

JEFFREY R. SMITH
Clerk to the Board



INDEX TO MINUTES OF REGULAR MEETING

OF BOARD OF COUNTY COMMISSIONERS

JUNE 18, 2013

| | | |
|------|--|---|
| 1. | CALL TO ORDER..... | 1 |
| 2. | INVOCATION..... | 1 |
| 3. | PLEDGE OF ALLEGIANCE | 1 |
| 4. | ADDITIONS/DELETIONS TO THE AGENDA/EMERGENCY ITEMS | 2 |
| 5. | PROCLAMATIONS AND PRESENTATIONS | 2 |
| 5.A. | PRESENTATION OF PROCLAMATION HONORING DANIEL RICHARD SALVADOR FOR ATTAINING THE RANK OF EAGLE SCOUT | 2 |
| 5.B. | PRESENTATION OF PROCLAMATION HONORING BRANDON ROBERT MCKAY FOR ATTAINING THE RANK OF EAGLE SCOUT..... | 2 |
| 6. | APPROVAL OF MINUTES | 3 |
| 6.A. | REGULAR MEETING OF MAY 21, 2013..... | 3 |
| 7. | INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION - NONE..... | 3 |

| | | |
|------|--|----|
| 8. | CONSENT AGENDA | 3 |
| 8.A. | APPROVAL OF WARRANTS – MAY 31, 2013 TO JUNE 6, 2013..... | 4 |
| 8.B. | OUT OF COUNTY TRAVEL TO ATTEND THE FLORIDA SHORE AND BEACH PRESERVATION ASSOCIATION CONFERENCE..... | 4 |
| 8.C. | RELEASE OF CONSERVATION EASEMENT, SUNUP ARC, INC..... | 4 |
| 8.D. | MEDIATED SETTLEMENT – BEVERLY HATFIELD | 5 |
| 8.E. | REQUEST FOR USE OF HOLMAN STADIUM FOR ANNUAL SAWBONES VS. JAWBONES EVENT TO BE HELD JUNE 29 TH , 2013 | 5 |
| 8.F. | DECLARE ADDITIONAL EXCESS EQUIPMENT SURPLUS FOR SALE OR PROPER DISPOSAL | 6 |
| 8.G. | PAYROLL PROJECTED WEEK..... | 6 |
| 8.H. | MISCELLANEOUS BUDGET AMENDMENT 019..... | 7 |
| 8.I. | MISCELLANEOUS BUDGET AMENDMENT 020 – CORRECTIONS IMPROVEMENTS | 7 |
| 8.J. | WORK ORDER NO. 3 WITH DUNKELBERGER ENGINEERING AND TESTING, INC. 12 TH STREET AND 27 TH AVENUE INTERSECTION IMPROVEMENTS, IRC PROJECT NO. 9334 | 7 |
| 8.K. | WORK ORDER NO. 2 COASTAL PLANNING AND ENGINEERING, INC. SECTOR 3 BEACH AND DUNE RESTORATION REPAIR – POST HURRICANE SANDY DESIGN AND PERMITTING SERVICES..... | 8 |
| 8.L. | CIVIL ENGINEERING AND LAND SURVEYING AGREEMENT FOR BRIDGE REPLACEMENTS AND WIDENING OF 66 TH AVENUE FROM SOUTH OF SR 60 TO NORTH OF 57 TH STREET, AMENDMENT NO. 13, IRC PROJECT NO. 0545 | 9 |
| 8.M. | RELEASE OF RETAINAGE – PROFESSIONAL SERVICES AGREEMENT WITH CARTER ASSOCIATES, INC. IRC PROJECT NO. 9810B, 66TH AVENUE PAVING IMPROVEMENTS, PHASE 2 (4 TH STREET TO 16 TH STREET) | 9 |
| 8.N. | RENEWAL OF FLORIDA POWER AND LIGHT (FP&L CARE TO SHARE AGREEMENT)..... | 10 |
| 8.O. | APPROVAL OF BID AWARD FOR IRC BID NO. 2013040 IRC UTILITY SERVICES ROOF REPLACEMENT PROJECT | 10 |
| 8.P. | EMERGENCY ADDITION – ENCLAVE SUBDIVISION PENDING UTILITY LIEN | 11 |
| 9. | CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES - NONE | 11 |
| 10. | PUBLIC ITEMS..... | 11 |

| | | |
|---------|--|------------------|
| 10.A. | PUBLIC HEARINGS | 11 |
| 10.A.1. | Consideration of Amendments to Land Development Regulations (LDRS) Chapters 901, 911, and 912 to Change the Limitations for Size of Commercial Vehicles and Recreational Vehicles Parked Outside in Residential Areas | 12 |
| 10.A.2. | Public Hearing and Consideration of Proposed Natural Gas Franchise Agreement with Florida City Gas | 14 |
| 10.B. | PUBLIC DISCUSSION ITEMS - NONE | 14 |
| 10.C. | PUBLIC NOTICE ITEMS | 15 |
| 10.C.1. | Notice of Scheduled Public Hearing July 2, 2013: KTLC TD1, LLC's Request for Abandonment of a 20' Alleyway Running from 42 nd Place South to 42 nd Street and Lying Behind Lots 1-20 of the J. T. Gray's Town of Gifford Subdivision (Legislative) | 15 |
| 11. | COUNTY ADMINISTRATOR MATTERS - NONE..... | 15 |
| 12. | DEPARTMENTAL MATTERS | 15 |
| 12.A. | COMMUNITY DEVELOPMENT - NONE..... | 15 |
| 12.B. | EMERGENCY SERVICES - NONE..... | 15 |
| 12.C. | GENERAL SERVICES - NONE | 15 |
| 12.D. | HUMAN RESOURCES - NONE | 15 |
| 12.E. | HUMAN SERVICES - NONE | 15 |
| 12.F. | LEISURE SERVICES - NONE | 15 |
| 12.G. | OFFICE OF MANAGEMENT AND BUDGET..... | 15 |
| 12.G.1. | Spring Training Facility Revenue Bonds, Series 2001 Consideration of Partial Early Payoff..... | 16 |
| 12.H. | RECREATION - NONE..... | 16 |
| | <u>12.I. PUBLIC WORKS</u> | <u>16</u> |
| 12.I.1. | Department of the Army Right-Of-Entry Agreement – Round Island Beach Park for Environmental Assessment and Response..... | 16 |
| 12.I.2. | Crime Scene Facility Change Order #2 Proctor Construction Company Evidence Compound..... | 17 |
| 12.J. | UTILITIES SERVICES..... | 18 |

| | | |
|---------|---|----|
| 12.J.1. | Central Regional Wastewater Treatment Facility Permit Renewal and Blue Cypress Wastewater Treatment Facility | 18 |
| 13. | COUNTY ATTORNEY MATTERS..... | 18 |
| 13.A. | PERMISSION TO ADVERTISE FOR PROPOSED PROPERTY EXCHANGE WITH KAH DEVELOPMENT CORPORATION – 8 TH COURT SW (OFF OSLO ROAD) | 18 |
| 13.B. | WILLIAM LUTHER LICENSE AGREEMENT | 19 |
| 14. | COMMISSIONER ITEMS..... | 20 |
| 14.A. | COMMISSIONER JOSEPH E. FLESCHER, CHAIRMAN - NONE | 20 |
| 14.B. | COMMISSIONER WESLEY S. DAVIS, VICE CHAIRMAN..... | 20 |
| 14.B.1. | Comprehensive Plan Text Amendment | 20 |
| 14.C. | COMMISSIONER PETER D. O’BRYAN | 22 |
| 14.C.1. | Proclamation Policy | 22 |
| 14.D. | COMMISSIONER BOB SOLARI – NONE..... | 23 |
| 14.E. | COMMISSIONER TIM ZORC | 23 |
| 14.E.1. | Impact Fee Workshop..... | 23 |
| 15. | SPECIAL DISTRICTS AND BOARDS | 23 |
| 15.A. | EMERGENCY SERVICES DISTRICT | 23 |
| 15.A.1. | Approval of Minutes – Meeting of April 9, 2013..... | 23 |
| 15.A.2. | Approval of Phase 4 Work for Fire Rescue Station 13 Site (4 th Street and 43 rd Avenue)..... | 24 |
| 15.B. | SOLID WASTE DISPOSAL DISTRICT | 24 |
| 15.B.1. | Approval of Minutes – Meeting of May 21, 2013..... | 24 |
| 15.B.2. | Request to Participate in the “2013 KIRB Marketplace” at Indian River Mall..... | 24 |
| 15.B.3. | Work Order No. 7 to Geosyntec for One Year of Groundwater Monitoring/Reporting and Related Consulting Services at the Former South Gifford Road Landfill..... | 24 |
| 15.B.4. | Final Pay for GeoSyntec Work Order No. 5 & Redevelopment Plan Presentation – Former Gifford Road Landfill..... | 24 |
| 15.C. | ENVIRONMENT CONTROL BOARD - NONE | 24 |

16. ADJOURNMENT.....24

JEFFREY R. SMITH

Clerk to the Board and Comptroller



June 18, 2013

**REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS**

The Board of County Commissioners of Indian River County, Florida, met in Regular Session at the County Commission Chambers, 1801 27th Street, Vero Beach, Florida, on Tuesday, June 18, 2013. Present were Chairman Joseph E. Flescher, Vice Chairman Wesley S. Davis, and Commissioners Peter D. O'Bryan, Bob Solari, and Tim Zorc. Also present were County Administrator Joseph A. Baird, County Attorney Alan S. Polackwich, Sr., and Deputy Clerk Maria Suesz.

1. CALL TO ORDER

Chairman Flescher called the meeting to order at 9:00 a.m.

2. INVOCATION

Pastor Roger Ball, Immanuel Church, delivered the Invocation.

3. PLEDGE OF ALLEGIANCE

Joseph A. Baird, County Administrator, led the Pledge of Allegiance to the Flag.

4. ADDITIONS/DELETIONS TO THE AGENDA/EMERGENCY ITEMS

Move: Item 12.I.1. to follow Item 8. Consent Agenda
Emergency Addition: Item 8.P - Consent Agenda – Enclave Subdivision
Pending Utility Lien

ON MOTION by Commissioner O’Bryan, SECONDED by Vice Chairman Davis, the Board unanimously approved the Agenda, as amended.

5. PROCLAMATIONS AND PRESENTATIONS

5.A. *Presentation of Proclamation Honoring Daniel Richard Salvador for Attaining the Rank of Eagle Scout*

Chairman Flescher read and presented the Proclamation honoring Daniel R. Salvador, who was accompanied by his parents. In addition, he presented a Plaque that recognized Daniel as a member of the 2012 Centennial Class of Eagle Scouts and joining a heritage of 100 years of Excellence in the Boy Scouts of America by earning the Eagle Scout Award.

5.B. *Presentation of Proclamation Honoring Brandon Robert McKay for Attaining the Rank of Eagle Scout*

Vice Chairman Davis read and presented the Proclamation honoring Brandon R. McKay, who was accompanied by his grandfather. In addition, he presented a Plaque that recognized Brandon as a member of the 2012 Centennial Class of Eagle Scouts, and joining a heritage of 100 years of Excellence in the Boy Scouts of America by earning the Eagle Scout Award.

Charles Griffiths, Advancement Chairman at Boy Scouts of America, addressed the Board saying how proud he is of these two recipients of the Eagle Scout Award, personally

congratulating them, and announcing that this merit award is being discontinued, and replaced by five new awards.

6. APPROVAL OF MINUTES

6.A. Regular Meeting of May 21, 2013

The Chairman asked if there were any corrections or additions to the minutes. There were none.

ON MOTION by Commissioner O’Bryan, SECONDED by Vice Chairman Davis, the Board unanimously approved the meeting minutes of the May 21, 2013 meeting, as written.

7. INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION - NONE

8. CONSENT AGENDA

Commissioner Solari asked that Item 8.G. be pulled for comments by Jason Brown, Budget and Management Director.

Commissioner O’Bryan asked that Items 8.E., 8.I., and 8.K. be pulled for comments.

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved the Consent Agenda, as amended.

8.A. Approval of Warrants – May 31, 2013 to June 6, 2013

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved the list of Warrants and Wires issued by the Comptroller's Office for the time period of May 31, 2013 to June 6, 2013, as recommended in the memorandum of June 6, 2013.

8.B. Out of County Travel to Attend the Florida Shore and Beach Preservation Association Conference

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved out of county travel for Commissioners and staff to attend the Florida Shore and Beach Preservation Association Conference in Delray Beach September 25, 2013 through September 27, 2013, as requested in the memorandum of June 10, 2013.

8.C. Release of Conservation Easement, SunUp ARC, Inc.

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved and authorized the Chairman to execute the Release of Conservation Easement to be recorded simultaneously with the recording of the new replacement conservation easement, as requested in the memorandum of June 10, 2013.

DOCUMENT IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

8.D. Mediated Settlement – Beverly Hatfield

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved the County's Claims Review Committee's mediated Settlement of \$295,000.00 including attorney fees and costs, as recommended in the memorandum of May 28, 2013.

8.E. Request for Use of Holman Stadium for Annual Sawbones vs. Jawbones Event to be Held June 29th, 2013

Commissioner O'Bryan invited the Public to come out for the Sawbones vs. Jawbones Event to be held June 29, 2013.

ON MOTION by Commissioner O'Bryan, SECONDED by Vice Chairman Davis, the Board unanimously approved and authorized the Chairman to sign and grant the Indian River County Bar Association's (User Group) request for waiver of the standard security deposit and deletion of the alcohol prohibition required under Section E of Exhibit 1 to the standard Stadium Use Agreement, as recommended in the memorandum of June 1, 2013.

DOCUMENT IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

8.F. Declare Additional Excess Equipment Surplus for Sale or Proper Disposal

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously declared the items on the Additional Excess Equipment List surplus and authorized the sale and/or proper disposal at the public auction to be held at 10:00 A.M. on June 22, 2013 at the County fairgrounds, as recommended in the memorandum of June 11, 2013.

8.G. Payroll Projected Week

Commissioner Solari called upon the Budget and Management Director to address the significance and purpose of this item.

ON MOTION by Commissioner Solari, SECONDED by Vice Chairman Davis, the Board unanimously: 1) authorized staff to implement a one-week lag in the payroll period in order to eliminate the “projected” week; 2) authorized staff to compensate employees for the week of lost wages by giving employees the equivalent of one week’s pay at the time the one-week lag is implemented, in the pay period beginning August 16, 2013; and 3) authorized the necessary Budget Amendment to fund the financial impact of compensating employees for the lost week estimated at \$781,621 on a countywide basis, all as recommended in the memorandum of June 10, 2013.

8.H. Miscellaneous Budget Amendment 019

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved **Resolution 2013-054** amending the Fiscal Year 2012-2013 Budget.

8.I. Miscellaneous Budget Amendment 020 – Corrections Improvements

Commissioner O’Bryan wanted this item pulled for Public discussion. Seeing there was no one to comment, the following motion was made:

ON MOTION by Commissioner O’Bryan, SECONDED by Chairman Flescher, the Board unanimously: (1) approved **Resolution 2013-055** amending the Fiscal Year 2012-2013 Budget; and (2) determined these expenses are necessary to accommodate growth and development in the County.

8.J. Work Order No. 3 with Dunkelberger Engineering and Testing, Inc. 12th Street and 27th Avenue Intersection Improvements, IRC Project No. 9334

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board approved and authorized the Chairman to execute Work Order No. 3 to Dunkelberger Engineering and Testing, Inc. to provide construction materials testing services for the construction of 12th Street and 27th Avenue Intersection Improvements, as outlined in Exhibit “A” of the Engineering Testing Services Agreement, for a not-to-exceed amount of \$21,470.00, as recommended in memorandum of May 22, 2013.

**8.K. Work Order No. 2 Coastal Planning and Engineering, Inc. Sector 3
Beach and Dune Restoration Repair – Post Hurricane Sandy Design
and Permitting Services**

Commissioner O’Bryan had concerns regarding the work schedule timeline.

Director of Public Works Chris Mora and Coastal Engineer James D. Gray, Jr., responded to questions from the Board.

Commissioner Solari had no problem waiting a year to begin this project and asked the Board to consider it.

A lengthy discussion ensued regarding past years cost over budget, and the Board became hesitant to move forward with staff’s timeline.

Vice Chairman Davis filed Form 8B Memorandum of Voting Conflict, and abstained from the vote.

ON MOTION by Commissioner O’Bryan, SECONDED by Commissioner Solari, by a 4-0 vote (Vice Chairman Davis abstained), the Board unanimously approved and authorized the Chairman to execute Work Order No. 2 to the contact with Coastal Planning and Engineering Inc. for Sector 3 Beach and Dune Restoration Repair – Post Hurricane Sandy, *with the caveat that staff closely monitor the work to see that it is done expeditiously.*

DOCUMENTS ARE ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

8.L. Civil Engineering and Land Surveying Agreement for Bridge Replacements and Widening of 66th Avenue from South of SR 60 to North of 57th Street, Amendment No. 13, IRC Project No. 0545

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved and authorized the Chairman to execute Amendment No. 13, to the Agreement with Arcadis US, Inc. (formally known as Arcadis G&M, Inc.) for design changes needed during the construction phase, for a total not-to-exceed amount of \$30,446.24, as recommended in the memorandum of June 6, 2013.

DOCUMENT IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

8.M. Release of Retainage – Professional Services Agreement with Carter Associates, Inc. IRC Project No. 9810B, 66th Avenue Paving Improvements, Phase 2 (4th Street to 16th Street)

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved and authorized the Chairman to execute partial release of retainage to Carter Associates, Inc. for the completed services and payment of Application of Payment No. 103R-2, dated June 4, 2013 in the amount of \$57,600.68, as recommended in the memorandum of June 4, 2013.

8.N. Renewal of Florida Power and Light (FP&L Care to Share Agreement)

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved and authorized the Chairman to execute the Care To Share one year extension of the Agreement with Florida Power and Light, as recommended in the memorandum of June 9, 2013.

DOCUMENT ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

8.O. Approval of Bid Award for IRC Bid No. 2013040 IRC Utility Services Roof Replacement Project

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously awarded IRC Bid No. 2013040 to Gulf States Industries, Inc., as the lowest most responsive and responsible bidder meeting the specifications as set forth in the invitation to bid; approved the sample agreement; and authorized the Chairman to execute said agreement after receipt and approval of the required Public Construction Bond and certificate of insurance and after the County Attorney has approved the agreement as to form and legal sufficiency, as recommended in the memorandum of June 11, 2013.

8.P. Emergency Addition – Enclave Subdivision Pending Utility Lien

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved staff's recommendation as follows: that after the amendment to the Declaration of Restrictive Covenants has been recorded and a recorded copy provided to the County Attorney, along with the required Form(s) W-9, the proceeds from the called Letters of Credit from the Enclave Subdivision be applied as follows:

1. The necessary amounts to bring the Enclave Subdivision utility lien current, due to the failure to pay for base facility charges (with penalties waived based on the recently adopted amnesty ordinance)
2. \$10,000 remitted to Ralph Evans, Esq. for payment of attorney's fees incurred in this matter
3. \$160 to pay for the recording fees for the releases of liens
4. The remaining residual amount from the called letters of credit including accrued interest remitted to the trust account of Stewart & Evans, all as recommended in the memorandum dated May 28, 2013.

9. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES - NONE

10. PUBLIC ITEMS

10.A. PUBLIC HEARINGS

**10.A.1. CONSIDERATION OF AMENDMENTS TO LAND DEVELOPMENT REGULATIONS
(LDRS) CHAPTERS 901, 911, AND 912 TO CHANGE THE LIMITATIONS FOR SIZE OF
COMMERCIAL VEHICLES AND RECREATIONAL VEHICLES PARKED OUTSIDE IN
RESIDENTIAL AREAS**

Planning Director Stan Boling recalled the Board of County Commission meeting of March 18, 2013, when Mr. Heen, who is under Code Enforcement for multiple violations, made his request to the Board to consider changing the Land Development Regulations. Mr. Boling proposed amendments to the (LDRs) Chapter 901, 911 and 912 using a PowerPoint presentation, stating that this Ordinance would bring about changes to the size limitations of Commercial Vehicles up from 9 feet to 9 ½ feet; and delete limitation on the length of recreational vehicles outside in residential areas allowing an overall storage of 400 square feet. Mr. Boling pointed out that at the Planning and Zoning Commission meeting, they had voted 3-1 to recommend the Board approve staff's recommendation, but they did not have the majority vote necessary to pass.

The Chairman opened the Public Hearing.

Jerry (inaudible), 1025 21st Court, who lives in Heritage Estates, currently zoned residential, said he is 100% against spot zoning. Mr. Heen is currently in Code Enforcement violations and he finds his trucks an aesthetic nuisance. He begged the Board not to change the height restrictions in a residential zone.

Dennis Green, 1045 21st Court, Vero Beach, did not see dispensation from current zoning laws as beneficial to the County and said it should not be granted. He spoke on the noise and traffic as also an aesthetic value that needs to be considered, not only the size of vehicles. He felt their neighborhood is a test site for the rest of the County. He asked the Board not to change the zoning laws. He responded to questions from the Board.

Charles Searcy, 1035 22nd Avenue Vero Beach, who lives directly across the street from Mr. Heen's property, displayed photos showing how noticeable the Heen trucks are, as they are parked in the front of their property and covered with 9 ½ feet of signage. He said that the Board is making a decision on one person's complaint (Mr. Heen's), and he challenged the statement that it does not make a significant difference. He hoped the Board would not approve staff's recommendation.

Ron Heen presented photos of boats showing that his neighbors are in violation of the Code also, but he did not intend to report these residents. He confirmed that he does not conduct his business out of his home; he just wanted to park his three trucks there at night.

The Chairman closed the Public Hearing.

The Board posed questions to Director Boling seeking additional information.

MOTION WAS MADE by Vice Chairman Davis, SECONDED by Commissioner Zorc, to partially reject staff's recommendation and not amend the LDRs to increase the height limitation, and to approve amending the unenclosed storage of recreational vehicles, trailers and boats, by deleting limitation on the length.

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There was a brief question and answer period.

The CHAIRMAN CALLED THE QUESTION and the Motion carried unanimously. The Board unanimously adopted **Ordinance 2013-005, amended to reject amendments to height limitations on Commercial Vehicles;** and adopted amendments to its Land Development Regulations (*LDRs*) providing for amendments to Chapter

911, Zoning, and Chapter 912, single-family development; by amending section 911.15(7), unenclosed storage of recreational vehicles, trailers, and boats; by amending section 912.17(3), unenclosed storage of recreational vehicles, trailers, and boats; and by providing for repeal of conflicting provisions; codification; severability; and effective date.

10.A.2. PUBLIC HEARING AND CONSIDERATION OF PROPOSED NATURAL GAS FRANCHISE AGREEMENT WITH FLORIDA CITY GAS

County Attorney Alan Polackwich, Sr. addressed a concern of the Board, informing them that at the end of the 25 Year Franchise Agreement, the Florida Public Service Commission decides what happens to the pipes.

Chairman Flescher opened the Public Hearing, seeing no one, he closed the Public Hearing.

MOTION WAS MADE by Commissioner O'Bryan, SECONDED by Chairman Flescher, to approve the proposed Natural Gas Franchise Agreement with Florida City Gas, as recommended in the memorandum of June 11, 2013.

Following a brief discussion regarding Franchise Agreements, the following action was taken.

The Chairman CALLED THE QUESTION, and the Motion carried unanimously.

10.B. PUBLIC DISCUSSION ITEMS - NONE

10.C. PUBLIC NOTICE ITEMS

**10.C.1. NOTICE OF SCHEDULED PUBLIC HEARING JULY 2, 2013: KTLC TDI, LLC'S
REQUEST FOR ABANDONMENT OF A 20' ALLEYWAY RUNNING FROM 42ND PLACE
SOUTH TO 42ND STREET AND LYING BEHIND LOTS 1-20 OF THE J. T. GRAY'S TOWN OF
GIFFORD SUBDIVISION (LEGISLATIVE)**

The County Attorney read the Notice into the record.

11. COUNTY ADMINISTRATOR MATTERS - NONE

12. DEPARTMENTAL MATTERS

12.A. Community Development - None

12.B. Emergency Services - None

12.C. General Services - None

12.D. Human Resources - None

12.E. Human Services - None

12.F. Leisure Services - None

12.G. Office of Management and Budget

12.G.1. SPRING TRAINING FACILITY REVENUE BONDS, SERIES 2001 CONSIDERATION OF PARTIAL EARLY PAYOFF

Director of Budget and Management Jason Brown presented this item to the Board stating that the plan today is to pay off a portion of the remaining balance of the Spring Training Revenue Bonds, Series 2001, and the process will begin with the Board approving a budget amendment. At a later date, he will bring this matter back to the Board to pay off the remaining portion.

ON MOTION by Commissioner Solari, SECONDED by Vice Chairman Davis, the Board unanimously: 1) authorized staff to begin the process of calling \$2,275,000 out of the \$10,420,000 remaining of the Spring Training Facility Revenue Bonds, Series 2001 on or before October 1, 2013; and 2) authorized a budget amendment to allocate funding for this transaction from General Fund Cash Forward, as recommended in the memorandum of June 11, 2013.

12.H. Recreation - None

12.I. Public Works

12.I.1. DEPARTMENT OF THE ARMY RIGHT-OF-ENTRY AGREEMENT – ROUND ISLAND BEACH PARK FOR ENVIRONMENTAL ASSESSMENT AND RESPONSE

(Clerk's Note: This item was heard following Consent Agenda Item 8.P. and is placed here for continuity.)

Coastal Engineer James Gray, Jr. requested approval of a Right-of-Entry Agreement between Indian River County and the Department of the Army for the temporary use of Round Island Beach Park (the Park) in the event they find objects known as Horned Scullies offshore during the US Army Corps of Engineers (USACE) debris removal action under the Defense Environmental Restoration Program for Formerly Used Defense Sites (DERP FUDS).

U. S. Army Corps of Engineer Frank Araico accompanied by Nancy Sticht, gave a brief presentation (copy on file) on formerly used defense sites in Jacksonville. Mr. Araico explained that the agreement is needed in the event that an obstacle cannot be removed using a barge. If the Park is used, USACE would be responsible for all site restoration to the Park and they have named Indian River County as an additional insured on their Certificate of Insurance. Once their work plan is completed, they will have a coordination meeting with the County and the Department of the Army. Mr. Araico responded to questions from the Board.

ON MOTION by Commissioner O'Bryan, SECONDED by Chairman Flescher, the Board unanimously approved and authorized the Chairman to sign on behalf of the County the Right-of-Entry Agreement between Indian River County and the Department of the Army, as recommended in the memorandum of June 6, 2013.

DOCUMENT ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

**12.1.2. CRIME SCENE FACILITY CHANGE ORDER #2 PROCTOR CONSTRUCTION
COMPANY EVIDENCE COMPOUND**

Manager of Facilities Management Lynn Williams presented this item and responded to questions by the Board.

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved and authorized the Chairman to execute Change Order #2 to the Crime Scene Facility contract with Proctor Construction Company in the amount of \$499,115.00, subject to an agreement which is acceptable to the County Attorney's office, as recommended in the memorandum of June 11, 2013.

12.J. Utilities Services

12.J.1. CENTRAL REGIONAL WASTEWATER TREATMENT FACILITY PERMIT RENEWAL AND BLUE CYPRESS WASTEWATER TREATMENT FACILITY

County Utility Services Director Vincent Burke presented this item to the Board.

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved and authorized the Chairman to execute Work Order No. 7 to MBV Engineering Inc. in the amount of \$24,250, to prepare and submit permit renewal packages, as recommended in the memorandum of June 10, 2013.

13. COUNTY ATTORNEY MATTERS

13.A. Permission to Advertise for Proposed Property Exchange with KAH Development Corporation – 8th Court SW (off Oslo Road)

County Attorney Polackwich, Sr. presented this item to the Board to request permission to advertise for a property exchange with KAH Development Corporation, who wants to give the County ownership of 8th Court SW, plus \$7,500, inclusive of documentary stamps for the deed,

in exchange for a small County owned commercial lot at 830 9th Street SW to add to its other two lots.

ON MOTION by Commissioner O'Bryan, SECONDED by Vice Chairman Davis, the Board unanimously authorized staff to proceed with the required advertisements for the property exchange with KAH Development Corporation (KAH) parcel at 820 9th St. SW and Indian River County's parcel at 830 9th St. SW, as recommended in the memorandum of June 18, 2013.

13.B. William Luther License Agreement

MOTION WAS MADE by Vice Chairman Davis, SECONDED by Chairman Flescher, to approve staff's recommendation.

Dana Larson, legal intern for the County Attorney's office, presented this item stating that the old Ryall property located at 7780 85th Street, Vero Beach, was purchased by the County with the assistance of the Indian River Land Trust. Sheriff Deputy William Luther will be leasing the property for one year with a one year renewal, and have the responsibility of occupancy and mowing the land.

Commissioner Solari said the Board should be renting County property at fair market value and opposed approval of this item.

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, by a 4-1 vote (Commissioner Solari opposed), the Board approved and authorized the Chairman to execute the one year license agreement with Deputy

William Luther, authorizing him to use and occupy the real property and improvements located at 7780 85th Street, Vero Beach, Florida 32967, as recommended in the memorandum of June 7, 2013.

14. COMMISSIONER ITEMS

14.A. Commissioner Joseph E. Flescher, Chairman - None

14.B. Commissioner Wesley S. Davis, Vice Chairman

14.B.1. COMPREHENSIVE PLAN TEXT AMENDMENT

Vice Chairman Davis requested to discuss the Comprehensive Plan Text Amendment to change Policy 5.7 as it relates to County water connections outside the Urban Service Area (USA). He spoke on behalf of several County residents that were present with their request to have County water on their property. These residents reside adjacent to the parcels on 66th Avenue between 8th Street and 12th Street, where the County is installing a water line.

Commissioner Zorc added that there was a second set of property owners along 66th Avenue in Pine Tree Park where the USA line stops short. He suggested that there be a Master Plan when they design the major roadways.

Director of Community Development Bob Keating stated that one solution would be to amend the Comprehensive Plan by putting in another exception to the Urban Service Boundary requirement.

Commissioner Solari wanted three issues addressed in this discussion going forward: 1) to change the Comprehensive Plan Land Use regarding the USA impacting the whole County, not just residents on 66th Avenue; (2) to contact the Planning & Zoning Commission for their

input before this Board makes a decision to change the Comprehensive Plan; and (3) to discuss the impact of rationing and development of the water and sewer utility in the County.

Director Burke said he would look at the engineering cost and change order to the contract, to loop into 16th Street, at an estimated cost of \$53,000, without violating the Comprehensive Plan and bring back for the Board's consideration.

Steve Moler, Masteller, Moler, Reed and Taylor, Inc. said the way the policy is written now, the residents cannot get water. He thinks the Code should recognize when they have a string of residential properties and provide those residents with a means to legitimately obtain water.

The following residents in the USA addressed the Board with their personal concerns and situations regarding the poor quality of the water on their properties:

Robert Brice, 7765 91st Avenue, Vero Beach

Robert Lindsey, 6585 12th Street, Vero Beach

Richard Holland, 1140 66th Avenue, Vero Beach

Diane Lembo, 940 66th Avenue, Vero Beach

Alex Walters, 125 66th Avenue, Vero Beach

There was further discussion by the Board, and the following motion was made:

MOTION WAS MADE by Vice Chairman Davis, and
SECONDED by Commissioner Solari, to: 1) direct the
Utilities and Community Development staff to look at the
overall water and sewer quality Countywide; 2) look into
looping the 66th Avenue water connections project outside
the Urban Service Area; 3) return to the Board to further

discuss the possibly of amending the County's water policies;
and 4) pursue involvement of the Health Department.

Some discussion on the Motion followed.

The Chairman CALLED THE QUESTION and the Motion carried unanimously.

14.C. Commissioner Peter D. O'Bryan

14.C.1. PROCLAMATION POLICY

Commissioner O'Bryan recalled the lack of overall support from the Commissioners regarding the Humanist Proclamation presented to the Board on June 11, 2013. In an effort to reduce potential future conflicts, he did some research and made the following motion for Board approval.

MOTION WAS MADE by Commissioner O'Bryan,
SECONDED by Commissioner Solari, to adopt a single
Proclamation to recognize individual religious groups.

After discussion and hearing comments from Commissioner Solari regarding the date for the Proclamation, a consensus was reached.

There was a Board CONSENSUS to ask Commissioner Solari to do further research and to prepare a draft of a single Proclamation to bring back for further Board action.

Attorney Polackwich supported the Motion and preferred that the Proclamation Policy be changed.

The Chairman CALLED THE QUESTION and the Motion carried unanimously. The Board approved to adopt a single Proclamation to recognize individual religious groups.

14.D. Commissioner Bob Solari – None

14.E. Commissioner Tim Zorc

14.E.1. IMPACT FEE WORKSHOP

Commissioner Zorc brought this item to the Board to request a workshop on July 11th regarding Impact Fees.

Commissioner Solari, **Joseph Paladin** from Black Swan Consulting, as well as staff made suggestions to delay scheduling the workshop until after the County receives information from the consultant Tindale-Oliver and Associates, Inc.

Commissioner Zorc agreed to delay the workshop until the fall, asking staff to expedite the agreement with the consultant, Tindale-Oliver and Associates, Inc., and asking the consultant to expedite the traffic segment first.

15. SPECIAL DISTRICTS AND BOARDS

15.A. Emergency Services District

The Board of County Commissioners reconvened as the Board of Commissioners of the Emergency Services District. Those Minutes are available separately.

15.A.1. APPROVAL OF MINUTES – MEETING OF APRIL 9, 2013

15.A.2. APPROVAL OF PHASE 4 WORK FOR FIRE RESCUE STATION 13 SITE (4TH STREET AND 43RD AVENUE)

15.B. Solid Waste Disposal District

Following the Emergency Services District meeting, the Board of County Commissioners reconvened as the Board of Commissioners of the Solid Waste Disposal District. Those Minutes are available separately.

15.B.1. APPROVAL OF MINUTES – MEETING OF MAY 21, 2013

15.B.2. REQUEST TO PARTICIPATE IN THE “2013 KIRB MARKETPLACE” AT INDIAN RIVER MALL

15.B.3. WORK ORDER NO. 7 TO GEOSYNTEC FOR ONE YEAR OF GROUNDWATER MONITORING/REPORTING AND RELATED CONSULTING SERVICES AT THE FORMER SOUTH GIFFORD ROAD LANDFILL

15.B.4. FINAL PAY FOR GEOSYNTEC WORK ORDER NO. 5 & REDEVELOPMENT PLAN PRESENTATION – FORMER GIFFORD ROAD LANDFILL

15.C. Environment Control Board - NONE

ALL BACKUP DOCUMENTATION, RESOLUTIONS, AND ORDINANCES ARE ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD AND ARE HEREBY MADE A PART OF THESE MINUTES

16. ADJOURNMENT

There being no further business, the Chairman declared the Board of County Commission meeting adjourned at 1:07 p.m.

ATTEST:

Jeffrey R. Smith,
Clerk of Circuit Court & Comptroller

Joseph E. Flescher, Chairman

Minutes Approved: _____

BCC/MS/2013Minutes