



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

COMMISSION AGENDA

TUESDAY, APRIL 8, 2008 - 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	District 5	Joseph A. Baird, County Administrator
Wesley S. Davis, Vice Chairman	District 1	William G. Collins II, County Attorney
Joseph E. Flescher	District 2	Jeffrey K. Barton, Clerk to the Board
Peter D. O'Bryan	District 4	
Gary C. Wheeler	District 3	

- | | | <u>PAGE</u> |
|-----------|---|----------------------------------|
| 1. | <u>CALL TO ORDER</u> | <u>9:00 A.M.</u> |
| 2. | <u>INVOCATION</u> | Jim Davis, Public Works Director |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | Commissioner Joseph E. Flescher |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | |
| A. | Presentation of Proclamation Designating April as Child Abuse Prevention Month | 1 |
| B. | Presentation of Proclamation Designating April 13 th – 19 th , 2008, as National Crime Victims' Rights Week | 2 |

5.	<u>PROCLAMATIONS and PRESENTATIONS</u>	<u>PAGE</u>
	C. Presentation by Melanie Jones, Keep Indian River Beautiful (KIRB) Executive Director, on the County Sweeps Challenge/Great American Clean Up and KIRB Recycling Awards	3-5
6.	<u>APPROVAL OF MINUTES</u>	
	A. Regular Meeting of March 4, 2008	
	B. Impact Fee Workshop, March 6, 2008	
	C. Regular Meeting of March 11, 2008	
7.	<u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	
	A. 2008 Election of Indian River County Professional Services Advisory Committee (PSAC) Chairman and Vice Chairman (memorandum dated March 25, 2008)	6
	B. Resignation and Appointment to the Parks and Recreation Committee (PRC) (memorandum dated April 2, 2008)	7-11
	C. Resignation of Judge Appointee to the Children's Services Advisory Committee (memorandum dated March 26, 2008)	12-13
	D. 2008 Election of Chairman and Vice Chairman of the MPOCAC (memorandum dated April 1, 2008)	14
	E. 2008 Election of Chairman and Vice Chairman of the MPOBAC (memorandum dated April 1, 2008)	15
	F. Retirement Award Honoring Captain Gerald Resch on His Retirement from Indian River County Fire Rescue	16-17

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
A.	Approval of Warrants – March 07, 2008 thru March 13, 2008 (memorandum dated March 13, 2008)	18-24
B.	Approval of Warrants – March 14, 2008 thru March 20, 2008 (memorandum dated March 20, 2008)	25-32
C.	Approval of Warrants – March 21, 2008 thru March 27, 2008 (memorandum dated March 27, 2008)	33-40
D.	Corrective Deed of the Mount Zion Baptist Church Property (memorandum dated March 18, 2008)	41-42
E.	Permission to Advertise for Proposed Property Exchange with Ken McKellar – 31 st Avenue R/W (memorandum dated March 19, 2008)	43-47
F.	Resolution Canceling Taxes on Property Acquired by the City of Fellsmere for Well Site (memorandum dated March 24, 2008)	48-55
G.	Approval of Request for Proposal (RFP) 2008048 (memorandum dated March 27, 2008)	56-144
H.	Right-of-Way Acquisition United Church of Sebastian, 1251 Sebastian Boulevard, Sebastian, Fl 32958 (memorandum dated March 17, 2008)	145-151
I.	Resignation and Appointment to the Historic Resources Advisory Committee (HRAC) (memorandum dated March 27, 2008)	152-157
J.	Construction Contingency for the Main Relief Canal Pollution Control System and Change Order No. 7 – Project 0113 (memorandum dated March 27, 2007)	158-169
K.	Wal-Mart Store East L.P.’s Request for Final Plat Approval for a Replat of and an Addition to the Sam’s Club at Vero Beach Commercial Planned Development (memorandum dated March 17, 2008)	170-175

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
L.	Civil Engineering and Land Surveying Agreement with Kimley-Horn Associates, Inc. for Intersection Improvements at 66 th Avenue and CR510 Amendment No. 4 (memorandum dated March 14, 2008)	176-186
M.	Work Order No. 5 (Engineering/Surveying) Masteller, Moler, Reed and Taylor, Inc. CR512 Phase IV Roadway Improvements Pond A (Retention area) Boundary Survey (memorandum dated March 28, 2008)	187-195
N.	Providing Geotechnical Services for Oslo Road and Oslo Road Boat Ramp Improvements, Dunkelberger Engineering & Testing, Inc. Work Order No. 3, IRC Project # 0381 (memorandum dated March 28, 2008)	196-202
O.	CR 512, Phase III, CR 510 – Project #9611 & 0001 Geotechnical Services Work Order #1 – Release of Retainage Dunkelberger Engineering & Testing, Inc. (memorandum dated April 1, 2008)	203-204
P.	Amendment No. 8 to the Professional Services Agreement with Carter Associates, Inc. 55 th Avenue Paving Improvements (4 th Street to SR 60) IRC Project No. 9810 (memorandum dated March 25, 2008)	205-208
Q.	Professional Engineering Services for Completion of Eagle Trace Subdivision – Phase 2 (memorandum dated March 26, 2008)	209-222
R.	Oslo Road Boat Ramp, IRC Project No. 0381, GK Environmental, Inc. Services, Archaeological and Historical Survey (memorandum dated April 1, 2008)	223-228
S.	Florida Inland Navigation District 2008-2009 Waterways Assistance Program Authorizing Resolution for the Oslo Road Boat Ramp (memorandum dated April 1, 2008)	229-231
T.	Release of Demolition Lien (memorandum dated March 31, 2008)	232-233
U.	Mediated Settlement, Thomas Royal (memorandum dated March 24, 2008)	234

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V.	Permission to Advertise for Amendment to State Road 60 Interest Share Fee Ordinance (memorandum dated March 19, 2008)	235
W.	Aldea of Fellsmere Developer's Agreement for Developer Contributions to Intersection Improvements at CR 512 and Aldea Project Entrance (memorandum dated March 13, 2008)	236-241
X.	Final Payment – Ecological Associates Inc. Contract Amendment No. 4 (memorandum dated March 31, 2008)	242-246
Y.	Great Lakes Dredge and Dock Company Final Payment and Retainage Release, Sectors 1 & 2 Beach Restoration (memorandum dated March 28, 2008)	247-253
Z.	Right-of-Way Acquisition, Grace Baptist Church of Vero Beach, Inc., 1285 43 rd Avenue, Vero Beach (memorandum dated March 25, 2008)	254-261
AA.	Release of Retainage (\$25,635.00) to Summerlin's Marine Construction, LLC for Construction of the Boardwalks at the North Sebastian Conservation Area, per bid #2007035 (memorandum dated March 31, 2008)	262-263
BB.	Release of Retainage – Edlund, Dritenbas, Binkley Architects & Associates, P.A., design Contract for the Parks Maintenance Complex (memorandum dated March 26, 2008)	264-265
CC.	Release of Final Payment – Cross Environmental Services (memorandum dated March 31, 2008)	266
DD.	Approval of Bid Award for IRC Bid No. 2008031, Annual Bid for Traffic Signal Wire and Hardware, Public Works Department/Traffic Engineering Division (memorandum dated March 12, 2008)	267-292
EE.	Indian River County Appointments to the Economic Opportunities Council (EOC) (memorandum dated March 26, 2008)	293-299

8. <u>CONSENT AGENDA</u>	<u>PAGE</u>
FF. Approval of Application No. 4 – Final for Utilities Labor Contractor Underground Utilities, Inc. for Construction of Fire Hydrant Replacements at the Vista Villas, Vista Gardens, Grand Royal AMD Vista Villas Condominiums – UCP 3021 (memorandum dated March 18, 2008)	300-304
GG. Final Payment to Carter Associates, Inc. for Survey Services for San Sebastian Springs Water Assessment Project – UCP 3014, WIP No. 473-169000-08502 (memorandum dated March 20, 2008)	305-307
HH. Master In-Line Pump Station at 1550 9 th Street SW, UCP No. 2628, WIP Number 472-169000-06531, Approval of Change Order No. 2, Approval of Final Payment to Contractor, TLC Diversified, Inc. of Palmetto, FL, and Release of Retainage (memorandum dated March 13, 2008)	308-322
II. Partial Release of Retainage – Work Order #4, Coastal Technology Corporation Inc., Sector 3 Beach Restoration (memorandum dated March 18, 2008)	323-325
JJ. Work Order No. 3 (Engineering/Surveying), Kimley-Horn and Associates, Inc. Final Pay and Release of Retainage, Kroegel Homestead Subdivision/County Preservation Land, Boundary/Specific Purpose Survey and Riparian Rights Study (memorandum dated March 25, 2008)	326-327
KK. Gifford Health Center – Grading, Paving, Drainage & Bus Shelter Improvements – IRC Bid Number 2007027, Final Pay & Release of Retainage for L.H. Tanner Construction Corp (memorandum dated March 25, 2008)	328-332
LL. Acquisition of Right-of-Way Along 66 th Avenue (memorandum dated April 2, 2008)	333-349
MM. GH Vero Beach Development Inc’s Request for a Replat of a Portion of The Falls at Grand Harbor to be Known as Grand Harbor Plat #30 (memorandum dated March 24, 2008)	350-355

9.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	<u>PAGE</u>
A.	Roy Raymond, Indian River County Sheriff	
1.	Budget Amendment (letter dated March 24, 2008)	356
2.	Department of Transportation Grant Assistance – Aggressive Driver Program (letter dated March 24, 2008)	357-365
3.	U. S. Department of Justice, Bureau of Justice Assistance Bulletproof Vest Partnership Program (letter dated March 26, 2008)	366-371
10.	<u>PUBLIC ITEMS</u>	
A.	<u>PUBLIC HEARINGS</u>	
1.	KGP, LLC’s Request to Rezone ±1.57 Acres from IG to CG (memorandum dated March 17, 2008)	372-407
	Quasi-Judicial	
2.	Etayem, LLC’s Request to Rezone ± 1.23 Acres from CN to CL (memorandum dated March 17, 2008)	408-430
	Quasi-Judicial	
3.	Consideration of The Assignment, Settlement and Covenant Agreement between the County and the St. Johns river Water Management District; Approval of using environmental bond funds to purchase real property interest in the Corrigan 458.71 acres and the Sand Lakes Tract (memorandum dated April 2, 2008)	431-503
	Legislative	
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 Joseph Paladin, President, Black Swan Consulting, Regarding Impact Fees – Should They Be Raised, Lowered, or Stay the Same	504
2.	Request to Speak from Joe T. Wiggins Regarding Right-of-Way and Trailer	505

10.	<u>PUBLIC ITEMS</u>	<u>PAGE</u>
	B. <u>PUBLIC DISCUSSION ITEMS (CONT'D.)</u>	
	3. Request to Speak from Fred Mensing Regarding Practical Budget Cuts	506
	4. Request to Speak from Frank Zorc Regarding Matching Funds for Boardwalk at St. Francis Manor	507
	5. Request to Speak from Joseph Paladin, Chairman, Growth Awareness Committee, Regarding Maintenance Bonds	508
	C. <u>PUBLIC NOTICE ITEMS</u>	
	None	
11.	<u>COUNTY ADMINISTRATOR MATTERS</u>	
	None	
12.	<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. Collective Bargaining Agreement Between Indian River County and IAFF (memorandum dated March 27, 2008)	509-590
	2. BlueMedicare Advantage Plan for Retirees (memorandum dated April 2, 2008)	591-596
	3. Health Insurance Subsidy Policy for Retirees (memorandum dated April 2, 2008)	597-599

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
E.	<u>Human Services</u> None	
F.	<u>Leisure Services</u> None	
G.	<u>Office of Management and Budget</u>	
	1. Veterans Council of Indian River County, Inc., Annual Financial Audit (memorandum dated April 2, 2008)	600-602
	2. Property/Casualty Insurance Renewal 2008-09 (memorandum dated April 1, 2008)	603-604
H.	<u>Recreation</u> None	
I.	<u>Public Works</u>	
	1. 16 th Street Paving Between 74 th Avenue and 66 th Avenue – Fleming Right-of-Way (memorandum dated April 1, 2008)	605-606
J.	<u>Utilities Services</u>	
	1. Consulting Services Work Order No. 12 with Masteller and Moler for the Development of a North County Reclaimed Water System Implementation Plan – UCP 2747 (memorandum dated March 20, 2008)	607-616
	2. Approval of Bid Award for IRC Bid No. 2008033, Construction of Spoonbill Marsh Wetland Facility (memorandum dated March 24, 2008)	617-631
13.	<u>COUNTY ATTORNEY MATTERS</u>	
A.	Acquisition of Wings of Joy Property for 58 th Avenue/State Road 60 Intersection Improvements (memorandum dated April 2, 2008)	632-640

14.	<u>COMMISSIONERS ITEMS</u>	<u>PAGE</u>
A.	<u>Commissioner Sandra L. Bowden, Chairman</u> None	
B.	<u>Commissioner Wesley S. Davis, Vice Chairman</u> None	
C.	<u>Commissioner Joseph E. Flescher</u> None	
D.	<u>Commissioner Peter D. O'Bryan</u> 1. Code Enforcement Issues in Vero Highlands (no back-up)	
E.	<u>Commissioner Gary C. Wheeler</u> None	
15.	<u>SPECIAL DISTRICTS AND BOARDS</u>	
A.	<u>Emergency Services District</u> 1. Approval of Minutes, Meeting of February 19, 2008 2. Training Partnership Agreement Between Indian River Community College and Indian River County Emergency Services District (memorandum dated March 24, 2008)	641-643
B.	<u>Solid Waste Disposal District</u> 1. Approval of Bid Award for IRC Bid No. 2008040, Furnish and Install Fencing at Landfill, Solid Waste Disposal District (memorandum dated March 17, 2008)	644-656
C.	<u>Environmental Control Board</u> None	
16.	<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.