



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

COMMISSION AGENDA

TUESDAY, DECEMBER 4, 2007 - 9:00 A.M.

**County Commission Chamber
Indian River County Administration Complex
1801 27th Street, Building A
Vero Beach, Florida, 32960-3388
www.ircgov.com**

COUNTY COMMISSIONERS

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

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

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

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- | | | <u>PAGE</u> |
|-----------|-----------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| 1. | <u>CALL TO ORDER</u> | <u>9:00 A.M.</u> |
| 2. | <u>INVOCATION</u> | Commissioner Wesley S. Davis, Vice Chairman |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | Commissioner Sandra L. Bowden, Chairman |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | |
| A. | Presentation on Winter Fest, Joint Program by Indian River County Recreation Department and Pointe West, by Chuck Mechling. | |

6.	<u>APPROVAL OF MINUTES</u>	<u>PAGE</u>
A.	Regular Meeting of November 6, 2007	
B.	Regular Meeting of November 13, 2007	
7.	<u>CONSENT AGENDA</u>	
A.	Approval of Warrants – November 09 to November 15, 2007 (memorandum dated November 15, 2007)	1-10
B.	Treasure Coast Regional Planning Council (TCRPC) Comprehensive Economic Development Strategy Committee (CEDSC) Appointment (Commissioner Wesley S. Davis, Vice Chairman) (memorandum dated November 28, 2007)	11-14
C.	Treasure Coast Regional Planning Council (TCRPC) Comprehensive Economic Development Strategy Committee (CEDSC) Appointment (Commissioner Peter D. O’Bryan) (memorandum dated November 14, 2007)	15-21
D.	Resolution Canceling Taxes on Property Acquired by the City of Sebastian for Public Purposes (memorandum dated November 20, 2007)	22-27
E.	Work Order No. 12 (Engineering) Full and Final Pay, Masteller, Moler, Reed & Taylor, Inc., Indian River County Project No. 0425, 39 th Avenue Corridor between 69 th Street & 71 st Street (memorandum dated November 19, 2007)	28-30
F.	Work Order No. 3 with Bridge Design Associates, Inc. – Release of Retainage IRC Project No. 0611-B-56 th Place Bridge Design (memorandum dated November 19, 2007)	31-32
G.	Work Order No. 3 with Hydromentia, Inc. for Additional Engineering Services Related to Egret Marsh Regional Stormwater Park (memorandum dated November 26, 2007)	33-38
H.	Agreement with IRC/Pointe West/Pyrotecnico for Fireworks (memorandum dated November 20, 2007)	39-48

7.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
I.	Work Order No. 1 (Engineering/Surveying), Morgan & Eklund, Inc., Rock Ridge Subdivision – IRC Project No. 0737, Topographic/Drainage survey (Northern Section) (memorandum dated November 21, 2007)	49-56
J.	Work Order No. 2 (Engineering/Surveying), Masteller, Moler, Reed and Taylor, Inc., CR 512 Phase 4, Design/Topographic Survey, Additional Services – Tree Locations (memorandum dated November 21, 2007)	57-60
K.	Work Order No. 1 (Engineering/Surveying), Masteller, Moler, Reed and Taylor, Inc., CR 512 Phase 3, (Buffer Preserve), Wetland-Mitigation As-Built (Record) Survey (memorandum dated November 21, 2007)	61-64
L.	Work Order No. 1 (Engineering/Surveying), Carter Associates, Inc., Lennie’s Lounge Boundary Survey (memorandum dated November 21, 2007)	65-68
M.	CR 512, Phase III, CR 510 – Project #9611 & 0001, Bid Number 2006065, Change Order No. 10 (memorandum dated November 20, 2007)	69-77
N.	Telephone Line Relocation at West Regional Wastewater Treatment Facility (memorandum dated November 7, 2007)	78-82
O.	Gifford Park Security House, Fourth and Final Payment and Release of Retainage for Project 0503 Bid No. 2007033, Passage Island Homes, Inc. (memorandum dated November 28, 2007)	83-87
P.	Right-of-Way Acquisition, Tarmac America L.L.C. 2800 Industrial Blvd. Vero Beach (memorandum dated November 27, 2007)	88-96
Q.	Holiday Schedule for Indian River County Library System (memorandum dated November 28, 2007)	97-98
R.	Miscellaneous Budget Amendment 002 (memorandum dated November 27, 2007)	99-102

7.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
	S. Acceptance of Change Order No. 16, New County Emergency Operations Center (memorandum dated November 28, 2007)	103-108
	T. Providing Geotechnical Services for 70 th Avenue Roadway Improvements, IRC Project #0217 (memorandum dated November 20, 2007)	109-113
	U. Oslo Road Widening Between 43 rd Avenue and 27 th Avenue, Engineering Services Amendment No. 2 – Alternate pond analysis and coordination for necessary legal descriptions and sketches for right-of-way acquisition associated with the 27 th Avenue corridor between Oslo Road and 7 th Street SW (memorandum dated November 26, 2007)	114-118
	V. Work Order No. 2 (Engineering/Surveying), Morgan & Eklund, Inc., Wabasso Beach Park Additional Topographic Survey, Park and Utility Designs – Permitting Applications IRC # 0612 (memorandum dated November 27, 2007)	119-123
	W. Work Order No. 3 (Engineering/Surveying), Kimley-Horn and Associates, Inc., Kroegel Homestead Subdivision / County Preservation Land Boundary / Specific Purpose Survey and Riparian Rights Study (memorandum dated November 20, 2007)	124-131
	X. Approval of Bid Award for IRC Bid # 2008018 IRC ICS/NIMS/E-Team Integration & Training, Department of Emergency Services (memorandum dated November 26, 2007)	132-139
	Y. Final Payment and Release of Retainage Applied Technology and Management, Inc. Work Order #10 (memorandum dated November 27, 2007)	140-145
	Z. Final Payment and Release of Retainage Applied Technology and Management Inc. Contract amendment #13 (memorandum dated November 27, 2007)	146-151
	AA. 79 th Street (106 th Avenue to 101 st Avenue), 87 th Street (106 th Avenue to 102 nd Avenue), Project # 0535 & 0536, Bid Number 2007070, Change Order No. 2, (12” Water Main Installation) (memorandum dated November 26, 2007)	152-155

7.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
	BB. Purchase of Calvit Island for property exchange with the State of Florida for a storm water pond for County Road 512 widening and improvements (memorandum dated November 27, 2007)	156-167
8.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	
	None	
9.	<u>PUBLIC ITEMS</u>	
	A. <u>PUBLIC HEARINGS</u>	
	1. Oslo Commerce Center, L.P.'s Request to Rezone ± 12.692 Acres from CH to CG (memorandum dated November 14, 2007)	168-200
	Quasi-Judicial	
	2. Fourdev's Request to Rezone ± 6.78 acres from IL to CG (memorandum dated November 26, 2007)	201-246
	Quasi-Judicial	
	3. Request by Billy L. Hitchcox for a Variance from the Requirements of the Subdivision Ordinance (Chapter 913) for a Mobile Home Development at 48 th Avenue and 43 rd Street (memorandum dated November 2, 2007)	247-265
	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 Progressive Civic League of Gifford, Fl. Inc. Regarding Renaming the Softball Field at Gifford Neighborhood Park after Mr. J. Ralph Lundy	266
	2. Request to Speak from Charles Wilson Regarding Openness in Government, Public Reporting of ex parte conversations	267-270

9.	<u>PUBLIC ITEMS</u>	<u>PAGE</u>
	C. <u>PUBLIC NOTICE ITEMS</u>	
	1. <u>Notice of Scheduled Public Hearing for December 11, 2007:</u> An Ordinance of the Board of County Commissioners of Indian River County, Florida, Amending Section 104.06, Code of Ethics and Conduct, of the Indian River County Code; Providing for Codification; Providing for Severability; and Providing for an Effective Date (memorandum dated not dated)	271
	Legislative	
	2. <u>Notice of Scheduled Public Hearing for December 18, 2007:</u> Board consideration to formally designate a 1.3 mile segment of Old Dixie Highway south of CR 512 as a historic road.	272
	Administrative	
10.	<u>COUNTY ADMINISTRATOR MATTERS</u>	
	A. Meetings of the Board of County Commission, Proposed – 2008 Meeting Dates (memorandum dated October 23, 2007)	273-274
	B. Treasure Coast Regional Planning Council (TCRPC), Municipal Appointments (memorandum dated November 28, 2007)	275-281
	C. Authorization to Negotiate (memorandum dated November 27, 2007)	282-288
11.	<u>DEPARTMENTAL MATTERS</u>	
	A. <u>Community Development</u>	
	1. Consideration of Roadway Connectivity Requirements (memorandum dated November 26, 2007)	289-302
	B. <u>Emergency Services</u>	
	1. Approval of Frequency Reconfiguration Agreement Between Indian River County and Nextel South Corporation (memorandum dated November 19, 2007)	303-343

11. DEPARTMENTAL MATTERS

PAGE

C. General Services

None

D. Human Resources

None

E. Human Services

None

F. Leisure Services

None

G. Office of Management and Budget

None

H. Recreation

None

I. Public Works

None

J. Utilities Services

1. Grand Harbor Spoonbill Marsh Site Agreement for Utility Easement
(memorandum dated November 14, 2007) 344-356

2. Change Order No. 1 to SPS Contracting, Inc. for the Force Main Replacement On CR-510 to A1A from the Wabasso Bridge UCP-2871
(memorandum dated November 14, 2007) 357-360

12. COUNTY ATTORNEY MATTERS

A. Agenda

(memorandum dated November 28, 2007) 361-363

13. **COMMISSIONERS ITEMS**

A. **Commissioner Sandra L. Bowden, Chairman**

1. St. Johns River Water Management District – Water Issues 364

B. **Commissioner Wesley S. Davis, Vice Chairman**

1. Request for a Resolution of Support to be Drafted for Continuation
of the Indian River Lagoon Blue Way Project
(memorandum dated November 28, 2007) 365-374

2. Request for County Administrator to Direct staff to Research and
Provide a Report on Rock and Sandmining Regulations Involving
Agricultural Lands in Other Counties
(memorandum dated November 28, 2007) 375-377

C. **Commissioner Joseph E. Flescher**

None

D. **Commissioner Peter D. O'Bryan**

None

E. **Commissioner Gary C. Wheeler**

None

14. **SPECIAL DISTRICTS AND BOARDS**

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 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.