



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

**COMMISSION AGENDA**

**TUESDAY, FEBRUARY 6, 2007 - 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**

**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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- |           |   | <b><u>PAGE</u></b>                                     |
|-----------|---|--|
| <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>  | Detective Teddy Floyd<br>IRCSO - Crime Prevention Unit |
| <b>3.</b> | <b><u>PLEDGE OF ALLEGIANCE</u></b>                                | Commissioner Gary C. Wheeler, Chairman                 |
| <b>4.</b> | <b><u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u></b> |  |
| <b>5.</b> | <b><u>PROCLAMATIONS and PRESENTATIONS</u></b><br>None             |  |
| <b>6.</b> | <b><u>APPROVAL OF MINUTES</u></b>                                 |  |
|           | <b>A.</b>   | Regular Meeting of December 5, 2006                    |
|           | <b>B.</b>   | Regular Meeting of December 12, 2006                   |

<b>7.     <u>CONSENT AGENDA</u></b>	<b><u>PAGE</u></b>
<b>A.</b> Reports Placed on File in the Office of the Clerk to the Board:	
<b>1.</b> Annual Financial Report of Units of Local Government and the Annual post audit report for 2005-2006 fiscal year for the Sebastian Inlet District Commission	
<b>2.</b> Indian River Farms Water Control District – Annual Local Government Financial Report and the Audited Financial Statements for the year ended September 30, 2006	
<b>B.</b> Approval of Warrants – January 12 – 18, 2007 (memorandum dated January 18, 2007)	1-9
<b>C.</b> Approval of Warrants – January 19 – 25, 2007 (memorandum dated January 25, 2007)	10-17
<b>D.</b> Quarterly Investment Report (memorandum dated January 22, 2007)	18-30
<b>E.</b> 2007 Election of Environmental Control Hearing Board (ECHB) Chairman and Vice Chairman (memorandum dated January 19, 2007)	31
<b>F.</b> 2007 Election of Code Enforcement Board (CODE) Chairman and Vice Chairman (memorandum dated January 23, 2007)	32
<b>G.</b> 2007 Election of Professional Services Advisory Committee (PSAC) Chairman and Vice Chairman (memorandum dated January 30, 2007)	33
<b>H.</b> 2007 Election of Construction Board of Adjustment & Appeals (CBAA) Chairman and Vice Chairman (memorandum dated January 30, 2007)	34
<b>I.</b> Out of County Travel Associated with Serving on the Treasure Coast Regional Planning Council’s Florida Regional Council (memorandum dated January 30, 2007)	35-37
<b>J.</b> Deed Exchange – Ken McKellar Parcel at the North County Regional Wastewater Treatment Facility Effluent Disposal Site (memorandum dated January 29, 2007)	38-42

<b>7.</b>	<b><u>CONSENT AGENDA (CONT'D.)</u></b>	<b><u>PAGE</u></b>
	<b>K.</b> Miscellaneous Budget Amendment 009 (memorandum dated January 30, 2007)	43-63
	<b>L.</b> IRC Jail Expansion Project Deductive Change Order Number 7 (memorandum dated January 24, 2007)	64-66
	<b>M.</b> Grant of Easement by Indian River County to the City of Vero Beach for Public Utilities – Emergency Operations Center, 43 <sup>rd</sup> Ave. (memorandum dated January 26, 2007)	67-71
	<b>N.</b> Billy’s Auto Water Main Construction on 43 <sup>rd</sup> Avenue, Approval of Final Payment to Contractor (memorandum dated January 24, 2007)	72-76
	<b>O.</b> Master Plan 8” Force Main on 1 <sup>st</sup> Street SW From 43 <sup>rd</sup> Avenue to 39 <sup>th</sup> Court, Approval of Final Payment to Contractor (memorandum dated January 24, 2007)	77-82
	<b>P.</b> Bella Vista Isles 6’ Force Main Construction on 26 <sup>th</sup> Street, Approval of Change Order No. 1 and Final Payment to Contractor (memorandum dated January 23, 2007)	83-90
	<b>Q.</b> Schumann Drive and Empress Avenue Canal Crossings Water and Force Main Replacements, Approval of Final Payment to Contractor (memorandum dated January 24, 2007)	91-96
	<b>R.</b> Approval of Renewal for a Class “E” Certificate of Public Convenience and Necessity For We Care of the Treasure Coast Inc. to Provide Wheelchair/Stretcher Services (memorandum dated January 23, 2007)	97-109
	<b>S.</b> Work Order No. 5, Carter Associates, Inc., Supplemental Services No. 1 (memorandum dated January 23, 2006)	110-115
	<b>T.</b> Oslo Road Widening between 43 <sup>rd</sup> Avenue and 27 <sup>th</sup> Avenue, Engineering Services Amendment No. 1 – Signalization Revision and Utility Locates, Oslo Road Widening between 58 <sup>th</sup> Avenue and 43 <sup>rd</sup> Avenue (memorandum dated January 19, 2007)	116-120
	<b>U.</b> Request for Release of Retainage on Turner Construction Contract for County Administration Complex (memorandum dated January 31, 2007)	121-124

<b>7.</b>	<b><u>CONSENT AGENDA (CONT'D.)</u></b>	<b><u>PAGE</u></b>
	<b>V.</b> Final Payment and Release of Retainage, Work Order No. 7, Supplemental No. 1 and No. 2, Kimley-Horn & Associates, Inc., Oslo Road Right-of-Way Mapping Project Phase One, US1 to 27 <sup>th</sup> Avenue IRC Project No. 0501 (memorandum dated January 26, 2007)	125-129
	<b>W.</b> Final Payment and Release of Retainage, Work Order No. 8 and Supplemental No. 1, Kimley-Horn & Associates, Inc., Oslo Road Right-of-Way Mapping Project Phase 2, 27 <sup>th</sup> Avenue to 43 <sup>rd</sup> Avenue, IRC Project No. 0533 (memorandum dated January 26, 2007)	130-134
	<b>X.</b> Oslo Road Widening Phase 1, West of Old Dixie to 27 <sup>th</sup> Ave., Construction Testing Services Agreement (memorandum dated January 24, 2007)	135-142
	<b>Y.</b> CR 512, Phase III, CR 510 – Project #9611 & 0001, Geotechnical Services Work Order #2, Dunkelberger Engineering & Testing, Inc. (memorandum dated January 24, 2007)	143-147
	<b>Z.</b> Professional Service Agreement Renewal, Marlowe & Company, Sector 5 Beach Restoration and Federal Lobbying Services for Miscellaneous Projects (memorandum dated January 29, 2007)	148-151
	<b>AA.</b> Contract Approval for \$50,000 Citrus Best Management Practices Grant (memorandum dated January 25, 2007)	152-169
	<b>BB.</b> Woodside Timberlake Inc.'s Request for Final Plat Approval for a Plat-Over-Site-Plan Subdivision to be Known as Timberlake (memorandum dated January 26, 2007)	170-177
	<b>CC.</b> IRC Jail Expansion Request for Change Order #8 (Added Scope of Work) (memorandum dated January 25, 2007)	178-181
	<b>DD.</b> Permission to Advertise for Public Hearing February 20, 2007, for Proposed Ordinance Prohibiting All Terrain Vehicles on Unpaved Roadways (memorandum dated January 26, 2007)	182-185

<b>8.</b>	<b><u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u></b>	<b><u>PAGE</u></b>
<b>A.</b>	<b><u>Indian River County Sheriff – Roy Raymond</u></b> Renewal of Commercial Lease Agreement Located at the Vero Beach Municipal Airport (letter dated January 25, 2007)	186-187
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<b>9.</b>	<b><u>PUBLIC ITEMS</u></b>	
<b>A.</b>	<b><u>PUBLIC HEARINGS</u></b>	
<b>1.</b>	Vero 45 LLC’s Request to Rezone ±1.81 acres from CH to CG (memorandum dated January 3, 2007)	188-214
	<b>Quasi-Judicial</b>	
<b>2.</b>	Triple S. Properties Inc.’s request to rezone 9.63 acres from MED to OCR (memorandum dated January 22, 2007)	215-231
	<b>Quasi-Judicial</b>	
<b>3.</b>	Grand Harbor North Land LLC. et.al.’s Request to Rezone ±435.88 acres from PD to RS-3, RM-3, and CON-2, and BEB Investments Ltd.’s Request for a Small Scale Land Use Plan Amendment to Redesignate ± 1.81 acres from L-1 to C/I and to Rezone those ±1.81 acres from PD to CG; and to Redesignate ±1.81 acres from C/I to L-1 and Rezone those ±1.81 acres from PD to RM-3 (memorandum dated January 23, 2007)	232-269
	<b>Quasi-Judicial</b>	
<b>4.</b>	GH Vero Beach Development LLC and Grand Harbor North Land LLC’s Request for a Change to the Grand Harbor DRI Development Order to add the “Riverbend PD” Site and the Luther/Victoria West Site (memorandum dated January 30, 2007)	270-298
	<b>Quasi-Judicial</b>	
<b>5.</b>	Grand Harbor North Land LLC’s Request for Special Exception Use and Conceptual PD Plan Approval for a Development to be known as The Isles of Grand Harbor (memorandum dated January 30, 2007)	299-319
<b>6.</b>	Amendment to Indian River County Code Section 102.06. Rules of Debate (memorandum dated January 30, 2007)	320-323
	<b>Legislative</b>	

9. **PUBLIC ITEMS (CONT'D.)** **PAGE**

**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 James & Patricia Wawrzyniak Regarding Code Enforcement Fine ..... 324
2. Request to Speak from Al Baldwin Regarding Individual Aide for Commissioners ..... 325
3. Request to Speak from Joseph Paladin, Chairman, Growth Awareness Committee Regarding Chapter 910 and Proportionate Share Senate Bill 360 ..... 326
4. Request to Speak from Joseph Paladin, Chairman, Growth Awareness Committee Regarding Update on Bonding Out ..... 327
5. Request to Speak from Nancy B. Wood, The Green Team, Regarding an invitation to the Commissioners and Public to Participate in efforts to plant trees, implement recycling programs, etc. .... 328

**C. PUBLIC NOTICE ITEMS**

1. **Notice of Scheduled Public Hearings February 13, 2007:**  
(memorandum dated January 22, 2007) ..... 329-330
  - A. Chesnut and Smith: Request to rezone ±3.35 acres located east of US Highway 1 and approximately 1,000 feet south of 77<sup>th</sup> Street from CL, Limited Commercial, to CG, General Commercial. Kenneth Chesnut and Victor and Kathy Smith, Owners, MBV Engineering, Inc., Agent  
**Quasi-Judicial**
  - B. **United Indian River Packers LLC and Highpointe LLC:** Request for a small scale land use map amendment to redesignate 8.36 acres from L-2, Low Density Residential-2 (up to 6 units/acre), to C/I, Commercial Industrial, and to rezone those 8.36 acres from RM-6, Multi-Family Residential (up to 6 units/acre), to IL, Light Industrial; and a Request to Redesignate 8.36 Acres from C/I, Commercial Industrial, to L-1, Low Density 1 (up to 3 units/acre). United Indian River Packers LLC and Highpointe LLC, Owners. William Caldwell, Agent.  
**Legislative**

<b>9.</b>	<b><u>PUBLIC ITEMS (CONT'D)</u></b>	<b><u>PAGE</u></b>
	<b>C. <u>PUBLIC NOTICE ITEMS (CONT'D.)</u></b>	
	<b>2. <u>Notice of Scheduled Public Hearings February 20, 2007:</u></b>	
	Establishment of the West Wabasso Streetlighting Municipal Services Benefit Unit and Amendment to Indian River County Code Section 200.07 (memorandum dated January 30, 2007)	331
	<b>Legislative</b>	
<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>	
	<b>1. Request to Modify the County's Impact Fee Financing Program Local Economic Development Incentive (memorandum dated January 29m 2007)</b>	332-341
	<b>B. <u>Emergency Services</u></b>	
	None	
	<b>C. <u>General Services</u></b>	
	None	
	<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>11.</b>	<b><u>DEPARTMENTAL MATTERS (CONT'D.)</u></b>	<b><u>PAGE</u></b>
	<b>H. <u>Recreation</u></b>	
	None	
	<b>I. <u>Public Works</u></b>	
	1. Approval of Bid Award and Sample Agreement for IRC Bid # 2007033, Gifford Park Security House/Public Works Department (memorandum dated January 29, 2007)	342-353
	<b>J. <u>Utilities Services</u></b>	
	1. Approval of Bid Award and Sample Agreement for IRC Bid # 2007025 Master In-Line Pump Station – Utilities Department (memorandum dated January 29, 2007)	354-372
	2. Approval of Bid Award and Sample Agreement for IRC Bid # 2007026 Water, Sewer & Reclaim Water Line Replacement/Extension (Annual Labor Contract Bid) – Utilities Department (memorandum dated January 30, 2007)	373-409
	3. Approval of Bid Award and Sample Agreement for IRC Bid # 2007028, Phase I Force Main West Wastewater Transmission System – Utilities Department (memorandum dated January 29, 2007)	410-428
	4. Vero Village Developer’s Agreement for Off-Site 8-inch Water Main and 6-Inch Sewer Force Main Construction on 37 <sup>th</sup> Street West of 58 <sup>th</sup> Avenue (memorandum dated January 17, 2007)	429-446
	5. Grand Harbor Spoonbill Marsh Site, Amendment to Grant Restoration, Access and Recreation Easement (memorandum dated January 26, 2007)	447-457
	6. Grand Harbor Spoonbill Marsh Site, Work Order No. 17 with Masteller, Moler, Reed & Taylor, Inc. for Specific Purpose Survey of the Submerged Land Lease Area (memorandum dated January 26, 2007)	458-461
	7. Amendment No. 3 to Work Order No. 1 with Ecotech Consultants, Inc. for Permitting Services for the Spoonbill Marsh Site (memorandum dated January 26, 2007)	462-467

<b>12.</b>	<b><u>COUNTY ATTORNEY MATTERS</u></b>	<b><u>PAGE</u></b>
	None	
<b>13.</b>	<b><u>COMMISSIONERS ITEMS</u></b>	
	<b><u>A. Commissioner Gary C. Wheeler, Chairman</u></b>	
	1. Reconsideration of Board of County Commission Office Area in New County Administration Building (drawings A-E)	468-472
	<b><u>B. Commissioner Sandra L. Bowden, Vice Chairman</u></b>	
	1. Request for Donation of Up to Three Computers From Surplus to Marian Fell Library (memorandum dated January 30, 2007)	473-474
	<b><u>C. Commissioner Wesley S. Davis</u></b>	
	None	
	<b><u>D. Commissioner Joseph E. Flescher</u></b>	
	None	
	<b><u>E. Commissioner Peter D. O'Bryan</u></b>	
	1. Request for a Resolution to be Drafted for the Florida Forever Program (memorandum dated January 30, 2007)	475-477
	2. Request for Consideration of Hiring a Consultant to Assist Staff with Charter Government Ordinance (memorandum dated January 30, 2007)	478-485
<b>14.</b>	<b><u>SPECIAL DISTRICTS AND BOARDS</u></b>	
	<b><u>A. Emergency Services District</u></b>	
	None	
	<b><u>B. Solid Waste Disposal District</u></b>	
	None	
	<b><u>C. Environmental Control Board</u></b>	
	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](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.***