



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

TUESDAY, SEPTEMBER 16, 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> | Detective Teddy Floyd, Indian River County Sheriff's Office – Crime Prevention Unit |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | Joseph A. Baird, County Administrator |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | |
| A. | Presentation of Proclamation Designating September 16 – 19, 2008 as Industry Appreciation Week in Indian River County | 1 |

5.	<u>PROCLAMATIONS and PRESENTATIONS</u>	<u>PAGE</u>
B.	Presentation of Proclamation Designating September 20, 2008 as The Ocean Conservancy's International Coastal Cleanup in Indian River County Day	2
C.	Presentation by Geraldine McPherson, Florida Atlantic University, Treasure Coast Campus Vice President, and Dr. Shirley Pomponi, Executive Director of Harbor Branch Oceanographic Institute, concerning Economic Development Efforts along Florida's Research Coast	
6.	<u>APPROVAL OF MINUTES</u>	
A.	Joint Workshop, ILA-USB July 28, 2008	
7.	<u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	
A.	Change in Indian River County School District Appointee to the Economic Development Council (memorandum dated September 10, 2008)	3-4
8.	<u>CONSENT AGENDA</u>	
A.	Approval of Warrants and Wires – Aug 29 to Sept 4, 2008 (memorandum dated September 4, 2008)	5-9
B.	Deletions of Capital Assets Less Than \$750 and Declaring Various Assets to be Approved for Surplus/Destruction (memorandum dated September 10, 2008)	10-32
C.	Out of County Travel for Commissioners to Attend the Florida Forum for County Leaders: An Advanced Commissioner Education Program (memorandum dated September 10, 2008)	33-36
D.	Ratification of Documents Executed by the County Administrator or Designee, on behalf of the Board of County Commissioners, under authority of Resolution No. 2008-097, from August 20, 2008 through September 8, 2008 (memorandum dated September 9, 2008)	37-55
E.	Transfer of Responsibility of Completing Sidewalks in Oak Hollow Estates Subdivision from Developer to POA (memorandum dated September 9, 2008)	56-81

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
F.	Corrections to Resolution 2008-116 Concerning Right-of-Way Acquisition (memorandum dated September 10, 2008)	82-85
G.	Approval Work Order No. 2 (Engineering) with Ardaman & Associates, Inc., Providing Professional Geotechnical Services in Accordance with the Annual Geotechnical Services Contract No. 0534, 8 th Street Sidewalk Project, From U.S. Hwy. 1 to 6 th Avenue, IRC Project #0744 (memorandum dated August 8, 2008)	86-90
H.	Approval Work Order No. 3 (Engineering) with Ardaman & Associates, Inc., Providing Professional Geotechnical Services in Accordance with the Annual Geotechnical Services Contract No. 0534, 8 th Street Sidewalk Project, From 18 th Court to Old Dixie Hwy., IRC Project #0455 (memorandum dated August 8, 2008)	91-95
I.	Approval Work Order No. 4 (Engineering) with Ardaman & Associates, Inc., Providing Professional Geotechnical Services in Accordance with the Annual Geotechnical Services Contract No. 0534, Indian River Blvd. Sidewalk Improvements From 12 th St. to 17 th St., IRC Project #0745 (memorandum dated August 8, 2008)	96-99
J.	Approval Work Order No. 5 (Engineering) with Ardaman & Associates, Inc., Providing Professional Geotechnical Services in Accordance with the Annual Geotechnical Services Contract No. 0534, 12 th Street Sidewalk Project, From 16 th Avenue to 11 th Place – IRC Project #0216 (memorandum dated August 8, 2008)	100-103
K.	Approval Work Order No. 6 (Engineering) with Ardaman & Associates, Inc., Providing Professional Geotechnical Services in Accordance with the Annual Geotechnical Services Contract No. 0534, 12 th Street Sidewalk Project, From 43 rd Avenue to 27 th Avenue, IRC Project #0604 (memorandum dated August 13, 2008)	104-108
L.	Addendum No. 1 to the Professional Engineering Agreement with Masteller & Moler, Inc. – Services for Design and Permitting of 17 th Lane S.W. from 27 th Avenue East Approximately 900 LF – IRC Project No. 0803, Full and Final Pay (memorandum dated September 9, 2008)	109-110
M.	Authorize Advertisement for a Public Hearing for the Purpose of Considering an Ordinance to Amend Chapter 105. PURCHASING, Volume I, Code of Ordinances, Indian River County, Florida (memorandum dated September 9, 2008)	111

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
N.	Bid Award: IRC Bid No. 2009003 Annual Bid for Elevator Maintenance, General Services / Facilities Management (memorandum dated September 4, 2008)	112-117
O.	2008/2009 State of Florida, Department of Health Contract (memorandum dated September 8, 2008)	118-143
P.	Professional Engineering Services Agreement, CR 512 Corridor Improvements – IRC Project No. 9611, Addendum No. 11 (Masteller & Moler, Inc.) – Release of Retainage (memorandum dated September 3, 2008)	144-145
Q.	Work Order No. 11 to the Professional Bridge Design Services Agreement with Bridge Design Associates, Inc. for Pedestrian Bridge over 14 th Street Canal, Indian River County Project No. 0745 (memorandum dated August 28, 2008)	146-150
R.	Termination of Interlocal Agreement between School District and Indian River County for Video-Recording Services (memorandum dated September 10, 2008)	151-156
S.	Indian River County Bid No. 2009008, Annual Bid for Pest Control Services, General Services / Facilities Management (memorandum dated September 10, 2008)	157-160
T.	Miscellaneous Budget Amendment 020 (memorandum dated September 10, 2008)	161-165
U.	Civil Engineering and Land Surveying Agreement for Bridge Replacements and Widening of 66 th Avenue from South of SR60 to 59 th Street, Amendment No. 5 (memorandum dated September 8, 2008)	166-172

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

None

10.	<u>PUBLIC ITEMS</u>	<u>PAGE</u>
	A. <u>PUBLIC HEARINGS</u>	
	<ul style="list-style-type: none"> 1. Imagine Schools’ Request to Modify a Condition of the Special Exception Use Approval for the Imagine Schools 4th Street Facility (memorandum dated September 8, 2008) 173-197 	
	Quasi-Judicial	
	<ul style="list-style-type: none"> 2. 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 (memorandum dated August 28, 2008) 198-208 	
	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.	
	<ul style="list-style-type: none"> 1. Request to Speak from Jeff Thompson Regarding Impact Fees 209 	
	<ul style="list-style-type: none"> 2. Request to Speak from Chuck Mechling Regarding Procedure for Impact Fee Workshop 210 	
	C. <u>PUBLIC NOTICE ITEMS</u>	
	<ul style="list-style-type: none"> 1. <u>Notice of Scheduled Public Hearing for September 23, 2008:</u> Ryall Acquisition Group, LLC's Request to Rezone Approximately 585.57 Acres from A-1, Agricultural 1 (up to 1 unit/5 acres), RS-3, Residential Single-Family (up to 3 units/acre), RM-3, Residential Multi-Family (up to 3 units/acre), RM-6, Residential Multi-Family (up to 6 units/acres), RM-8, Residential Multi-Family (up to 8 units/acre), and CON-2, Esturine Wetland Conservation District to Planned Development Traditional Neighborhood Design (PDTND) and Obtain Conceptual Planned Development Plan Approval For a Project to be Known as Liberty Park (memorandum dated September 8, 2008) 211 	
	Legislative	
11.	<u>COUNTY ADMINISTRATOR MATTERS</u>	
	None	

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
A.	<u>Community Development</u>	
	1. Request to Initiate Comprehensive Plan Changes to Allow Limited Recreational Vehicle Use in Mobile Home Rental Parks (memorandum dated September 4, 2008)	212-237
	2. Consideration of Planning & Zoning Commission Recommendations on Mining Regulations & Groundwater Issues (memorandum dated August 19, 2008)	238-278
B.	<u>Emergency Services</u>	
	None	
C.	<u>General Services</u>	
	None	
D.	<u>Human Resources</u>	
	None	
E.	<u>Human Services</u>	
	None	
F.	<u>Leisure Services</u>	
	None	
G.	<u>Office of Management and Budget</u>	
	None	
H.	<u>Recreation</u>	
	None	
I.	<u>Public Works</u>	
	None	
J.	<u>Utilities Services</u>	
	None	

13.	<u>COUNTY ATTORNEY MATTERS</u>	<u>PAGE</u>
A.	Developer Agreement with Del Lago Inc. d/b/a Race Trac (memorandum dated September 10, 2008)	279-293
B.	Purchase of Mark's Mobil for the State Road 60/43 rd Avenue Intersection Improvement (memorandum dated September 10, 2008)	294-299
14.	<u>COMMISSIONERS ITEMS</u>	
A.	<u>Commissioner Sandra L. Bowden, Chairman</u> None	
B.	<u>Commissioner Wesley S. Davis, Vice Chairman</u> 1. Draft Letter Requesting Funding Participation for an Updated Study on the Hydrogeology of Indian River County (memorandum dated September 11, 2008)	300-302
C.	<u>Commissioner Joseph E. Flescher</u> None	
D.	<u>Commissioner Peter D. O'Bryan</u> 1. Constitutional Amendment 6 (memorandum dated September 10, 2008)	303-315
E.	<u>Commissioner Gary C. Wheeler</u> 1. Delegation of authority to make unconditional offers for purchases of right-of-way property (memorandum dated September 10, 2008)	316
15.	<u>SPECIAL DISTRICTS AND BOARDS</u>	
A.	<u>Emergency Services District</u> 1. Authorization for Final Payment and Release of Retainage to Barth Construction, Inc. for the Construction of Fire Rescue Training Tower (memorandum dated September 9, 2008)	317-319
	2. Approval of Supplemental Emergency Management Preparedness Grant Agreement 09-BG-20-10-40-01 (memorandum dated September 9, 2008)	320-351

15.	<u>SPECIAL DISTRICTS AND BOARDS</u>	<u>PAGE</u>
	A. <u>Emergency Services District</u>	
	3. Construction Services Contract (Part II Agreement) with Barth Construction for the Construction of Indian River County Fire Rescue Station No. 12 (memorandum dated September 9, 2008)	352-382
	B. <u>Solid Waste Disposal District</u>	
	1. <u>Notice of Scheduled Public Hearing on September 23, 2008:</u> Scheduled Public Hearing on September 23, 2008 to Approve the Third Amendment to the Franchise Agreements for Waste Management, Inc. of Florida and Republic Services of Florida, LP (memorandum dated September 9, 2008)	383
	2. Indian River Correctional Institution's Request for Solid Waste Assessment Adjustment (memorandum dated September 8, 2008)	384
	3. Public Announcement for a Household Hazardous Waste Collection Event on September 20, 2008 & contract for Household Hazardous Waste Collection (memorandum dated September 9, 2008)	385-408
	4. Amendment No. 1 to Work Order No. 9 to Geosyntec Consultants, Inc. (memorandum dated September 9, 2008)	409-431
	C. <u>Environmental Control Board</u>	
	None	

16. 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.*