



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

TUESDAY, SEPTEMBER 9, 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
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> | Father Tri Tang Pham
St. Helen's Catholic Church | |
| 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 by Gwenda Thompson, President/CEO of the Workforce Development Board Regarding the One-Stop Career Center and system in Indian River County | |

6.	<u>APPROVAL OF MINUTES</u>	<u>PAGE</u>
A.	Regular Meeting of July 15, 2008	
B.	Budget Workshop, July 16, 2008	
7.	<u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	
A.	Proof of Publication of unclaimed monies for Cash Bonds deposited with the Clerk of the Circuit Court prior to January 1, 2007 (On file in the Office of the Clerk to the Board)	
B.	Florida Department of Agriculture and Consumer Services, Division of Forestry, Annual Fire Control Report (letter dated August 8, 2008)	1-31
C.	Resignation of BCC Appointee to the Metropolitan Planning Organization Citizens Advisory Committee (memorandum dated September 2, 2008)	32-33
D.	Citizens Oversight Committee Appointment Interlocal Agreement for Coordinated Planning and School Concurrency (memorandum dated August 21, 2008)	34-36
E.	Interested Citizen Vacancy on Marine Advisory Narrows Watershed Action Committee (memorandum dated August 18, 2008)	37
F.	Change in Indian River County School Board Representative, Metropolitan Planning Organization Technical Advisory Committee and Transportation Disadvantaged Local Coordinating Board (memorandum dated August 25, 2008)	38-40
8.	<u>CONSENT AGENDA</u>	
A.	Approval of Warrants and Wires – August 8 – 14, 2008 (memorandum dated August 14, 2008)	41-48
B.	Approval of Warrants and Wires – August 15 - 21, 2008 (memorandum dated August 21, 2008)	49-56

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
	C. Approval of Warrants and Wires – August 22 - 28, 2008 (memorandum dated August 28, 2008)	57-64
	D. Appointment to the Enterprise Zone Development Agency (memorandum dated July 22, 2008)	65-68
	E. Gifford Progressive Civic League’s Request for Establishment of a Municipal Services Benefit District for the Gifford Community Center (memorandum dated August 18, 2008)	69
	F. Extension of Contract for purchase of real property at 5835 85 th Street (a/k/a County Road 510) – David Godwin (memorandum dated August 27, 2008)	70-71
	G. Authorization to Attend 2008 Annual FSBPA Conference (memorandum dated September 2, 2008)	72-77
	H. Approval of Bid Award for IRC Bid No. 2008054, Annual Bid for Utility Locating Equipment (memorandum dated August 25, 2008)	78-84
	I. Supplemental No. 2 to Work Order No. 1 with Carter Associates, Inc., Professional Civil Engineering Services Agreement, Indian River County Parks Maintenance Complex, IRC Project No. 0701 (memorandum dated August 21, 2008)	85-92
	J. Work Order No. 3, (Engineering/Surveying) Morgan Eklund, Inc., Old Dixie Highway (North), US1 to 69 th Street, LAP Sidewalk Improvements project, Right-of-Way Mapping (+/- 4 miles) (memorandum dated August 19, 2008)	93-103
	K. Work Order No. 7, (Engineering/Surveying), Masteller, Moler, Reed and Taylor, Inc., CR512 Phase III Roadway Improvements, Final Right-of-Way Mapping project (memorandum dated August 15, 2008)	104-114
	L. Consideration of Indian River County 2008 SHIP Program and HHR Program Annual Reports (memorandum dated August 22, 2008)	115-166
	M. Consideration of State Housing Initiatives Partnership (SHIP) Program Funds Set-aside for Habitat for Humanity Clients for FY 2008-2009 (memorandum dated August 22, 2008)	167-171

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CONSENT AGENDA

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N.	Geotechnical Services Work Order #6, Dunkelberger Engineering & Testing, Inc., for The Enclave Subdivision – Project # 0816 (memorandum dated August 13, 2008)	172-178
O.	Final Payment and Release of Retainage, Applied Technology and Management, Inc., Work Order #2 (memorandum dated August 26, 2008)	179-183
P.	Final Payment and Release of Retainage, Applied Technology and Management, Inc., Work Order #3 (memorandum dated August 26, 2008)	184-188
Q.	Final Payment and Release of Retainage, Applied Technology and Management, Inc., Work Order #5 (memorandum dated August 26, 2008)	189-193
R.	Final Payment and Release of Retainage, Applied Technology and Management, Inc., Work Order #6 (memorandum dated August 26, 2008)	194-196
S.	Final Payment and Release of Retainage, Applied Technology and Management, Inc., Work Order #7 (memorandum dated August 26, 2008)	197-201
T.	Final Payment and Release of Retainage, Applied Technology and Management, Inc., Work Order #8 (memorandum dated August 26, 2008)	202-204
U.	Final Payment and Release of Retainage, Applied Technology and Management, Inc., Work Order #9 (memorandum dated August 26, 2008)	205-209
V.	Ambersand Beach Nourishment – Sectors 1 and 2, FDEP Grant Agreement No. 071R3 – Amendment. No. 1 (memorandum dated August 13, 2008)	210-222
W.	Providing Construction Materials Testing Services for 53 rd Street Roadway Improvements, IRC Project #0107 (memorandum dated September 2, 2008)	223-231

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X.	Work Order No. 5 (Engineering), Creech Engineers, Inc. – Release of Retainage, Indian River County Horizontal Control Network, 2007 Geodetic (GPS) Re-Densification Project (memorandum dated August 28, 2008)	232-236
Y.	Work Order No. 1 (Engineering/Survey), Creech Engineers, Inc. – Release of Retainage, Indian River County Horizontal Control Network, 2007-2008 Geodetic (GPS) Re-Densification Project (memorandum dated August 28, 2008)	237-239
Z.	Oslo Road Clearing, 31 st Avenue S.W. to 43 rd Avenue and 43 rd Avenue Clearing, 6 th Place S.W. to South Relief Canal, Bid No. 2008013 (memorandum dated August 27, 2008)	240-247
AA.	CR 512, Phase III, CR510, IRC Project #9611 & 0001, Bid Number 2006065, Change Order No. 11 and Release of Retainage for J. W. Cheatham, L.L.C. (memorandum dated August 26, 2008)	248-282
BB.	Miscellaneous Budget Amendment 019 (memorandum dated September 2, 2008)	283-300
CC.	PLC, LLC Request for Release of Easements at 4079 43 rd Avenue (Indian River Farms Company Subdivision) (memorandum dated August 29, 2008)	301-310
DD.	Approval of Bid Award for IRC Bid No. 2008027, South RO Plant Pump Upgrade and Capacity Enhancement (memorandum dated August 21, 2008)	311-338
EE.	Approval of Bid Award for IRC Bid No. 2009001, Annual Bid for Caustic Soda, Utilities Department (memorandum dated September 2, 2008)	339-344
FF.	Corrections to Resolution 2008-116 Concerning Right-of-Way Acquisition (memorandum dated September 3, 2008)	345-348
GG.	Renewal of Service Agreement for Indian River County Sheriff E911 Public Safety Answering Point (PSAP) Logging Recorder on a Sole Source Basis from Replay Systems, Inc. (memorandum dated September 2, 2008)	349-357

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
	HH. Right-of-Way Acquisition County Road 510, Project #0610, 85 th Street, South Side, West of 58 th Avenue, 1 Parcel: Owned by David Godwin, Commonly known as: 5825 85 th Street (memorandum dated August 22, 2008)	358-365
	II. Right-of-Way Acquisition, PPDC Investments, LLC, a Florida Limited Liability Company, 1875 43 rd Avenue (memorandum dated August 20, 2008)	366-374
	JJ. Laurel Homes, Inc., 16 th Street Road Improvements, Project # 9810 (memorandum dated August 26, 2008)	375-383
	KK. Dolores Mary Pesce, State Road 60 / 58 th Avenue Intersection Improvements, Project # 0632 (memorandum dated August 29, 2008)	384-398
	LL. Wabasso Beach Park Restoration; Work Order CT-3; Professional Engineering Services for the Construction Phase Site Observation Relative to Permit and Contract Requirements; Coastal Technology Corporation (memorandum dated August 28, 2008)	399-405
	MM. Right-of-Way Acquisition – 66 th Avenue #0370, 6705 66 th Avenue, between 65 th and 69 th Streets, Robert Joseph Gardiner II and Wendy Gardiner, husband and wife (memorandum dated September 2, 2008)	406-420

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

None

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

1.	Gladys Williams' Request for Special Exception Use Approval for a Child Care Facility to be known as First Impressions Day Care (memorandum dated August 28, 2008)	421-429
	Quasi-Judicial	

PUBLIC ITEMS**PAGE****A. PUBLIC HEARINGS**

2. Quail Ridge of Vero Beach LLC.'s Request to Amend the Transportation Element of the Comprehensive Plan to Remove Segments of 61st Street between 74th and 90th Avenues and Remove Segments of 65th Street between 74th Avenue and Interstate 95 from the County's Extended Roadway Grid Map (memorandum dated August 14, 2008) 430-451
Legislative

3. Indian River County's Request for Abandonment of a Portion of 130th Street (Gibson Street) and An Unnamed Right-of-Way in Roseland (memorandum dated August 11, 2008) 452-460
Legislative

B. PUBLIC DISCUSSION ITEMS

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 Bob Adair, Chairman, Agricultural Advisory Committee, Regarding Recommendation from Agricultural Advisory Committee to Request an updated study on the Hydrogeology of Indian River County 461-469
2. Request to Speak from Charles G. Searcy Regarding Repair and Improvement of Oslo Boat Ramp 470
3. Request to Speak from Vera Locke, Executive Director, Marine Industries Association of the Treasure Coast Inc., Regarding a Resolution from the County in Support of Amendment 6 471-482

C. PUBLIC NOTICE ITEMS

1. **Notice of Scheduled Public Hearings for September 16, 2008:**
(memorandum dated September 2, 2008) 483
- A. Imagine School's Request to Modify a Condition of the Special Exception Use Approval for the Imagine Schools 4th Street Facility
Quasi-Judicial

A. **PUBLIC HEARINGS** **PAGE**

C. **PUBLIC NOTICE ITEMS**

1. **Notice of Scheduled Public Hearings for September 16, 2008:**
(continued)
(memorandum dated September 2, 2008)

483

- B. Alliance Holding, LLC's (Racetrac's) Request for
Abandonment of a Portion of 107th Court between 94th Street
and CR 512 in Vero Lake Estates
Legislative

11. **COUNTY ADMINISTRATOR MATTERS**

None

12. **DEPARTMENTAL MATTERS**

A. **Community Development**

1. Consideration to Abate a Public Nuisance at 2025 Surfside Terrace
(Landowner: Lewis Barton; Code Enforcement Case No.
2006120082) **Quasi-Judicial**
(memorandum dated September 3, 2008)

484-513

B. **Emergency Services**

None

C. **General Services**

None

D. **Human Resources**

None

E. **Human Services**

None

F. **Leisure Services**

None

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
	G. <u>Office of Management and Budget</u> None	
	H. <u>Recreation</u> None	
	I. <u>Public Works</u>	
	1. 53 rd Street Railroad Crossing Agreement (memorandum dated August 22, 2008)	514-535
	J. <u>Utilities Services</u>	
	1. Approval of Consent Order with the Florida Department of Environmental Protection (FDEP) and Indian River County for the South Reverse Osmosis Water Treatment Plant (memorandum dated August 27, 2008)	536-565
	2. 129 th Place, a Portion of Indian River Acres Petition Water Service, Indian River County Project No. UCP-2953, Preliminary Assessment Resolutions I and II (memorandum dated August 15, 2008)	566-581
13.	<u>COUNTY ATTORNEY MATTERS</u>	
	A. Transfer of Responsibility of Completing Sidewalks in Oak Hollow Estates Subdivision from Developer to POA (memorandum dated September 3, 2008)	582-593
	B. Necessity of Take Resolution for a parcel of property located on 16 th Street between 66 th and 74 th Avenues (memorandum dated September 3, 2008)	594-608
14.	<u>COMMISSIONERS ITEMS</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	

14.	<u>COMMISSIONERS ITEMS</u>	<u>PAGE</u>
	D. <u>Commissioner Peter D. O’Bryan</u> None	
	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 Regular Meeting of Regular Meeting of July 1, 2008	
	2. Approval of Minutes of Regular Meeting of July 15, 2008	
	3. Invitation from John’s Island Golf Club for Staff to Participate in a “Public Safety Day” Golf Outing (memorandum dated September 2, 2008)	609-613
	B. <u>Solid Waste Disposal District</u>	
	1. Approval of Minutes Regular Meeting of July 15, 2008	
	2. Approval of Minutes Regular Meeting of August 19, 2008	
	3. Public Hearing to Amend SWDD Rate Resolution for Contaminated Soils (memorandum dated September 2, 2008)	614-619
	C. <u>Environmental Control Board</u>	
	1. Approval of Minutes Regular Meeting of May 6, 2008	
	2. Release of Lien – Oscar Ross, Environmental Control Hearing Board Cases No. 03-86 and 258-96 (memorandum dated September 2, 2008)	620-623
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.