



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

COMMISSION AGENDA

TUESDAY, JULY 10, 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> | Teddy Floyd, Indian River County Sheriff Department - Crime Prevention Unit |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | Commissioner Sandra L. Bowden, Vice Chairman |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | |
| A. | Presentation of Proclamation Designating June 29 – July 5, 2007, as National Clean Beaches Week | 1 |
| B. | Presentation of Proclamation Designating the Month of July, 2007 as Recreation and Parks Month | 2 |
| C. | Presentation of Proclamation Honoring SIG and Gwenn Lysne | 3 |

| 6. | <u>APPROVAL OF MINUTES</u> | <u>PAGE</u> |
|-----------|--|--------------------|
| A. | Regular Meeting of May 8, 2007 | |
| B. | Regular Meeting of May 15, 2007 | |
| C. | Regular Meeting of May 22, 2007 | |
| D. | Joint Workshop with City of Fellsmere – May 23, 2007 | |
| E. | Green County Initiative Workshop – May 29, 2007 | |
| | | |
| 7. | <u>CONSENT AGENDA</u> | |
| A. | Report on File in the Office of Clerk to the Board: Report of Convictions for the month of May 2007 | |
| B. | Report on File in the Office of Clerk to the Board: City of Fellsmere – Copy of Annexation Agreement and Copy of Ordinance 07-15 voluntary annexing ± 2,122.66 acres and ± 2,007.90 acres. | |
| C. | Approval of Warrants – June 8, 2007 – June 14, 2007 (memorandum dated June 14, 2007) | 4-11 |
| D. | Approval of Warrants – June 15, 2007 – June 21, 2007 (memorandum dated June 21, 2007) | 12-19 |
| E. | Approval of Warrants – June 22, 2007 – June 28, 2007 (memorandum dated June 28, 2007) | 20-27 |
| F. | Recapitulation Report of Errors and Insolvencies for the 2006 Tax Roll (letter dated July 2, 2007) | 28-177 |
| G. | 2007 Election of Planning and Zoning Agency (P & Z) Vice Chairman (memorandum dated June 15, 2007) | 178 |
| H. | 2007 Election of Board of Zoning Adjustment (BZA) Chairman and Vice Chairman (memorandum dated June 14, 2007) | 179 |

| 7. | <u>CONSENT AGENDA (CONT'D)</u> | <u>PAGE</u> |
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| | I. Resignation of John T. Berrigan from the Beach and Shore Advisory Committee, Marine Advisory Narrows Watershed Action Committee, and Tourist Development Council (memorandum dated July 3, 2007) | 180-181 |
| | J. County Certification Opting into State Funding for Replacement Voting Machines (memorandum dated June 28, 2007) | 182-184 |
| | K. Harbor Chase (site plan) – Warranty of Road Drainage Improvements (memorandum dated June 19, 2007) | 185-197 |
| | L. Proclamation Honoring Mary (Polly) A. Kratman on Her Retirement from Indian River County Department of Utility Services Solid Waste Disposal District | 198-199 |
| | M. Proclamation Honoring William Treacy on His Retirement From Indian River County Department of Utility Services Solid Waste Disposal District | 200-201 |
| | N. Request Permission to Advertise to Amend Section 305.11 of the Code (Court Costs) (memorandum dated July 3, 2007) | 202 |
| | O. Release of 5% Retainage for S. B. Ballard Construction Company via Turner Construction (memorandum dated June 30, 2007) | 203-205 |
| | P. Children’s Services Advisory Committee Grant Review Sub-Committee’s Recommendations for Funding Report, June, 2007 (memorandum dated June 28, 2007) | 206-222 |
| | Q. Sectors 1 and 2 Beach Renourishment Project – Phase I Final Payment and Full Release of Retainage Great Lakes Dredge and Dock Company, LLC (memorandum dated June 26, 2007) | 223-226 |
| | R. Sector 7 Beach Restoration Project Partial Release of Retainage Great Lakes Dredge and Dock Company, LLC. (memorandum dated June 26, 2007) | 227-229 |
| | S. Request for Authorization to Apply to the Florida Department of Community Affairs for a Technical Assistance Grant for Participation in the 2010 U.S. Local Update of Census Addresses (LUCA) Program (memorandum dated July 2, 2007) | 230-239 |

| 7. | <u>CONSENT AGENDA (CONT'D.)</u> | <u>PAGE</u> |
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| | T. Florida Department of Emergency Management (FDEM) Aerial Photographs and Lidar Mapping Project (memorandum dated June 28, 2007) | 240-243 |
| | U. Pointe West 16" Master Planned Water Main on 16 th Street from Pointe West Drive to 74 th Avenue Approval of Change Order No. 1, Final Payment to Contractor and Release of Retainage, W.I.P. No. 472-169000-06538, UCP No. 2710 (memorandum dated July 3, 2007) | 244-248 |
| | V. Final Payment – Work Order No. 5 (Engineering) with Ardaman & Associates, Inc. providing professional geotechnical services in accordance with the Annual Geotechnical Services Contract No. 0534, 8 th Street and 74 th Avenue Road Improvements, IRC Project #03107 (memorandum dated June 27, 2007) | 249-251 |
| | W. Final Payment – Work Order No. 6 (Engineering) with Ardaman & Associates, Inc. providing professional geotechnical services in accordance with the Annual Geotechnical Services Contract No. 0534, 101 st Avenue Extension from C. R. 512 North to connect to the existing 102 nd Terrace, IRC Project #0614 (memorandum dated June 27, 2007) | 252-254 |
| | X. Change Order No. 1 for 4 th Street/35 th Avenue Canal (AKA Cooch Ditch) Bridge Replacement and 11 th Street SW Paving and Drainage Improvements, IRC Project #9321 & #0209 Bid # 2006049 (memorandum dated June 26, 2007) | 255-258 |
| | Y. Indian River Turtle Nesting Habitats Improvements National Fish and Wildlife Foundation Grant #2006-0114-005 (memorandum dated June 28, 2007) | 259-273 |
| | Z. Florida Inland Navigation District 2007-2008 Waterways Assistance Program Amendment 1 to Authorizing Resolution for Derelict Vessel Removal – Indian River County Waterways (memorandum dated June 28, 2007) | 274-278 |
| | AA. Partial Release of Retainage Ecological Associates, Inc. (memorandum dated June 27, 2007) | 279-282 |
| | BB. Work Order No. 1 (Utilities) Carter Associates, Inc. For: Survey Services, County Road 510 & US Highway 1, Continuing Professional Survey Services Contract 0390 / 2006 – 2007 (memorandum dated June 27, 2007) | 283-290 |

| 7. | <u>CONSENT AGENDA (CONT'D.)</u> | <u>PAGE</u> |
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| | CC. Work Order No. 8, Carter Associates, Inc., Additional Survey Services, Proposed Oslo Road Boat Ramp Design and Permitting project, Indian River County Project No. 0381, Continuing Professional Survey Services, Contract 0390 / 2006-2007 (memorandum dated June 28, 2007) | 291-296 |
| | DD. Work Order #10, Applied Technology and Management Inc., Countywide Aerial Photography (memorandum dated June 27, 2007) | 297-308 |
| 8. | <u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u> | |
| | None | |
| 9. | <u>PUBLIC ITEMS</u> | |
| | A. <u>PUBLIC HEARINGS</u> | |
| | 1. Treasure Coast Community Health's Request to Rezone ±1.43 Acres from CH to CG (memorandum dated June 19, 2007) | 309-344 |
| | Quasi-Judicial | |
| | 2. Kenneth P. Kennedy and Thomas P. Kennedy's Request to Rezone ±11.59 Acres from CL to CG (memorandum dated June 19, 2007) | 345-370 |
| | Quasi-Judicial | |
| | 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 Joe and Mary Wiggins Regarding Trailer in Single Home District | 371 |
| | C. <u>PUBLIC NOTICE ITEMS</u> | |
| | None | |
| 10. | <u>COUNTY ADMINISTRATOR MATTERS</u> | |
| | None | |

| 11. | <u>DEPARTMENTAL MATTERS</u> | <u>PAGE</u> |
|--|--|--------------------|
| A. <u>Community Development</u> | | |
| 1. | Request for Authorization for Staff to Submit a Proposal in Response to the University of Florida's Invitation to Negotiate Site Selection for a Cellulosic Ethanol Plant (memorandum dated June 29, 2007) | 372-402 |
| <hr style="border-top: 1px dashed black;"/> | | |
| 2. | Consideration of Establishing an Impact Fee Update Review Taskforce (memorandum dated June 29, 2007) | 403-408 |
| <hr style="border-top: 1px dashed black;"/> | | |
| B. <u>Emergency Services</u> | | |
| None | | |
| C. <u>General Services</u> | | |
| None | | |
| D. <u>Human Resources</u> | | |
| 1. | BOCC Option 6 comparison (memorandum dated July 2, 2007) | 409-414 |
| <hr style="border-top: 1px dashed black;"/> | | |
| E. <u>Human Services</u> | | |
| None | | |
| 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. | Award of Bid # 2007070, 79 th Street (106 th Avenue to 101 st Avenue), IRC Project # 0535 and 87 ^{ty} Street (106 th Avenue to 102 nd Avenue), IRC Project #0536 (memorandum dated June 28, 2007) | 415-427 |
| <hr style="border-top: 1px dashed black;"/> | | |

| 11. | <u>DEPARTMENTAL MATTERS (CONT'D.)</u> | <u>PAGE</u> |
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| | J. <u>Utilities Services</u> | |
| | 1. Grand Harbor Spoonbill Marsh Site, Work Order No. 20 with Masteller, Moler, Reed & Taylor, Inc. for Specific Purpose Survey of the Brine Disposal Line Route Through the Isles of Grand Harbor (memorandum dated June 25, 2007) | 428-430 |
| | 2. Central Regional Wastewater Treatment Facility Permit Renewal (memorandum dated June 27, 2007) | 431-437 |
| 12. | <u>COUNTY ATTORNEY MATTERS</u> | |
| | A. Bond Referendum for Piper Retention (memorandum dated July 2, 2007) | 438-445 |
| | B. Resolution Providing for or Rejecting Per Diem Compensation for Value Adjustment Board Members (memorandum dated June 28, 2007) | 446-450 |
| 13. | <u>COMMISSIONERS ITEMS</u> | |
| | A. <u>Commissioner Gary C. Wheeler, Chairman</u> | |
| | 1. Authorization to Challenge Pending Fellsmere Annexations (memorandum dated June 21, 2007) | 451-453 |
| | B. <u>Commissioner Sandra L. Bowden, Vice Chairman</u> | |
| | None | |
| | C. <u>Commissioner Wesley S. Davis</u> | |
| | 1. Recommendation – Draft Roadway Design and Construction Checklist (back-up attached) | 454-455 |
| | D. <u>Commissioner Joseph E. Flescher</u> | |
| | None | |
| | E. <u>Commissioner Peter D. O’Bryan</u> | |
| | 1. Consideration for Indian River County to apply for NACo Prescription Discount Card Program (back-up attached) | 456-457 |

| 13. | <u>COMMISSIONERS ITEMS (CONT'D.)</u> | <u>PAGE</u> |
|------------|--|--------------------|
| | <u>E. Commissioner Peter D. O'Bryan (cont'd.)</u> | |
| | 2. Authorization to staff to initiate changes to LDR Chapter 910 to amend concurrency regulations for commercial/industrial projects (no back-up) | |
| 14. | <u>SPECIAL DISTRICTS AND BOARDS</u> | |
| | <u>A. Emergency Services District</u> | |
| | 1. Approval of Minutes – Regular Meeting of June 5, 2007 | |
| | 2. Approval of Minutes – Regular Meeting of June 19, 2007 | |
| | 3. Authorization for Final Payment and Release of Retainage to Barth Construction, Inc. for the Renovation/Repair of Fire Rescue Station #3 (memorandum dated July 1, 2007) | 458-474 |
| | 4. Land Acquisition for Emergency Services District Fire Station 9 located in Sebastian (memorandum dated July 1, 2007) | 475-485 |
| | <u>B. Solid Waste Disposal District</u> | |
| | None | |
| | <u>C. Environmental Control Board</u> | |
| | 1. Approval of Minutes – Regular Meeting of October 10, 2006 | |
| | 2. Approval of Minutes – Regular Meeting of November 7, 2006 | |
| | 3. Report of Activities During Fourth Quarter (October through December, 2006) (memorandum dated June 14, 2007) | 486-488 |
| | 4. Report of Activities During First Quarter (January through March, 2007) (memorandum dated June 15, 2007) | 489-491 |
| 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 (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.***