



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

TUESDAY, NOVEMBER 4, 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**

- | | | <u>PAGE</u> |
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| 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> Commissioner Gary C. Wheeler | |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | |

5. **PROCLAMATIONS and PRESENTATIONS**

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| A. | Presentation of Proclamation Designating November 11, 2008 as Veterans Day | 1 |
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5.	<u>PROCLAMATIONS and PRESENTATIONS</u>	<u>PAGE</u>
	B. Presentation by David Gunter, Chairman, Board of Supervisors of the Indian River Soil and Water Conservation District Proclaiming Louis Schacht Cooperator of Year for 2008	2
	C. Presentation of Proclamation Honoring Sandra L. Bowden	3
6.	<u>APPROVAL OF MINUTES</u>	
	A. Impact Fee Workshop, September 17, 2008	
7.	<u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	
	None	
8.	<u>CONSENT AGENDA</u>	
	A. Approval of Warrants and Wires – Oct 10 to Oct 16, 2008 (memorandum dated October 16, 2008)	4-12
	B. Approval of Warrants and Wires – Oct 17 to Oct 23, 2008 (memorandum dated October 23, 2008)	13-22
	C. Value Adjustment Board Hearings (memorandum dated October 28, 2008)	23-24
	D. Lease Extension 8865 91 st Avenue, Vero Beach, Fl CR510 Widening and Improvements, County Project No. 0610, Gina Hower, Tenant (memorandum dated October 10, 2008)	25-29
	E. 43 rd Avenue, 8 th Street to 18 th Street Road Improvements, Right-of-Way Acquisition 1150 43 rd Avenue, Elbert C. & Francis K. Pickerill (memorandum dated October 8, 2008)	30-39
	F. Final Pay Request #18 for the Indian River County Emergency Operations Center (EOC) (memorandum dated October 24, 2008)	40-44
	G. Renewal of Professional Bridge Design Services Agreement for 2008-2009 (memorandum dated October 16, 2008)	45-47

8. <u>CONSENT AGENDA</u>	<u>PAGE</u>
H. Roadway Improvements to SR A1A and CR 510 Kimley-Horn and Associates, Inc., Amendment No. 2 – Release of Retainage (memorandum dated October 15, 2008)	48-49
I. Approval of Work Order No. MC1-Revised with Peninsula Hydrologic Data Specialists, Inc. for Water Quality Testing and Support Services for the Main Relief Canal Pollution Control System (memorandum dated October 17, 2008)	50-58
J. Right-of-Way Acquisition, 74 th Avenue South of State Rd. 60, Corner 8 th St. & 74 th Ave., Donald S. Beaty (memorandum dated October 27, 2008)	59-66
K. Work Order No. 4 (Engineering/Surveying), Morgan Eklund, Inc. – 53 rd Street Roadway Improvements Project Full & Final Pay Lake Hydrographic Surveying and Mapping, Indian River County Project No. 0107, Continuing Professional Surveying & Mapping/GIS Services Contract 0725 (memorandum dated October 23, 2008)	67-68
L. Work Order No. 8 (Engineering/Surveying), Masteller, Moler, Reed and Taylor, Inc., IRC High Water Mark Survey, Tropical Storm Fay IRC Project No. 0846 – Full and Final Pay Continuing Professional Surveying & Mapping/GIS Services, Contract 0725 (memorandum dated October 23, 2008)	69-70
M. Work Order No. 14, (Engineering/Surveying), Carter Associates, Inc. – Full & Final Pay, IRC High Water Mark Survey, Tropical Storm Fay IRC Project No. 0846, Continuing Professional Surveying & Mapping/GIS Services, Contract 0725 (memorandum dated October 24, 2008)	71-72
N. Wal-Mart Store East L.P.’s Request for Approval of a Corrected Final Plat for the Sam’s Club at Vero Beach Commercial Planned Development (memorandum dated October 21, 2008)	73-79
O. Demolition 4230 29 th Ave, Lufletta and Will Battle (memorandum dated October 28, 2008)	80-81
P. NAP Indian River II, L.L.C.’s Request for Final Plat Approval for a Commercial Subdivision to be known as The Landings (memorandum dated October 13, 2008)	82-107

8. <u>CONSENT AGENDA</u>	<u>PAGE</u>
Q. Approval of State Sovereignty Submerged Lands Lease for the Archie Smith Fish House Dock Facility (memorandum dated October 28, 2008)	108-125
R. Royal Oak Mobile Home Park Water Connection, Work Authorization Directive No. 2007-016, UCP No. 3082, Approval of Final Payment to Labor Contractor Derrico Construction Corp. and Release of Retainage (memorandum dated October 27, 2008)	126-131
S. Choose Life License Plate Funding Annual Audit (memorandum dated October 27, 2008)	132-134
T. Request for Floodplain Cut and Fill Balance Waiver for Lot 5, Block 13, Vero Lake Estates Subdivision, Unit 2, Located at 8365 92 nd Avenue (memorandum dated October 23, 2008)	135-138
U. Award of Bid # 2008081, 12 th Street Sidewalk (16 th Avenue to 11 th Avenue), IRC Project No. 0216 (memorandum dated October 27, 2008)	139-152
V. Award of Bid # 2008080, 12 th Street Sidewalk (43 rd Ave. to 27 th Ave.), IRC Project No. 0604 (memorandum dated October 27, 2008)	153-166
W. Florida Inland Navigation District Project Agreement for Oslo Road Boat Ramp, IRC Project No. 0381 (memorandum dated October 27, 2008)	167-199
X. Award of Bid # 2008075, 5 th Street SW Bridge Replacement and Intersection Improvements, IRC Project No. 0206 (memorandum dated October 23, 2008)	200-216
Y. Approval of Amendment No. 1 to Legislative Project Grant No. LP6734 for the Egret Marsh Regional Stormwater Park (memorandum dated October 15, 2008)	217-223
Z. Collective Bargaining Agreement Between Indian River County Emergency Services District and (IAFF) International Association of Firefighters, Local 2201 (memorandum dated October 28, 2008)	224-307

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
AA.	Execution of 2008 Baytree and Marbrisa Dune Restoration Project Tri-Party Agreement (memorandum dated October 21, 2008)	308-343
BB.	Declare Excess Equipment Surplus for Sale or Disposal, General Services Purchasing Division (memorandum dated October 28, 2008)	344-356
CC.	Declare Retiring Vehicles Surplus for Donation (memorandum dated October 28, 2008)	357-358
9.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	
A.	<u>Jeffrey K. Barton, Indian River County Clerk of Circuit Court</u> Constitutional Officer Financial Report for Fiscal Year 2007-2008 (letter dated October 30, 2008)	359-361
B.	<u>Charles W. Sembler, Indian River County Tax Collector</u> Constitutional Officer Financial Report for Fiscal Year 2007-2008 (letter dated October 28, 2008)	362-373
C.	<u>David C. Nolte, Indian River County Property Appraiser</u> Constitutional Officer Financial Report for Fiscal Year 2007-2008 (letter dated October 28, 2008)	374-377
D.	<u>Kay Clem, Indian River County Supervisor of Elections</u> Constitutional Officer Financial Report for Fiscal Year 2007-2008 (letter dated October 30, 2008)	378
E.	<u>Roy Raymond, Indian River County Sheriff</u>	
1.	Constitutional Officer Financial Report for Fiscal Year 2007-2008 (letter dated October 30, 2008)	379-386
2.	FY 2008 State Criminal Alien Assistance Program (SCAAP) Award (letter dated October 23, 2008)	387

10.	<u>PUBLIC ITEMS</u>	<u>PAGE</u>
	A. <u>PUBLIC HEARINGS</u>	
	1. County Initiated Request to Amend the Capital Improvements Element of the Comprehensive Plan (memorandum dated October 27, 2008)	388-504
	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 Everette Brown Regarding 43 rd Avenue	505
	C. <u>PUBLIC NOTICE ITEMS</u>	
	1. <u>Notice of Scheduled Public Hearing November 18, 2008:</u> Lars Hakansson and Robin Davis' Request for Abandonment of a Portion of 48 th Avenue Lying Between 85 th Place and 86 th Street in Wabasso	506
	Administrative	
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>	
	None	

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> None	
H.	<u>Recreation</u> None	
I.	<u>Public Works</u>	
	1. Grading 87 th Street West of CR512 in Fellsmere (memorandum dated October 20, 2008)	507-509
J.	<u>Utilities Services</u>	
	1. Change Order No. 5 to IRC Contract 2006012 with Poole and Kent Company of Florida, Inc. for the Expansion of the North RO Water Treatment Plant (memorandum dated October 21, 2008)	510-514
13.	<u>COUNTY ATTORNEY MATTERS</u>	
A.	Request for lease extension by Donald and Joanne Staszewski d/b/a Wings of Joy Christian Book Store (memorandum dated October 27, 2008)	515-516
B.	Resolution of Necessity for Oslo Road/27 th Avenue (memorandum dated October 29, 2008)	517-536
C.	Purchase and Lease Agreements for Mark's Mobil for the State Road 60/43 rd Avenue Intersection Improvement (memorandum dated October 29, 2008)	537-555
D.	License Agreement with Global Tower Assets, LLC and Construction of New Tower (memorandum dated October 27, 2008)	556-588

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. Request for the Board of County Commissioners to Submit the Final Application to the Florida Green Building Coalition (memorandum dated October 29, 2008)	589-590
E.	<u>Commissioner Gary C. Wheeler</u> None	
15.	<u>SPECIAL DISTRICTS AND BOARDS</u>	
A.	<u>Emergency Services District</u> None	
B.	<u>Solid Waste Disposal District</u> 1. Approval of Minutes Regular Meeting of September 16, 2008 2. Retention of Specialized Outside Counsel by SWDD (memorandum dated October 24, 2008)	591-600
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.