

September 2009

INDIAN RIVER COUNTY

Local preference: County adopted a 6-month ordinance that allows local businesses (Indian River, St. Lucie, Martin, Brevard, and Osceola Counties) to match the lowest bidder if they are within 5 percent of that bid.

Impact fees: In a 4-1 vote (Bob Solari dissenting), the County Commission extended the suspension of impact fees for another six months. In addition, since the County Commission did not accept the Duncan Impact Fee Study, county staff proceeded to do their own study based on the updated ITE (8th Edition), resulting in reduced counts and fees for all but three categories. The TCBA position has always been “We expect impact fees to be based on accurate information, latest numbers, and consistent methodology.” Public hearings on both these ordinances will be scheduled for September.

Generators: The County’s noise ordinance will be amended to include generators. Generator testing should be for the minimum time suggested by the manufacturer. There are no noise restrictions on generators when they are used during an emergency.

Landscaping: A hearing Sept 30 will consider amending LDRs related to landscaping after several developments were held up for minor landscaping discrepancies. The goal is to look at the LDRs for practicality and reasonableness (*what a concept!*)

AG Summit: The Agriculture Advisory Committee is sponsoring a forum Nov 20 at Indian River State College (Richardson Center) and invites public discussion on the future of agricultural, development of AG lands outside the urban service boundary, zoning, etc. We plan to be there and encourage TCBA members to attend – we certainly have a stake in where/how/if development occurs!

Vero Beach

The city continues to increase its utility fees: electricity, water and trash are all up. There will be a public hearing September 15 on electric charges.

[Vero Beach is proceeding with its Vision Plan, including the Ocean/Cardinal Drive Overlay that would allow buildings to add second and third stories to encourage hotels and above-store residential.](#)

The P&Z proposes amendments to the city’s landscape ordinance that requiring mitigation for tree removal on individual single-family lots and designating cabbage palms “protected.” These are both absurd. The matter still has to go to the City Council for public hearing.

MARTIN COUNTY

Martin County will hold a public hearing Sept. 15 on a **Stormwater Service Assessment Fee** based on square footage of impervious surface (roof, sidewalks, patios, driveways, parking area). An ESU will be charged \$7.10/mo (\$85.20/yr).

- Single-family residences with 1,643 to 5,213 sq. ft. pay one ESU rate.
- Single-family residences >5,213 sq. ft. pay twice the ESU rate.
- Single-family residences less than 1,643 sq. ft. of impervious surface, condominiums and mobile homes will be charged 40% of the ESU rate.
- Commercial, industrial, institutional, agricultural and vacant land with improvements will be charged based on specific impervious areas calculated as follows: (Area/3,428) x ESU rate.

EAR based amendments: Commissioners took public testimony Sept. 1 on proposed EAR based amendments. These hearings last for hours and are very contentious as the anti-growth element is extremely vocal. Commissioners denied approval of Traditional Community Development that could be a possibility in AG. Another upcoming issue is Transfer of Development Rights (TDR). For growth management information go to <http://mcdevrev.wordpress.com>

Local preference: On September 15, County Commissioners will consider an ordinance patterned after those adopted in St. Lucie and Indian River that will allow local businesses to match the low bid if within five percent. TCBA has insisted that Treasure Coast counties be considered local and Martin County has added in Palm Beach. Palm Beach actually awards locals the bid if they are within five percent. Eric Johnson and Ronnie Kirchman are confident the county will adopt the ordinance.

ST LUCIE COUNTY

Time to renew **Certificates of Competency**. Contractors working in unincorporated areas must renew their licenses by Sept. 30. Renewal forms are available at the Contractor Licensing office or online at http://www.stlucieco.gov/public_works/contract_licen.htm. For more information, call Contractor Licensing at (772) 462-1673.

Purchasing: New and existing vendors interested in providing quotes for goods and services less than \$50,000 must file a Vendor Registration form with the county's purchasing division, listing products, materials, services and/or repairs, so staff can categorize a vendor list to secure three or more quotes. Vendors will be contacted on a rotating basis. The form is available at www.stlucieco.gov/purchasing or at the Purchasing Office. Vendor Registration is not required for formal bids/RFP/RFQ of \$50,000 and over, advertised on the county's website. Vendors must proactively seek formal bidding opportunities through local, newspaper legal advertisements or the Purchasing website. All vendors doing business with the county must have proof of insurance and all licenses required by the County, local municipality or state. For information: call Purchasing Division at 462-1700 or visit: www.stlucieco.gov/purchasing.

Impact Fees: TCBA has provided an analysis of proposed impact fees, prepared on our behalf by Government Solutions, Inc., to the P&Z and County Commission in rebuttal to increases recommended by Dr James Nicholas. We will let you know when the County schedules the public hearing. .

Code Changes: P&Z continues to workshop proposed changes to Chapters 10, 11 and 12 of the Land Development Code. The County also proposes to do a planning study to address future development of western agricultural property. Go to www.stlucieco.gov/growth/index.htm for growth management topics.

Fort Pierce Enterprise Fund: at the August 28 budget workshop, TCBA expressed concern that Ft. Pierce is in violation of Florida Statute 553 that requires building permit fees and fines be reserved for the sole purpose of enforcing the Building Code. Instead, the City has been depositing permit fees into its General Fund for several years, leaving no reserves to fund the building department. We have enlisted the FHBA general counsel to help us on this one! Public Budget Hearings will be later in September.

Port St Lucie: A proposed Property Maintenance Ordinance is very intrusive on private property rights and would be costly – if not impossible – to enforce. The ordinance allows government access

to inspect properties for maintenance issues such as plumbing etc. We have advised the City that this is an onerous proposal.

OKEECHOBEE

We are disappointed that the County Commission denied the Associated Contractors' request to impose a one-year moratorium on impact fees. We have requested our own meeting with the County Administrator to discuss impact fees and local preference, which all other TCBA counties have adopted. This is timely since Okeechobee accepting bids for a new Emergency Operations Center. We addressed these issues to newly appointed County Commissioner Joey Hoover, who was the guest speaker at the September chapter breakfast.