTERS (CONT'D.)</u></b>  | <b><u>PAGE</u></b> |
|---|---|--------------------|
|   | <b>J. <u>Utilities Services (cont'd.)</u></b>   |                    |
|   | 3. Rehabilitation of Lift Stations # 164, 167, 168 and the South<br>Regional Waste Water Treatment Facility Lift Station #1 – UCP-<br>2898<br>(memorandum dated January 12, 2007) | 429-430            |
| <hr style="border-top: 1px dashed black;"/> |   |                    |
| <b>12.</b>                                  | <b><u>COUNTY ATTORNEY MATTERS</u></b>   |                    |
|   | None  |                    |
| <b>13.</b>                                  | <b><u>COMMISSIONERS ITEMS</u></b>   |                    |
|   | <b>A. <u>Commissioner Gary C. Wheeler, Chairman</u></b>   |                    |
|   | None  |                    |
|   | <b>B. <u>Commissioner Sandra L. Bowden, Vice Chairman</u></b>   |                    |
|   | None  |                    |
|   | <b>C. <u>Commissioner Wesley S. Davis</u></b>   |                    |
|   | None  |                    |
|   | <b>D. <u>Commissioner Joseph E. Flescher</u></b>  |                    |
|   | None  |                    |
|   | <b>E. <u>Commissioner Peter D. O'Bryan</u></b>  |                    |
|   | None  |                    |
| <b>14.</b>                                  | <b><u>SPECIAL DISTRICTS AND BOARDS</u></b>  |                    |
|   | <b>A. <u>Emergency Services District</u></b>  |                    |
|   | None  |                    |

<b>14.</b>	<b><u>SPECIAL DISTRICTS AND BOARDS (CONT'D.)</u></b>	<b><u>PAGE</u></b>
	<b><u>B. Solid Waste Disposal District</u></b>	
	1. Approval of Minutes:	
	A. Meeting of December 5, 2006	
	B. Meeting of December 12, 2006	
	C. Meeting of December 19, 2006	
	D. Meeting of January 9, 2007	
	2. South County Reverse Osmosis Plant, GeoSyntec Consultants, Inc., Work Authorization No. FR0737C (memorandum dated February 6, 2007)	431-438
	3. Engineering Services for Design, Permitting and Construction for the Closure of Segment 1 Side Slope of the Class I Landfill (memorandum dated January 23, 2007)	439-465
	4. Three-Year Term Continuation of Groundwater Monitoring at South Gifford Landfill Site (memorandum dated January 17, 2007)	466-483
	<b><u>C. Environmental Control Board</u></b>	
	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 (TDD # 772-770-5215) 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:  
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.***