



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

COMMISSION AGENDA

TUESDAY, MARCH 13, 2007 - 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	District 3	Joseph A. Baird, County Administrator
Sandra L. Bowden, Vice Chairman	District 5	William G. Collins II, County Attorney
Wesley S. Davis	District 1	Jeffrey K. Barton, Clerk to the Board
Joseph E. Flescher	District 2	
Peter D. O'Bryan	District 4	

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| 1. | <u>CALL TO ORDER</u> | <u>9:00 A.M.</u> |
| 2. | <u>INVOCATION</u> | Reverend Dawn Lawton
Christ By the Sea United Methodist Church |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | Commissioner Wesley S. Davis |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | |
| | A. | Presentation of Proclamation Designating March 12 – 18, 2007, as
Surveyors Week |
| | | 1 |
| 6. | <u>APPROVAL OF MINUTES</u> | |
| | A. | Chapter 910 Concurrency Management System Public Workshop – January
5, 2007 |

7. <u>CONSENT AGENDA</u>	<u>PAGE</u>
A. Approval of Warrants – February 23 – March 1, 2007 (memorandum dated March 1, 2007)	2-9
B. Resignation of District 5 Appointee to Utility Advisory Committee (memorandum dated March 5, 2007)	10-11
C. Appointment to the Historic Resources Advisory Committee (memorandum dated March 5, 2007)	12-17
D. Approval of Bid Award and Sample Agreement for IRC Bid # 2007039 Upgrades & Generators for IRC/DUS Lift Station Numbers 68 & 69 Bent Pine/Utilities Department (memorandum dated March 2, 2007)	18-33
E. Final Payment to J & H Waterstop, Inc. for Lift Station 166 Rehabilitation UCP#2866 (memorandum dated February 26, 2007)	34-35
F. CR 512, I-95 to Roseland Road – IRC Project No. 9611, Addendum #8, Task A, Request for Final Release of Retainage (memorandum dated March 6, 2007)	36-45
G. United Indian River Packers, LLC Request for Release of an Easement at 4310 77 th Street (Hobart Estates Unit 1) (memorandum dated February 27, 2007)	46-52
H. Aqualago, LLC’s Request for Extension of Site Plan Approval for a Multi- Family Residential Development to be Known as Toscana (Quasi-Judicial) (memorandum dated March 5, 2007)	53-59
I. IRC Jail Expansion Project Deductive Change Order Number 9 (memorandum dated March 5, 2007)	60-62
J. Professional Engineering Services Agreement, CR 512 Corridor Improvements – IRC Project No. 9611, Addendum No. 10 (Masteller & Moler, Inc.) Release of Retainage (memorandum dated March 6, 2007)	63-77
K. Work Order #5, Applied Technology and Management Inc., Sector 7 Construction Phase Services (memorandum dated March 5, 2007)	78-89

7.	<u>CONSENT AGENDA (CONT'D.)</u>	<u>PAGE</u>
L.	Work Order #6, Applied Technology and Management Inc., Sectors 1 & 2 Construction Phase Services (memorandum dated March 5, 2007)	90-102
M.	Request for Floodplain Cut and Fill Balance Waiver for Michael Creek Subdivision (memorandum dated March 5, 2007)	103-106
N.	Release of Retainage and Final Payment to Indian River Industrial Contractors for the Central Plant Expansion UCP # 2347, Bid No. 7029 (memorandum dated February 26, 2007)	107-115
O.	Jon Fichtelman Request for Release of Easements at 1086 9 th Street SW (Lots 2-7, Block D, Oslo Park Subdivision) (Administrative) (memorandum dated February 27, 2007)	116-126
P.	Acceptance of Change Order No. 6, New County Emergency Operations Center (memorandum dated March 7, 2007)	127-145
Q.	Work Order No. 3 – Surveying and Mapping/GIS Services for the Indian River County Vertical Control Network (IRCVCN) (memorandum dated March 6, 2007)	146-150
R.	Miscellaneous Budget Amendment 013 (memorandum dated March 7, 2007)	151-160
S.	Right-of-Way Acquisition, 74 th Avenue South of State Rd. 60 and South of 12 th Street, Haydn Curtis and Cynthia A. Trevino-Aversa (memorandum dated March 6, 2007)	161-169
T.	Right-of-Way Acquisition. Whole Take, North side of 8 th Street, West of 66 th Avenue, East of 74 th Avenue, Edna C. Franks and Lois Franks Rice (memorandum dated March 6, 2007)	170-191
U.	Approval of Annual Financial Report by County Commissioners (memorandum dated March 7, 2007)	192-209
8.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	
	None	

9.	<u>PUBLIC ITEMS</u>	<u>PAGE</u>
A.	<u>PUBLIC HEARINGS</u>	
1.	MGC Development Group, LLC's Request for Planned Development (PD) Special Exception Use Approval for a Project to be known as Bloomfield (memorandum dated March 5, 2007) Legislative	210-225
2.	Ordinance Imposing State Road 60 Interest Share Fee – and – Resolution to Execute Joint Participation Agreement With the Florida Department of Transportation to Advance Construction of the Widening of State Road 60 Between I-95 and 66 th Avenue (memorandum dated March 7, 2007) Legislative	300-320
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 BW Treasure, Inc., Renne Hamblin, Regarding Code Enforcement Lien	226
2.	Request to Speak from Spencer Simmons Regarding Commission Vote to Rehear or Reverse Previous Decision on Transitional Housing Center on 37 th Street (The Source)	227
3.	Request to Speak from P & S Properties, Jerry Swanson, Regarding Concurrency Interpretation	228
C.	<u>PUBLIC NOTICE ITEMS</u>	
1.	<u>Notice of Scheduled Public Hearing for March 20, 2007</u> Consideration of Proposed Amendments to the Landscape and Buffer Regulations of LDR Chapter 926, the Corridor Landscape Regulations and the Multi-family Green Space Regulations of LDR Chapter 911, the Subdivision Green Space Requirements of Chapter 913, the Stormwater Maintenance Area Regulations of LDR Chapter 930, the Littoral Zone Regulations of LDR Chapter 934, and the Definitions of LDR Chapter 901 (memorandum dated March 5, 2007) Legislative	229

9.	<u>PUBLIC ITEMS (CONT'D.)</u>	<u>PAGE</u>
	C. <u>PUBLIC NOTICE ITEMS (CONT'D.)</u>	
	2. <u>Notice of Scheduled Public Hearing for March 20, 2007</u> Adopt Amendments to the County's Existing Industrial Pretreatment Ordinance (memorandum dated March 6, 2007)	230-272
	Legislative	
10.	<u>COUNTY ADMINISTRATOR MATTERS</u>	
	A. Special Call Meeting (memorandum dated March 7, 2007)	273
	B. Joint Meeting with City of Palm Bay (memorandum dated March 7, 2007)	274
	C. Committee Volunteer Banquet (memorandum dated March 7, 2007)	275-297
11.	<u>DEPARTMENTAL MATTERS</u>	
	A. <u>Community Development</u> None	
	B. <u>Emergency Services</u> None	
	C. <u>General Services</u> None	
	D. <u>Human Resources</u>	
	1. Approval to enter into a Consultant Agreement to conduct a Classification and Pay Study (memorandum dated March 7, 2007)	298-299
	E. <u>Human Services</u>	
	F. <u>Leisure Services</u> None	

11.	<u>DEPARTMENTAL MATTERS (CONT'D.)</u>	<u>PAGE</u>
	G. <u>Office of Management and Budget</u>	
	None	
	H. <u>Recreation</u>	
	None	
	I. <u>Public Works</u>	
	1. Florida Inland Navigation District 2007-2008 Waterways Assistance Program Authorizing Resolution for the Oslo Road Public Boat Ramp (memorandum dated March 7, 2007)	321-324
	J. <u>Utilities Services</u>	
	1. Payment of Outstanding Utility Assessment (memorandum dated March 4, 2007)	325-331
	2. Emergency Operations Center Water Main Extension Work Authorization Directive No. 2007-001, UCP No. 2938 (memorandum dated February 27, 2007)	332-335
12.	<u>COUNTY ATTORNEY MATTERS</u>	
	A. Attorney-Client Session: <u>DiVosta Homes, L.P. and DiVosta Homes Holdings, L.L.C. vs. Indian River County</u> , Case No. 20070109-CA-19 (memorandum dated March 7, 2007)	336
	B. Resolution Concerning Right-of-Way Acquisition for Road Improvement Projects (memorandum dated March 7, 2007)	337-340
	C. Executive Aide – Mutual Release and Covenant Not to Sue (Deferred from Meeting of March 6, 2007) (memorandum dated March 7, 2007)	341-349
13.	<u>COMMISSIONERS ITEMS</u>	
	A. <u>Commissioner Gary C. Wheeler, Chairman</u>	
	1. Update on the discussion regarding the formation of an Architectural Review Committee from the April 11, 2006 BCC Meeting (excerpt from April 11, 2006 BCC Meeting Minutes)	350

13. COMMISSIONERS ITEMS

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B. Commissioner Sandra L. Bowden, Vice Chairman

1. Discussion of Lunch Breaks on Board of County Commission meeting days
(no back-up)

C. Commissioner Wesley S. Davis

None

D. Commissioner Joseph E. Flescher

None

E. Commissioner Peter D. O'Bryan

None

14. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District

1. Approval of Minutes:

A. Meeting of November 7, 2006

B. Meeting of November 21, 2006

C. Meeting of December 12, 2006

2. Approval of FY 2006/07 EMS County Awards Grant: Purchase of Capital/Operating Equipment Using Non-Matching EMS Grant Funds and Grant Resolution
(memorandum dated March 1, 2007) 351-356

3. Approval to Purchase Two (2) Chevrolet Type III Ambulances from Ten-8 Fire Equipment, Inc.
(memorandum dated February 16, 2007) 357-361

A. Emergency Services District (cont'd.)

4. Fire Rescue Update
(memorandum dated March 7, 2007) 362-381

B. Solid Waste Disposal District

None

14. **SPECIAL DISTRICTS AND BOARDS**

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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 (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 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.