



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

**COMMISSION AGENDA**

**TUESDAY, MAY 1, 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**

---

**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>	

---

- |           |   | <b><u>PAGE</u></b>   |
|-----------|---|--|
| <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>  | Teddy Floyd, Indian River County Sheriff's<br>Department Crime Prevention Unit |
| <b>3.</b> | <b><u>PLEDGE OF ALLEGIANCE</u></b>  | Commissioner Peter D. O'Bryan  |
| <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 May 6 – 12, 2007, as National<br>Nurses Week | <u>1</u>   |
| <b>B.</b> | Presentation of Proclamation Designating May 10, 2007, as World Lupus<br>Day          | <u>2</u>   |
| <b>C.</b> | Presentation by Greg Burns, Marlowe & Company, LLC Federal Lobbyist                   |  |

<b>6.</b>	<b><u>APPROVAL OF MINUTES</u></b>	<b><u>PAGE</u></b>
A.	Regular Meeting of February 20, 2007	
B.	Regular Meeting of March 6, 2007	
C.	Charter Government Workshop of March 12, 2007	
<b>7.</b>	<b><u>CONSENT AGENDA</u></b>	
A.	Report Placed on File in the Office of the Clerk to the Board: St. Johns Water Control District Special District Public Facilities Report Annual Update	
B.	Approval of Warrants – April 6, 2007 – April 12, 2007 (memorandum dated April 12, 2007)	3-10
C.	Approval of Warrants – April 13, 2007 – April 19, 2007 (memorandum dated April 19, 2007)	11-19
D.	2007 Election of Historic Resources Advisory Committee (HRAC) Chairman and Vice Chairman (memorandum dated April 23, 2007)	20
E.	2007 Election of Metropolitan Planning Organization (MPO) Vice Chairman (memorandum dated April 17, 2007)	21
F.	Resignation of District 4 Appointee to Board of Zoning Adjustments (memorandum dated April 16, 2007)	22-23
G.	Town of Orchid Appointments to County Committees for 2007 (memorandum dated April 25, 2007)	24-26
H.	City of Sebastian Appointments to County Committees and Regional Boards for 2007 (memorandum dated April 25, 2007)	27-30
I.	Agreement for the Contribution of Funds from By the River, Inc. for Roseland Road Left-Turn Lane (memorandum dated April 23, 2007)	31-32

<b>7.</b>	<b><u>CONSENT AGENDA (CONT'D.)</u></b>	<b><u>PAGE</u></b>
<b>J.</b>	Oslo Road Widening Phase I from West of Old Dixie Highway to 27 <sup>th</sup> Avenue, Engineering Services Amendment No. 9 – Pond Siting (memorandum dated April 9, 2007)	33-39
<b>K.</b>	Work Order No. ME-1, Morgan & Eklund, Inc., Professional Surveyor Consultants for Boundary and Topographic Survey to Florida Department of Environmental Protection (FDEP) Coastal Construction Control Line (CCCL) Survey Specifications at Wabasso Beach Park (memorandum dated April 19, 2007)	40-45
<b>L.</b>	Indian River County Bid # 2007041, 84 <sup>th</sup> Avenue Roadway Improvements, Public Works Department (memorandum dated April 13, 2007)	46-49
<b>M.</b>	74 <sup>th</sup> Avenue Force Main Loop Connection South of SR60, Approval of Final Payment to Schulke, Bittle & Stoddard, L.L.C. for Engineering Services, W.I.P. No. 472-169000-06512, UCP No. 2598 (memorandum dated April 12, 2007)	50-52
<b>N.</b>	Workers' Compensation Settlement (memorandum dated April 24, 2007)	53
<b>O.</b>	Right-of-Way Acquisition, Joyce A. McGregor Trust, (Treasure Coast Montessori), 6320 8 <sup>th</sup> Street Parcel I.D.# 33-39-08-00001-0140-00003.0 (memorandum dated April 23, 2007)	54-62
<b>P.</b>	Partial Release of Retainage, Coastal Technology Corporation Inc., Beach Preservation Plan Update (memorandum dated April 13, 2007)	63-65
<b>Q.</b>	Approval of Bid Award and Sample Agreement for IRC Bid # 2007048, 65 <sup>th</sup> Street Force Main from Lateral G Canal to Old Dixie Highway, Utilities Department (memorandum dated April 23, 2007)	66-85
<b>R.</b>	Approval of Bid Award for IRC Bid # 2007049 Crew Cab Multi-Power Truck, Utilities Department (memorandum dated April 23, 2007)	86-95
<b>S.</b>	Acceptance Change Order No. 28, for the New County Administration Buildings (memorandum dated April 25, 2007)	96-110

<b>7.</b>	<b><u>CONSENT AGENDA (CONT'D.)</u></b>	<b><u>PAGE</u></b>
T.	Operating Lease Renewal on Modular Building Formerly Occupied by the Supervisor of Elections	111
U.	Declare Excess Equipment Surplus for Sale or Disposal (memorandum dated April 20, 2007)	112-125
V.	Continuing Contracts for Professional Services 2007-UCP-2947 (memorandum dated March 26, 2007)	126-204
W.	Approval of Bid Award and Sample Agreement for IRC Bid # 2007038, West Regional Wastewater Treatment Plant Expansion, Utilities Department (memorandum dated April 24, 2007)	205-215
X.	PACE Project Demolition of Structures (memorandum dated April 24, 2007)	216
Y.	Woodside Trillium, L.L.C.'s Request for Final Plat Approval for a Subdivision to be Known as Trillium West (memorandum dated March 13, 2007)	217-236
Z.	Request Permission to Advertise for Public Hearing – Florida Power & Light Franchise Agreement (memorandum dated April 25, 2007)	237
<b>8.</b>	<b><u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u></b>	
	None	
<b>9.</b>	<b><u>PUBLIC ITEMS</u></b>	
<b>A.</b>	<b><u>PUBLIC HEARINGS</u></b>	
1.	Indian River County's Request for Special Exception Use Approval for a Limited Public Utilities Use to be Known as Rockridge Pumping Facility "Residence". (memorandum dated April 18, 2007)	238-252
	<b>Quasi-Judicial</b>	
<b>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 Mayor Tom Cadden, Town of Indian River Shores, Regarding Charter Government	253

<b>9.</b>	<b><u>PUBLIC ITEMS (CONT'D.)</u></b>	<b><u>PAGE</u></b>
<b>B. <u>PUBLIC DISCUSSION ITEMS (CONT'D.)</u></b>		
2.	Request to Speak from Henry Rodriques Regarding Being Harassed by Code Enforcement but Neighbors Not Cited	254
3.	Request to Speak from Joseph Paladin, Chairman, Growth Awareness Committee, Regarding Commercial Impact Fees	255
<b>C. <u>PUBLIC NOTICE ITEMS</u></b>		
1.	<b><u>Notice of Scheduled Public Hearings for May 8, 2007:</u></b> (memorandum dated April 20, 2007)	256-257
A.	<b>County Initiated:</b> Request to amend the Comprehensive Plan by revising Future Land Use Element Polices 1.2 and 1.14; and by creating new Future Land Use Element Policies 1.14.1 and 1.14.2 for establishing the MHRP, Mobile Home Rental Park (up to 8 units/acre), land use designation <b>Legislative</b>	
B.	<b>County Initiated:</b> Request to change the land use designation from M-1, Medium Density Residential-1 (up to 8 units/acre); L-2, Low Density Residential-2 (up to 6 units/acre); and C/I, Commercial Industrial, to MHRP, Mobile Home Rental Park (up to 8 units/acre), for ±806.23 acres of mobile home rental parks that are on parcels 10 acres in size or greater and are located within the unincorporated portions of the County. Parks are under multiple ownerships <b>Legislative</b>	
C.	<b>County Initiated:</b> Request to amend the Comprehensive Plan's Future Land Use Element by eliminating Policies 1.34 and 1.35 for New Towns <b>Legislative</b>	
D.	<b>County Initiated:</b> Request to create a Public School Facilities Element and amend portions of the Intergovernmental Coordination Element and the Capital Improvements Element of the Comprehensive Plan as related to Public School Facilities Element <b>Legislative</b>	
E.	<b>County Initiated:</b> Request to amend the Comprehensive Plan's Transportation Element <b>Legislative</b>	

<b>10.</b>	<b><u>COUNTY ADMINISTRATOR MATTERS</u></b>	<b><u>PAGE</u></b>
A.	Marine Resources Council Grant Application (memorandum dated April 24, 2007)	258-260
<hr style="border-top: 1px dashed black;"/>		
B.	Joint Workshop with the City of Fellsmere (memorandum dated April 24, 2007)	261
<hr style="border-top: 1px dashed black;"/>		
<b>11.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	
A.	<b><u>Community Development</u></b>	
1.	Request for Authorization to Enter into a State Funded Subgrant Agreement for Development of a Model Database Tracking System for School Concurrency Implementation (memorandum dated April 23, 2007)	262-286
<hr style="border-top: 1px dashed black;"/>		
B.	<b><u>Emergency Services</u></b> None	
C.	<b><u>General Services</u></b> None	
D.	<b><u>Human Resources</u></b>	
1.	BOCC – Organizational Structure (memorandum dated April 25, 2007)	287-299
<hr style="border-top: 1px dashed black;"/>		
E.	<b><u>Human Services</u></b> None	
F.	<b><u>Leisure Services</u></b> None	
G.	<b><u>Office of Management and Budget</u></b> None	
H.	<b><u>Recreation</u></b> None	

11.	<b><u>DEPARTMENTAL MATTERS (CONT'D.)</u></b>	<b><u>PAGE</u></b>
	<b><u>I. Public Works</u></b>	
1.	CR 512, Phase III, CR 510 – Project #9611 & 0001, Bid Number 2006065, Change Order No. 8 (memorandum dated April 23, 2007)	300-319
2.	Property Acquisition, 6580/6860 85 <sup>th</sup> Street, CR510 Widening and Improvements County Project No. 0610 Chester & Lynn Wilcox, Owner (memorandum dated April 16, 2007)	320-328
3.	Land Purchase for Barber Street Right-of-Way, Sebastian Highlands Lot – Maronda Homes, Inc., Seller (memorandum dated April 17, 2007)	329-336
4.	Developer’s Agreement Between Indian River County, Florida, and Tabernacle Baptist Church of Vero Beach, Inc. (memorandum dated April 13, 2007)	337-343
5.	Change Order #3 for 41 <sup>st</sup> Street Improvements and Intersection Improvements 43 <sup>rd</sup> Avenue and Kings Highway, Indian River County Project 0016 & 0236, Bid # 7074 (memorandum dated April 24, 2007)	344-367
	<b><u>J. Utilities Services</u></b>	
1.	27 <sup>th</sup> Drive Petition Water Service (North of 4 <sup>th</sup> Street), Indian River County Project No. UCP – 2906, Preliminary Assessment Resolutions I and II (memorandum dated April 13, 2007)	368-381
2.	Work Order No. 4 with Schulke, Bittle & Stoddard, LLC for Design of Master Plan Water Main, Vero Lake Estates, UCP – 2958 (memorandum dated April 18, 2007)	382-399
3.	Construction of the Rockridge Sewer System – UCP#2521 (memorandum dated April 10, 2007)	400-415

<b>12.</b>	<b><u>COUNTY ATTORNEY MATTERS</u></b>	<b><u>PAGE</u></b>
A.	Fellsmere Resolution 07-H Initiating Resolution under Chapter 171, Part II, Florida Statutes, known as “The Interlocal Service Boundary Agreement Act” (memorandum dated April 24, 2007)	416-422
B.	Presentation of Draft Charter Ordinance by C. Allen Watts, Esq. and Request for Board Direction on Draft Charter Ordinance to Consultants and Staff (memorandum dated April 23, 2007)	423-449
C.	Authorization for Additional Funding for C. Allen Watts, Esq. (memorandum dated April 25, 2007)	450
<b>13.</b>	<b><u>COMMISSIONERS ITEMS</u></b>	
A.	<b><u>Commissioner Gary C. Wheeler, Chairman</u></b>	
1.	Setting of May 15, 2007 as the First Public Hearing for Charter Government (no back-up)	
2.	Request from the City of Fellsmere for Appointments to the Treasure Coast Regional Planning Council (letter dated April 23, 2007)	451
B.	<b><u>Commissioner Sandra L. Bowden, Vice Chairman</u></b> None	
C.	<b><u>Commissioner Wesley S. Davis</u></b> None	
D.	<b><u>Commissioner Joseph E. Flescher</u></b>	
1.	Options for Growth Management (no back-up)	
E.	<b><u>Commissioner Peter D. O’Bryan</u></b> None	



14. **SPECIAL DISTRICTS AND BOARDS**

**PAGE**

A. **Emergency Services District**

None

B. **Solid Waste Disposal District**

None

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](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.***