



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

COMMISSION AGENDA

TUESDAY, OCTOBER 16, 2007 - 9:00 A.M.

**County Commission Chamber
Indian River County Administration Complex
1801 27th Street, Building A
Vero Beach, Florida, 32960-3365
www.ircgov.com**

COUNTY COMMISSIONERS

**Gary C. Wheeler, Chairman
Sandra L. Bowden, Vice Chairman
Wesley S. Davis
Joseph E. Flescher
Peter D. O'Bryan**

**District 3
District 5
District 1
District 2
District 4**

**Joseph A. Baird, County Administrator
William G. Collins II, County Attorney
Jeffrey K. Barton, Clerk to the Board**

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| 1. | <u>CALL TO ORDER</u> | <u>9:00 A.M.</u> |
| 2. | <u>INVOCATION</u> | Stan Boling, Planning Director |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | William G. Collins II, County Attorney |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | |
| A. | Presentation of Proclamation Designating October 27, 2007 as the Exchange Club's National Day of Service | <u>1</u> |
| B. | Presentation of Proclamation Designating October 21 – 27, 2007, as Character Counts! Week | <u>2</u> |

5.	<u>PROCLAMATIONS and PRESENTATIONS</u>	<u>PAGE</u>
	C. Presentation on County Cooperative Program “Screen on the Green” at Pointe West by Chuck Mechling	
	D. Presentation on Status Report from Impact Fee Task Force by Penny Chandler and Beth Mitchell	
6.	<u>APPROVAL OF MINUTES</u>	
	A. Final Budget Hearing – September 12, 2007	
7.	<u>CONSENT AGENDA</u>	
	A. Approval of Warrants – September 28 – October 4, 2007 (memorandum dated October 4, 2007)	3-10
	B. Appointment of Dr. Stephen J. Faherty, Jr., to the Utility Advisory Committee (memorandum dated October 5, 2007)	11-19
	C. Resolution Canceling Taxes on Marina Property Acquired by the City of Vero Beach from Lost Tree Village Corporation (memorandum dated October 3, 2007)	20-25
	D. Out of County Travel to Attend the 2008 National Hurricane Conference (memorandum dated October 10, 2007)	26-30
	E. Work Order No. 9 – Full and Final Payment Carter Associates, Inc. Surveying Services Indian River County Project No. 0425 39 th Avenue - Wabasso Scrub Jay Habitat I (memorandum dated October 1, 2007)	31-33
	F. Approval Work Order No. 7 (Engineering) with Ardaman & Associates, Inc. Providing Geotechnical Services for 10 th Court SW Petition Paving Project. IRC Project #0436 (memorandum dated October 2, 2007)	34-39
	G. Civil Engineering and Land Surveying Agreement for CR 510 from 81 st Drive to Shore Lane – Amendment No. 3 (memorandum dated September 24, 2007)	40-51

7.	<u>CONSENT AGENDA (CONT'D.)</u>	<u>PAGE</u>
H.	Change Order No. 2 for Indian River Drive Sidewalk South Between the South City Limits of Sebastian and US1 IRC Project # 0201 and IRC Bid # 2007027 (memorandum dated October 2, 2007)	52-56
I.	CR 512, I-95 to Roseland Road – IRC Project No. 9611 Addendum #8, Task D, Request for Final Release of Retainage (memorandum dated October 5, 2007)	57-64
J.	Spoonbill Marsh – Specific Purpose Survey of the Submerged Land Lease Area, Masteller, Moler, Reed & Taylor, Inc. Final Pay (memorandum dated October 4, 2007)	65-68
K.	DiVosta Homes L.P.’s Request for Final Plat Approval for a subdivision to be Known as Waterway Village P.D. – Plat 1C (memorandum dated October 8, 2007)	69-110
L.	Bid Award: Bid # 2008003 Annual Bid for Sulfuric Acid, Utilities Department / Water Production Division (memorandum dated October 9, 2007)	111-118
M.	Acceptance Change Order No. 33, for the New County Administration Buildings (memorandum dated October 10, 2007)	119-131
N.	Approval of Bid Award for Irc Bid # 2008002 Annual Bid for Zinc Orthophosphate. Utilities Department (memorandum dated October 4, 2007)	132-138
O.	IRC Jail Expansion – Reduction of Retainage (memorandum dated October 9, 2007)	139-143
P.	Approval Work Order No. 8 (Engineering) with Ardaman & Associates, Inc. Providing Geotechnical Services for 8 th Court SW Paving Project. IRC Project #0403 (memorandum dated October 2, 2007)	144-149
Q.	Construction Contingency for the Main Relief Canal Pollution Control System – Project 0113 (memorandum dated October 9, 2007)	150-151

7.	<u>CONSENT AGENDA (CONT'D.)</u>	<u>PAGE</u>
R.	Approval of State and Federally Funded Subgrant Agreement – Contract Number 08-BG-24-10-40-01-085 (memorandum dated September 27, 2007)	152-193
S.	Acceptance of Emergency Management Federally Funded Homeland Security Subgrant Agreement 08-DS-60-10-40-01 (memorandum dated September 27, 2007)	194-236
T.	Final Payment and Retainage Release for Indian River Drive Sidewalk South Between the South City Limits of Sebastian and US1, IRC Project # 0201 and IRC Bid # 2007027 (memorandum dated October 9, 2007)	237-247
8.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u> None	
9.	<u>PUBLIC ITEMS</u>	
A.	<u>PUBLIC HEARINGS</u>	
1.	Consideration of an Application for a Certificate of Public Convenience and Necessity for a Class “E” Certificate from Medical Transportation Specialists (MTS) (memorandum dated September 14, 2007)	248-259
	Administrative	
B.	<u>PUBLIC DISCUSSION ITEMS</u> None	
C.	<u>PUBLIC NOTICE ITEMS</u>	
1.	<u>Notice of Scheduled Public Hearing for October 23, 2007:</u> Amendment to Indian River County Code Section 913.07, Procedure and Requirements for Submitting and Processing Subdivision Applications, and 926.05, General Requirements of Landscape and Buffering Regulations, to Prohibit the Planting of Citrus Greening and Caribbean Fruit Fly Host Plants (memorandum dated October 9, 2007)	260
	Legislative	

10.	<u>COUNTY ADMINISTRATOR MATTERS</u>	<u>PAGE</u>
A.	2008 Fellsmere Frog Leg Festival (memorandum dated October 9, 2007)	261-262
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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> None	
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.	Lenny's Lounge Property Acquisition 1959 43 rd Avenue, Vero Beach (memorandum dated October 10, 2007)	263-271
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11.	<u>DEPARTMENTAL MATTERS (CONT'D.)</u>	<u>PAGE</u>
	J. <u>Utilities Services</u>	
	1. Approval of Bid Award and Sample Agreement for IRC Bid #2007082 West Wabasso Water Main Phase II/Utilities Department (memorandum dated October 1, 2007)	272-287
12.	<u>COUNTY ATTORNEY MATTERS</u>	
	A. Request to Void Letter of Credit Supporting Developer's Agreement Between Indian River County and Oslo 27, LLC for 27 th Avenue Between 13 th Street SW and 17 th Street SW (memorandum dated October 10, 2007)	288-294
	B. Proposed "Settlement Agreement and Release" Between Indian River County and MHC Countryside at Vero Beach, L.L.C., Case No. 2006-0114-CA-09 (memorandum dated October 10, 2007)	295-306
13.	<u>COMMISSIONERS ITEMS</u>	
	A. <u>Commissioner Gary C. Wheeler, Chairman</u> None	
	B. <u>Commissioner Sandra L. Bowden, Vice Chairman</u> None	
	C. <u>Commissioner Wesley S. Davis</u>	
	1. Request for a Resolution to be Drafted in Support of Protecting the Department of Citrus' Advertising Trust Fund and Support in Writing a Letter to State Legislative Delegation Requesting Funding for the Indian River County Rural and Family Lands Protection Program (memorandum dated October 10, 2007)	307-312
	D. <u>Commissioner Joseph E. Flescher</u> None	
	E. <u>Commissioner Peter D. O'Bryan</u> None	

14. **SPECIAL DISTRICTS AND BOARDS**

PAGE

A. **Emergency Services District**

None

B. **Solid Waste Disposal District**

None

C. **Environmental Control Board**

1. Approval of Minutes – Meeting of July 10, 2007
2. Approval of Minutes – Meeting of July 27, 2007
3. Report of Activities During Third Quarter (July through September, 2007)
(memorandum dated September 28, 2007)

313-314

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.***