



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

**TUESDAY, DECEMBER 19, 2006 - 9:00 A.M.**

**County Commission Chamber  
County Administration Building  
1840 25<sup>th</sup> Street. Vero Beach, Florida, 32960-3365  
WWW.IRCGOV.COM**

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**COUNTY COMMISSIONERS**

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|--|-------------------|--|
| <b>Gary C. Wheeler, Chairman</b>       | <b>District 3</b> | <b>Joseph A. Baird, County Administrator</b>   |
| <b>Sandra L. Bowden, Vice Chairman</b> | <b>District 5</b> | <b>William G. Collins II, County Attorney</b>  |
| <b>Wesley S. Davis</b>                 | <b>District 1</b> | <b>Kimberly Massung, Executive Aide to BCC</b> |
| <b>Joseph E. Flescher</b>              | <b>District 2</b> | <b>Jeffrey K. Barton, Clerk to the Board</b>   |
| <b>Peter D. O'Bryan</b>                | <b>District 4</b> |  |

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| <b>1.</b> | <b><u>CALL TO ORDER</u></b>   | <b><u>9:00 A.M.</u></b>                |
| <b>2.</b> | <b><u>INVOCATION</u></b>  | Commissioner Wesley S. Davis           |
| <b>3.</b> | <b><u>PLEDGE OF ALLEGIANCE</u></b>  | William G. Collins II, County Attorney |
| <b>4.</b> | <b><u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u></b>   |  |
| <b>5.</b> | <b><u>PROCLAMATIONS and PRESENTATIONS</u></b>   |  |
| <b>A.</b> | Presentation of Check by Firefighters – Indian River County Fair  |  |
| <b>B.</b> | Presentation Regarding Wildlife Refuge Funding Crisis: Impact on Pelican Island National Wildlife Refuge by Pelican Island Preservation Society, Pelican Island Audubon Society, and Chambers of Commerce |  |
|           |   | 1-4                                    |

| <b>6. <u>APPROVAL OF MINUTES</u></b>   | <b><u>PAGE</u></b> |
|--|--------------------|
| None   |                    |
| <br>   |                    |
| <b>7. <u>CONSENT AGENDA</u></b>  |                    |
| <b>A.</b> Report Placed on File in the Office of Clerk to the Board:<br>Fellsmere Water Control District – Schedule of Regular Bi-Monthly<br>Meetings for 2007: January 11, 2007, March 8, 2007, July 12, 2007,<br>September 13, 2007 and November 8, 2007 |                    |
| <b>B.</b> Approval of Warrants – December 1 – December 7, 2006<br>(memorandum dated December 7, 2006)  | 5-11               |
| <b>C.</b> Resolution in Support of a National Sculling Training and Competition Site<br>along the South Side of the C-54 Canal<br>(memorandum dated December 13, 2006)   | 12-13              |
| <b>D.</b> Final Payment – Work Order No. 5 Carter Associates, Inc. For: Oslo<br>Transfer Station Lands, IRC Contract Number 0390<br>(memorandum dated December 12, 2006)   | 14-16              |
| <b>E.</b> Workers’ Compensation Settlement<br>(memorandum dated December 11, 2006)   | 17                 |
| <b>F.</b> Interest Rate Change on All County Financing (Petition Paving, Utility<br>Assessment Projects, Utility Impact Fees, etc.)<br>(memorandum dated December 11, 2006)  | 18                 |
| <b>G.</b> Extension of Professional Services Technical Support Work Order Number 6<br>(memorandum dated December 11, 2006)   | 19-27              |
| <b>H.</b> Wabasso Beach Park Restoration Site Plan Pre-Application Review<br>Required Archaeological Survey; Thomas Penders & Associates Proposal<br>(memorandum dated December 11, 2006)  | 28-34              |
| <b>I.</b> Right-of-Way Acquisition, Northwest Corner of 66 <sup>th</sup> Avenue and 4 <sup>th</sup> Street<br>(South of SR 60), Samuel L. Adams and Gayla M. Adams<br>(memorandum dated December 8, 2006)  | 35-54              |
| <b>J.</b> Third Party Claims Administration Addendum<br>(memorandum dated December 11, 2006)   | 55-58              |

| <b>7.</b> | <b><u>CONSENT AGENDA (CONT'D.)</u></b>  | <b><u>PAGE</u></b> |
|-----------|---|--------------------|
| <b>K.</b> | Acceptance Change Order No. 2 for the New Emergency Operations Center<br>(memorandum dated December 12, 2006)   | 59-70              |
| <b>L.</b> | Michael and Taffi Abt's Request for Final Plat Approval for a Subdivision to<br>be Known as South Forty Subdivision<br>(memorandum dated December 12, 2006)   | 71-75              |
| <b>M.</b> | Resolution Authorizing the Florida Department of Transportation<br>Maintenance Memorandum of Agreement (MOA) for US1 from Oslo Road<br>to South Relief Canal for Landscape Maintenance<br>(memorandum dated December 8, 2006) | 76-79              |
| <b>N.</b> | Approval of an Interlocal Agreement with Sebastian Inlet District for the<br>Main Relief Canal Pollution Control System<br>(memorandum dated December 11, 2006)   | 80-88              |
| <b>O.</b> | Roadway Improvements to SR A1A and CR 510 DEP Temporary<br>Construction Easement<br>(memorandum dated December 11, 2006)  | 89-110             |
| <b>P.</b> | Acceptance of Change Order No. 19 for the New County Administration<br>Buildings<br>(memorandum dated December 13, 2006)  | 111-116            |
| <b>Q.</b> | Court Administration, Miscellaneous Budget Amendment 006<br>(memorandum dated December 13, 2006)  | 117-125            |
| <b>R.</b> | Pointe West of Vero Beach LTD's Request for Final Plat Approval for a<br>Subdivision to be Known as Pointe West East Village Phase I<br>(memorandum dated December 13, 2006)  | 126-131            |

**8. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

None

**9. PUBLIC ITEMS**

**A. PUBLIC HEARINGS**

None

| <b>9.</b>  | <b><u>PUBLIC ITEMS (CONT'D.)</u></b>   | <b><u>PAGE</u></b> |
|------------|--|--------------------|
|            | <b>B. <u>PUBLIC DISCUSSION ITEMS</u></b>   |                    |
|            | 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 Bermuda Club Homeowners Association<br>Regarding Developer Non-Compliance with County Requirements                                      | 132                |
|            | 2. Request to Speak from Joseph Paladin, Chairman Growth<br>Awareness Committee, Regarding Maintenance Bonds   | 133-140            |
|            | <b>C. <u>PUBLIC NOTICE ITEMS</u></b>   |                    |
|            | None   |                    |
| <b>10.</b> | <b><u>COUNTY ADMINISTRATOR MATTERS</u></b>   |                    |
|            | None   |                    |
| <b>11.</b> | <b><u>DEPARTMENTAL MATTERS</u></b>   |                    |
|            | <b>A. <u>Community Development</u></b>   |                    |
|            | 1. Request to Modify the County's Local Economic Development<br>Incentives<br>(memorandum dated December 11, 2006)   | 141-154            |
|            | <b>B. <u>Emergency Services</u></b>  |                    |
|            | 1. Request from the Sebastian Police Department for a Public Safety<br>Answering Point (PSAP)<br>(memorandum dated December 12, 2006)                            | 155-169            |
|            | <b>C. <u>General Services</u></b>  |                    |
|            | 1. IRC Jail Expansion Project – Change Order #6<br>(memorandum dated December 12, 2006)  | 170-179            |
|            | 2. Acceptance of Change Order No. 20 for the New County<br>Administration Buildings<br>(memorandum dated December 13, 2006)                                      | 180-237            |
|            | 3. 43 <sup>rd</sup> Avenue Sub Complex – Change Order #7 (Chilberg<br>Construction) and Request for Release of Retainage<br>(memorandum dated December 11, 2006) | 238-243            |

| <b>11.</b> | <b><u>DEPARTMENTAL MATTERS (CONT'D.)</u></b>  | <b><u>PAGE</u></b> |
|------------|---|--------------------|
|            | <b>C. <u>General Services (cont'd.)</u></b>   |                    |
|            | 4. New Funding Agreement with Indian River Community College for<br>Joint Use Library Development<br>(memorandum dated December 13, 2006)   | 244-252            |
|            | <b>D. <u>Human Resources</u></b>  |                    |
|            | None  |                    |
|            | <b>E. <u>Human Services</u></b>   |                    |
|            | None  |                    |
|            | <b>F. <u>Leisure Services</u></b>   |                    |
|            | None  |                    |
|            | <b>G. <u>Office of Management and Budget</u></b>  |                    |
|            | None  |                    |
|            | <b>H. <u>Recreation</u></b>   |                    |
|            | None  |                    |
|            | <b>I. <u>Public Works</u></b>   |                    |
|            | 1. Property Acquisition, 8866 92 <sup>nd</sup> Avenue – CR 510 Widening and<br>Improvements, County Project No. 0610, Slabvsef Investment<br>Group, LLC., Owner<br>(memorandum dated December 11, 2006) | 253-269            |
|            | <b>J. <u>Utilities Services</u></b>   |                    |
|            | 1. 27 <sup>th</sup> Drive Petition Water Service (North of 4 <sup>th</sup> Street), Indian River<br>County Project No. UCP – 2906<br>(memorandum dated December 8, 2006)                                | 270-275            |
| <b>12.</b> | <b><u>COUNTY ATTORNEY MATTERS</u></b>   |                    |
|            | None  |                    |

| <b>13.</b>                                  | <b><u>COMMISSIONERS ITEMS</u></b>  | <b><u>PAGE</u></b> |
|---|--|--------------------|
| <b>A.</b>                                   | <b><u>Commissioner Gary C. Wheeler, Chairman</u></b><br>None   |                    |
| <b>B.</b>                                   | <b><u>Commissioner Sandra L. Bowden, Vice Chairman</u></b><br>None   |                    |
| <b>C.</b>                                   | <b><u>Commissioner Wesley S. Davis</u></b><br>None   |                    |
| <b>D.</b>                                   | <b><u>Commissioner Joseph E. Flescher</u></b><br>None  |                    |
| <b>E.</b>                                   | <b><u>Commissioner Peter D. O'Bryan</u></b>  |                    |
| 1.  | Resolution to Request Funding be Restored to the U.S. Fish and<br>Wildlife Services Budget<br>(memorandum dated December 13, 2006)   | 276-280            |
| <hr style="border-top: 1px dashed black;"/> |  |                    |
| <b>14.</b>                                  | <b><u>SPECIAL DISTRICTS AND BOARDS</u></b>   |                    |
| <b>A.</b>                                   | <b><u>Emergency Services District</u></b>  |                    |
| 1.  | Emergency Services Station 3 Deductive Change Order No. 3<br>(memorandum dated December 1, 2006)   | 281-284            |
| 2.  | Utility Easement for Indian River County Fire Rescue Station No. 4<br>(memorandum dated November 27, 2006)   | 285-288            |
| 3.  | Authorization for Final Payment and Release of Retainage to Barth<br>Construction, Inc. for the Renovation/Repair of Emergency Services<br>Station #10<br>(memorandum dated November 30, 2006) | 289-298            |
| <hr style="border-top: 1px dashed black;"/> |  |                    |
| <b>B.</b>                                   | <b><u>Solid Waste Disposal District</u></b>  |                    |
| 1.  | Amendment of Lease Agreement Between MWI Corporation and<br>Indian River County Solid Waste Disposal District<br>(memorandum dated December 6, 2006)   | 299-303            |
| <hr style="border-top: 1px dashed black;"/> |  |                    |
| <b>C.</b>                                   | <b><u>Environmental Control Board</u></b><br>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 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](http://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.*