



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

**COMMISSION AGENDA**

**TUESDAY, APRIL 4, 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**

**COUNTY COMMISSIONERS**

<b>Arthur R. Neuberger, Chairman</b>	<b>District 2</b>	<b>Joseph A. Baird, County Administrator</b>
<b>Gary C. Wheeler, Vice Chairman</b>	<b>District 3</b>	<b>William G. Collins II, County Attorney</b>
<b>Sandra L. Bowden</b>	<b>District 5</b>	<b>Kimberly Massung, Executive Aide to BCC</b>
<b>Wesley S. Davis</b>	<b>District 1</b>	<b>Jeffrey K. Barton, Clerk to the Board</b>
<b>Thomas S. Lowther</b>	<b>District 4</b>	

		<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>	Pastor Ray Scent, Gathering of Devoted Servants
<b>3.</b>	<b><u>PLEDGE OF ALLEGIANCE</u></b>	Commissioner Arthur R. Neuberger, 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>	
	<b>A.</b> Holden Kris Named National President of National Association of Shooting Ranges (memorandum dated March 29, 2006)	1-2
	<b>B.</b> Presentation of Proclamation Designating the Month of April, 2006, as Child Abuse Prevention Month	3

<b>5.</b>	<b><u>PROCLAMATIONS and PRESENTATIONS</u></b>	<b><u>PAGE</u></b>
	<b>C.</b> Presentation of Sweep Challenge by Keep Indian River Beautiful, Inc. (letter dated March 27, 2006)	4-5
	<b>D.</b> Presentation by U.S. Small Business Administration (fax dated March 15, 2006)	6
<b>6.</b>	<b><u>APPROVAL OF MINUTES</u></b>	
	<b>A.</b> Meeting of February 21, 2006	
<b>7.</b>	<b><u>CONSENT AGENDA</u></b>	
	<b>A.</b> Reports Placed on File in the Office of the Clerk to the Board:	
	<b>1.</b> Report of Convictions – February 2006	
	<b>2.</b> St. Johns River Water Management District – CAFR FY end September 30, 2005 (CD Format)	
	<b>B.</b> Approval of Warrants (memorandum dated March 16, 2006)	7-15
	<b>C.</b> Approval of Warrants (memorandum dated March 23, 2006)	16-25
	<b>D.</b> Out of County Travel to Attend the 2006 Florida Governor’s Hurricane Conference (memorandum dated March 27, 2006)	26-35
	<b>E.</b> Sebastian City Council Members Liaisons to County and Regional Boards – March 2006-March 2007 (memorandum dated March 27, 2006)	36-39
	<b>F.</b> Town of Orchid Representatives to County Committees (memorandum dated March 27, 2006)	40-41
	<b>G.</b> Vero Beach City Councilmembers to County Committees and Regional Boards – March 2006-March 2007 (memorandum dated March 27, 2006)	42-45
	<b>H.</b> Resignation from the Tourist Development Council (memorandum dated March 21, 2006)	46-47

<b>7.</b>	<b><u>CONSENT AGENDA (CONT'D.)</u></b>	<b><u>PAGE</u></b>
<b>I.</b>	Appointment to the Tourist Development Council (memorandum dated March 21, 2006)	48-52
<b>J.</b>	Appointment to the Agriculture Advisory Committee (memorandum dated March 20, 2006)	53-58
<b>K.</b>	Quit-Claim Deed Wm. Gregory Construction, Inc. (memorandum dated March 24, 2005)	59-62
<b>L.</b>	Annual Financial Report (memorandum dated March 28, 2006)	63-102
<b>M.</b>	Dori Slosberg Driver Education Safety Act Grant Award (memorandum dated March 23, 2006)	103-109
<b>N.</b>	Work Order #1, Applied Technology and Management Inc. Sectors 1&2 Biological Monitoring (memorandum dated March 22, 2006)	110-120
<b>O.</b>	Amendment #2, FDEP Grant Agreement No. H5IR1 (memorandum dated March 14, 2006)	121-130
<b>P.</b>	Serenoa L.L.C.'s Request for Final Plat Approval for a Subdivision to be Known as Serenoa – Phase I (memorandum dated March 21, 2006)	131-157
<b>Q.</b>	Federal Fiscal Year 2006 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Certification of Participation (State Fiscal Year 2007) (memorandum dated March 28, 2006)	158-165
<b>R.</b>	Final Payment for Release of Retainage for the Emergency Contract Mid State Mechanical-HVAC replacement Sheriff's Administration (memorandum dated March 16, 2006)	166-171
<b>S.</b>	For Proposed County Road 512, Phase IV (Four) From Phase III (Three) Roseland Road to East of I-95 (Topographic Survey) IRC Project No. 0445 Work Order No. 4 (Engineering) Request for Final Payment and Release of Retainage for Masteller, Moler, Reed & Taylor, Inc. (memorandum dated March 21, 2006)	172-175

<b>7.</b>	<b><u>CONSENT AGENDA (CONT'D.)</u></b>	<b><u>PAGE</u></b>
	<b>T.</b> Local Agency Program Agreement for the Indian River Drive North Sidewalk from North City Limits of Sebastian to Roseland Road, Indian River County Project No. 0202 (memorandum dated March 16, 2006)	176-203
	<b>U.</b> Sunland Development, Inc.'s Request for Final Plat Approval for a Subdivision to be Known as Lexington Place – Phase II (memorandum dated March 23, 2006)	204-225
	<b>V.</b> Riverview Cay L.L.C.'s Request for Final Plat Approval for a Subdivision to be Known as Wingate Subdivision (memorandum dated March 23, 2006)	226-233
	<b>W.</b> Consideration of Revised Indian River County Local Housing Assistance Plan for Fiscal Years 2006-07 Through 2008-09 (memorandum dated March 14, 2006)	234-243
	<b>X.</b> Board Consideration to Approve Mitigation of Dead Oak Trees in the Jungle Trail Buffer at Island Club Riverside (memorandum dated March 28, 2006)	244-261
	<b>Y.</b> Kimley-Horn and Associates, Inc.'s Request for County Approval of a Revised Conservation Easement for Ocean Sands Development (Disney Florida Beach Resort Parcel B) Consistent with the Approved Development Plan (memorandum dated March 28, 2006)	262-275
	<b>Z.</b> Woodfield P.D., Phase 1 (Phase 1-A), 5 Year Bonding for Required Offsite Road and Drainage Improvements (memorandum dated March 20, 2006)	276-288
	<b>AA.</b> Acceptance of Three New Proposed Items for Additional Work and Change Order #006 for the New County Administration Building (memorandum dated March 29, 2006)	289-344
	<b>BB.</b> Abington Woods Subdivision Final Payment for Developer's Agreement and Release of Retainage for Construction of an Off-Site Master Planned Sanitary Sewer Force Main (memorandum dated March 27, 2006)	345-349

<b>8.</b>	<b><u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u></b>	<b><u>PAGE</u></b>
A.	<b><u>David C. Nolte, ASA – Indian River County Property Appraiser:</u></b> Budget Amendment #3 for year ending September 30, 2006 (letter dated March 21, 2006)	350-351
B.	<b><u>Roy Raymond – Indian River County Sheriff:</u></b> Budget Amendment for Fiscal Year 2005-2006 Operating Budget (letter dated March 21, 2006)	352
<b>9.</b>	<b><u>PUBLIC ITEMS</u></b>	
A.	<b><u>PUBLIC HEARINGS</u></b>	
1.	<b><u>Continuation of Public Hearing Opened March 21, 2006:</u></b> Lockwood Lane Development Group, LLC’s Request to Rezone Approximately 291.11 Acres of Property from PD, Planned Development Residential (The Colony Golf Course Community), to PD, Planned Development Residential (Turtle Creek Preserve), and to Obtain Conceptual and Preliminary PD Plan Approval for Turtle Creek Preserve (memorandum dated March 28, 2006)	353-416
	<b>Legislative</b>	
2.	Lakewood Terrace Water Service, West Side of 27 <sup>th</sup> Ave, North of the St. Lucie Co. Line, Indian River County Project No. UCP-2317, Resolution III (memorandum dated March 20, 2006)	417-441
	<b>Administrative</b>	
B.	<b><u>PUBLIC DISCUSSION ITEMS</u></b>	
1.	Request to Speak from Glenn W. Legwen Regarding County’s Use of Selective Code Enforcement (letter dated March 27, 2006)	442-448
2.	Request to Speak from Bruce T. Genereaux Regarding Drivers Who Violate Florida Statutes 316.293 and 316.3045 on Indian River County Roadways (letter received March 28, 2006)	449

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

C. **PUBLIC NOTICE ITEMS**

1. **Notice of Scheduled Public Hearings April 11, 2006:**  
(memorandum dated March 28, 2006) 450

a. Consideration of Proposed Land Development Regulations (LDR) Amendments to Chapters 913 and 914: Posted Sign Notice for Conventional Development Projects  
**Legislative**

b. Treviso LLC Rezoning: Request to rezone +/-19.48 acres located at the northeast intersection of 16<sup>th</sup> Street and 74<sup>th</sup> Avenue, from A-1, Agricultural-1 District (up to 1 unit/5 acres), to RM-8 Multi-Family Residential District (up to 8 units/acre). Treviso LLC, Owner. Siemon & Larson, Agent.  
**Quasi-Judicial**

2. **Notice of Scheduled Public Hearing April 11, 2006:**  
(memorandum dated March 27, 2006)  
An Ordinance of the Board of County Commissioners of Indian River County, Florida, Extending the Temporary Moratorium on the Acceptance of Applications for Administrative Permits and the Issuance of Administrative Permit Approvals for "Small Lot Single-Family Subdivisions"; Providing for Prohibition; Providing for Exceptions; Providing for Conflicts; Providing for Severability; Setting Forth Expiration and Effective Dates. 451  
**Legislative**

10. **COUNTY ADMINISTRATOR'S MATTERS**

A. State Lobbyist  
(memorandum dated March 29, 2006) 452-454

11. **DEPARTMENTAL MATTERS**

A. **Community Development**  
None

B. **Emergency Services**  
None

C. **General Services**  
None

<b>11.</b>	<b><u>DEPARTMENTAL MATTERS (CONT'D.)</u></b>	<b><u>PAGE</u></b>
	<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. Right-of-Way Acquisition, 13 <sup>th</sup> Street SW & 20 <sup>th</sup> Avenue SW, Winding Creek Subdivision Project, Bell Construction & Development LLC, owner (memorandum dated March 20, 2006)	455-465
	2. Contract Execution for IRC Bid No. 7057, Raising Elevation of the Footbridge at Round Island Park (memorandum dated March 27, 2006)	466-500
	<b>J. <u>Utilities Services</u></b>	
	1. Utilities Department Operations Center, Approval of Change Order No. 5 for Extension of Contract – Indian River County Project No. UCP 2229 (memorandum dated March 8, 2006)	501-503
	2. North County Reverse Osmosis Plant, Camp Dresser McKee (CDM) Amendment No. 2 to Work Order No. 1 for Additional Professional Services in Permitting and Bidding Documents (memorandum dated March 27, 2006)	504-513

<b>12.</b>	<b><u>COUNTY ATTORNEY</u></b>	<b><u>PAGE</u></b>
A.	Request for Review by Professional Services Advisory Committee to Consider Bonding of Final Lift of Asphalt on Development Projects (memorandum dated March 28, 2006)	514-515
<b>13.</b>	<b><u>COMMISSIONERS ITEMS</u></b>	
A.	<b><u>Commissioner Arthur R. Neuberger, Chairman</u></b> None	
B.	<b><u>Commissioner Gary C. Wheeler, Vice Chairman</u></b> 1. Straw Ballot – Nonbinding Referendum Request for November 2006 General Election (memorandum dated March 29, 2006)	516-518
C.	<b><u>Commissioner Sandra L. Bowden</u></b> None	
D.	<b><u>Commissioner Wesley S. Davis</u></b> None	
E.	<b><u>Commissioner Thomas S. Lowther</u></b> None	
<b>14.</b>	<b><u>SPECIAL DISTRICTS AND BOARDS</u></b>	
A.	<b><u>Emergency Services District</u></b> None	
B.	<b><u>Solid Waste Disposal District</u></b> 1. SWDD Land Acquisition (memorandum dated March 27, 2006)	519
	2. Landfill Site Plan Update (memorandum dated March 16, 2006)	520-527

14. **SPECIAL DISTRICTS AND BOARDS (CONT'D.)**

**PAGE**

C. **Environmental Control Board**

1. Approval of Minutes Meeting of December 6, 2005
  
2. Report of Activities During Fourth Quarter (October – December, 2005)  
(memorandum dated March 21, 2006)

528-529

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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.***