



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

TUESDAY, AUGUST 18, 2015 - 9:00 A.M.

**Commission Chambers
Indian River County Administration Complex
1801 27th Street, Building A
Vero Beach, Florida, 32960-3388
www.ircgov.com**

COUNTY COMMISSIONERS DISTRICT

Wesley S. Davis, Chairman
Bob Solari, Vice Chairman
Joseph E. Flescher
Peter D. O’Bryan
Tim Zorc

District 1
District 5
District 2
District 4
District 3

Joseph A. Baird, County Administrator
Dylan Reingold, County Attorney
Jeffrey R. Smith, Clerk of the Circuit
Court and Comptroller

		<u>PAGE</u>
1.	<u>CALL TO ORDER</u>	<u>9:00 A.M.</u>
2.	<u>INVOCATION</u>	Deputy Teddy Floyd, Indian River County Sheriff’s Office
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 Honoring Jeff Luther on His Retirement from the Indian River County Sheriff’s Office	1
B.	Presentation of Proclamation Designating the Month of September, 2015, as “Hunger Action Month” in Indian River County, Florida	2

5.	<u>PROCLAMATIONS and PRESENTATIONS</u>	<u>PAGE</u>
	C. Presentation by Daisy Packer, Executive Director, Keep Indian River Beautiful (KIRB), on International Coastal Cleanup Day, Saturday, September 19th	3-5
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6.	<u>APPROVAL OF MINUTES</u>	
	A. Regular Meeting of June 23, 2015	
	B. June 25, 2015 Workshop	
	C. Regular Meeting of July 7, 2015	
	D. Regular Meeting of July 14, 2015	
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7.	<u>INFORMATION ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	
	A. Appointment of Glenn Powell to the Short Term Vacation Rental Advisory Committee (District 1) (memorandum dated July 20 , 2015)	6-8
	B. Appointment of District 2 – Short Term Vacation Rental Advisory Committee (memorandum dated July 15, 2015)	9-14
	C. Short-term Vacation Rental Advisory Committee (District 3) (memorandum dated July 16, 2015)	15-17
	D. Short-term Vacation Rental Advisory Committee Appointee (District 4) (memorandum dated July 30, 2015)	18-20
	E. Short-Term Vacation Rental Advisory Committee Appointment (District 5) (memorandum dated July 29, 2015)	21-23
	F. Florida Transportation Plan (memorandum dated July 20, 2015)	24-28
	G. Retirement Award and Proclamation Honoring Diane Pickhardt on Her Retirement From Indian River County Board of County Commissioners Department of Community Development/SHIP Program with Twelve Years of Service	29-30

7.	<u>INFORMATION ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	<u>PAGE</u>
	H. Update on All Aboard Florida / Vero Electric Expenses (memorandum dated August 11, 2015)	31-33
	I. City of Vero Beach Ordinance 2015-012, Requested by National Oil & Gas Distributor/Orange State Retail Properties, Inc. and 1660 US Highway 1 LLC to Annex Properties in Dr. Richard E. Bullington's Subdivision	34-39
	J. Florida Department of Environmental Protection Biennial Report of Entrance Fees and Expenses Associated with Sebastian Inlet State Park (letter dated July 2, 2015)	40-41
	K. Proof of Publication of Unclaimed Monies for Cash Bonds Deposited with the Clerk of the Circuit Court prior to January 1, 2014, is on file in the Office of the Clerk to the Board	----
8.	<u>CONSENT AGENDA</u>	
	A. Approval of Warrants – July 6, 2015 to July 9, 2015 (memorandum dated July 9, 2015)	42-48
	B. Approval of Warrants – July 10, 2015 to July 16, 2015 (memorandum dated July 16, 2015)	49-57
	C. Approval of Warrants – July 17, 2015 to July 23, 2015 (memorandum dated July 23, 2015)	58-65
	D. Approval of Warrants – July 24, 2015 to July 30, 2015 (memorandum dated July 30, 2015)	66-73
	E. Approval of Warrants – July 31, 2015 to August 6, 2015 (memorandum dated August 6, 2015)	74-81
	F. Quarterly Investment Report for Quarter Ending 06/30/2015 (memorandum dated July 31, 2015)	82-94
	G. Quarterly OPEB Trust Report for Quarter Ending 06/30/2015 (memorandum dated July 31 2015)	95-96
	H. Dori Slosberg Driver Education Safety Act, Indian River County Traffic Education Program Trust Fund Report, Cumulative Reporting Through 06/30/15 (memorandum dated July 31, 2015)	97-98

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
I.	County Capital Asset Inventories (memorandum dated August 12, 2015)	99-100
J.	Approval of Warrants – Purchasing Card (memorandum dated August 11, 2015)	101-102
K.	Fiscal Year 2015/16 (October 1, 2015 through September 30, 2016), Blanket Authorization for Commissioners, County Officers, and Staff for Out of County Travel (memorandum dated August 7, 2015)	103
L.	Certification of 2015 Tax Roll – Request to Order the Tax Roll Extended Prior to Completion of the Value Adjustment Board Hearings (memorandum dated August 4, 2015)	104-106
M.	Request for Authorization to Trade-In One Vehicle for the Purchase of Another Vehicle (memorandum dated July 28, 2015)	107
N.	Temporary Construction Easement for 45 th Street Beautification Project (memorandum dated August 11, 2015)	108-113
O.	Blue Goose South Mine (formerly known as Ranch Road Lake Mine) – Assumption of Cash Escrow (memorandum dated July 28, 2015)	114-124
P.	Planning and Zoning Commission Re-Appointment (memorandum dated August 11, 2015)	125
Q.	Traffic Counters: Board Approval For Trade-in and Purchase of One (1) Traffic Counter (memorandum dated July 24, 2015)	126-129
R.	Traffic Control Device Ledger (memorandum dated July 27, 2015)	130-151
S.	Release of Remaining Retainage for Work Order No. PCS-1 and Subsequent Change Orders with Hydromentia, Inc. for Osprey Marsh Stormwater Park (memorandum dated July 22, 2015)	152-154
T.	Request for Ratification, Florida Department of Law Enforcement, FY 2015/2016 Edward Byrne Memorial Justice Assistance Grant (JAG) Program (memorandum dated August 10, 2015)	155-165

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
	U. M.A.C.E. (Multi-Agency Criminal Enforcement Unit), Project Generated Income (PGI), Miscellaneous Budget Amendment 020 (memorandum dated July 24, 2015)	166-168
	V. Miscellaneous Budget Amendment 021 (memorandum dated August 11, 2015)	169-176
	W. 2016 Holiday Schedule (memorandum dated August 10, 2015)	177
	X. Award of Bid, 87 th Street and 92 st Avenue Sidewalk Improvements, IRC Project No. 1205, Bid No. 2015036 (memorandum dated July 30, 2015)	178-188
	Y. FDOT Local Agenda Program (LAP) Supplemental Agreement and Resolution Authorizing the Chairman's Signature, Old Dixie Highway Sidewalk from 38 th Lane to 45 th Street, IRC Project No. 0845B – FM No. 423186-2-58-01 (memorandum dated July 15, 2015)	189-193
	Z. Continuing Contract Engineering Services (Utilities), Change of Name – Bridge Design Associates, Inc., RFQ No. 2011054 (memorandum dated July 23, 2015)	194-202
	AA. Work Order No. 1 with Dunkelberger Engineering & Testing, Inc., 87 th Street and 91 st Avenue Sidewalk Improvements, IRC Project No. 1205 (memorandum dated July 10, 2015)	203-211
	BB. Historic Dodgertown (fka Vero Beach Sports Village), Room Renovations – Change Order No. 5 and Release of Retainage, IRC Project No. 1341 Bid No. 2014003 (memorandum dated July 23, 2015)	212-254
	CC. Change Order No. 1 and Release of Retainage, Old Dixie Highway Sidewalk from 38 th Lane to 45 th Street, IRC Project No. 0845B Bid No. 2014032 (memorandum dated July 15, 2015)	255-272
	DD. Change Order No. 1, Final Payment and Release of Retainage, Old Dixie Highway Resurfacing From IRFWCD North Relief Canal to 71 st Street, IRC Project No. 1137, Bid No. 2014044 (memorandum dated July 30, 2015)	273-284
	EE. Resolution Requesting Funding Assistance from State of Florida Beach Erosion Control Program – FY 2016/17 (memorandum dated July 29, 2015)	285-286

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
	FF. Eagle Trace at Vero Beach Homeowner’s Association, Inc. Request for Release of a Maintenance Easement on Lots 1-11, Block B, of Eagle Trace Subdivision (memorandum dated August 5, 2015)	287-294
	GG. Eagle Trace at Vero Beach Homeowner’s Association, Inc. Request for Release of a Maintenance Easement on Lots 12-22, Block B, of Eagle Trace Subdivision (memorandum dated August 5, 2015)	295-302
	HH. Consideration of Indian River County’s SHIP Program Annual Reports (memorandum dated August 3, 2015)	303-330
	II. Work Order No. 4 Bridge Design Associates, Inc., Release of Retainage – 20 th Avenue at 16 th Street Intersection Improvements, IRC Project No. 0225 (memorandum dated August 5, 2015)	331-333
	JJ. Change Order No. 1, Martin Luther King Walking Trail, IRC Project No. 1413, Bid No. 2015034 (memorandum dated August 6, 2015)	334-340
	KK. Approval of Renewal for a Class “E” Certificate of Public Convenience and Necessity for Senior Resource Association to Provide Wheelchair Services (memorandum dated July 27, 2015)	341-350
	LL. Invitation from John’s Island Golf Club for Staff to Participate in a “Public Safety Day” Golf Outing (memorandum dated August 10, 2015)	351-353
	MM. Board Consideration to Authorize Contract Negotiations with CO Services LLC to Complete Channel Restoration Work at Head Island (memorandum dated August 10, 2015)	354-369
	NN. VB Three Oaks, LLLP’s Request to Replat a Portion of The Villas at Three Oaks (memorandum dated August 7, 2015)	370-392
	OO. Fischer Lake Island Petition Water Assessment Project, Request for Authorization for the Department of Utility Services to Proceed with Engineering Design Services and Retain Masteller, Moler and Taylor for Surveying Services (memorandum dated August 6, 2015)	393-403
	PP. Indian River Farms Water Control District Five-Year Lease Agreements to Add IRC-11 (memorandum dated July 16, 2015)	404-412

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
	QQ. Osprey Marsh Stormwater Park: Construction Project Closeout and Release of Retainage to Close Construction (memorandum dated August 5, 2015)	413-434
9.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	
	None	
10.	<u>PUBLIC ITEMS</u>	
	A. <u>PUBLIC HEARINGS</u>	
	1. 9 th Lane Petition Millings Project in Glendale Lakes Subdivision and Glendale Lakes Subdivision Unit Two, IRC Project No. 1436 (memorandum dated July 20, 2015)	435-442
	Legislative	
	2. Adoption of an Ordinance Establishing the Oslo Park Area Street Lighting Municipal Service Benefit Unit (memorandum dated August 5, 2015)	443-491
	Legislative	
	3. Ordinance Amending Section 201.09 (Impact Fees) to Allow Modification of Loan (memorandum dated August 10, 2015)	492-505
	Quasi Judicial / Legislative	
	B. <u>PUBLIC DISCUSSION ITEMS</u>	
	(As a general rule, public discussion items should be limited to matters on which the commission may take action.)	
	1. Request to Speak from Patricia Hunt Regarding Request for Evening County Meetings, Advocacy	506
	2. Request to Speak from Joel Molinari, Sr., Regarding Code Enforcement Board, Unlicensed Contractors	507
	3. Request to Speak from Joel Molinari, Jr., Regarding Traffic Pattern at the Corner of 61 st Avenue and 6 th Street	508
	4. Request to Speak from Keith Kite Regarding Money County Has Spent on Legal Cost Against All Aboard Florida (AAF)	509

10. **PUBLIC ITEMS**

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C. **PUBLIC NOTICE ITEMS**

1. **Notice of Scheduled Public Hearings for September 22, 2015:**
(memorandum dated August 10, 2015)

510-511

- a. Orchid Quay, LLC; Request to Rezone ± 41.95 Acres Located East of US #1 and North of 82nd Street from CG, General Commercial District, to OCR, Office, Commercial, Residential District
Quasi-Judicial
- b. Consideration of Proposed Amendments to County Sea Turtle Protection Lighting Regulations (Land Development Regulations Section 901.03, Definitions, and Section 932.09, Sea Turtle Protection)
Legislative
- c. Consideration of Proposed Parking Regulations for Vacation Rentals (“Ordinance 1”); Amending Land Development Regulations Chapters 901 (Definitions), 911 (Zoning), and 912 (Single-Family Development)
Legislative
- d. Consideration of Proposed Prohibition of Commercial Events at Single-Family Residences (“Ordinance 2”)
Legislative

11. **COUNTY ADMINISTRATOR MATTERS**

None

12. **DEPARTMENTAL MATTERS**

A. **Community Development**

None

B. **Emergency Services**

None

12. **DEPARTMENTAL MATTERS**

C. **General Services**

None

1. **Human Services**

None

2. **Sandridge Golf Club**

None

3. **Recreation**

None

D. **Human Resources**

None

E. **Office of Management and Budget**

1. Water & Sewer Revenue Refunding Bonds, Series 2005 Refunding Resolutions

(memorandum dated August 11, 2015) 512-556

F. **Public Works**

None

G. **Utilities Services**

None

13. **COUNTY ATTORNEY MATTERS**

A. Short Term Vacation Rental Advisory Committee Appointments

(memorandum dated August 12, 2015) 557

B. Update on Demolition of Structures Where Owners Have Requested to Stop Demolition and for Additional Time to Repair Structures

(memorandum dated August 11, 2015) 558-574

C. Demolition Lien

(memorandum dated July 13, 2015) 575-578

13.	<u>COUNTY ATTORNEY MATTERS</u>	<u>PAGE</u>
D.	Approval of Supplemental Attorney’s Fees Incurred for Abazis: Parcel 108 (memorandum dated August 12, 2015)	579-581
E.	Declaration of Former County Jail Tower Site as Surplus Property (memorandum dated August 12, 2015)	582-585
F.	2016 Legislative Priorities – Update (memorandum dated August 11, 2015)	586-588
G.	Request for Closed Attorney-Client Session Relating to <i>Indian River County et al. vs. Peter M. Rogoff et al. and AAF Holdings, LLC</i> (Case No.: 1:15-cv-00460-CRC)	589
14.	<u>COMMISSIONERS MATTERS</u>	
A.	<u>Commissioner Wesley S. Davis, Chairman</u> None	
B.	<u>Commissioner Bob Solari, Vice Chairman</u>	
	1. Sunset of Enterprise Zone (memorandum dated July 31, 2015)	590
	2. Grove Isle Petition and Resolution Against AAF (memorandum dated August 12, 2015)	591-592
C.	<u>Commissioner Joseph E. Flescher</u> None	
D.	<u>Commissioner Peter D. O’Bryan</u> None	
E.	<u>Commissioner Tim Zorc</u> None	

15. **SPECIAL DISTRICTS AND BOARDS**

A. **Emergency Services District**

1. Approval of Minutes Meeting of June 23, 2015

 2. Affiliation Agreement between Orlando Medical Institute, Inc. and Indian River County Emergency Services District (memorandum dated August 5, 2015) 593-596
-

B. **Solid Waste Disposal District**

1. Town Hall Meetings for Upcoming Recycling & Solid Waste Changes (memorandum dated August 7, 2015) 597
-
2. Approval of Minutes Meeting of June 23, 2015
-
3. Approval of Minutes Meeting of July 7, 2015
-
4. Approval of Minutes Meeting of July 14, 2015
-

C. **Environmental Control Board**

None

16. **ADJOURNMENT**

Except for those matters specifically exempted under the State Statute and Local Ordinance, the Board shall provide an opportunity for public comment prior to the undertaking by the Board of any action on the agenda, including those matters on the Consent Agenda. Public comment shall also be heard on any proposition which the Board is to take action which was either not on the Board agenda or distributed to the public prior to the commencement of the meeting.

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.

Anyone who needs special accommodation with a hearing aid for this meeting may contact the Board of County Commission Office at 772-226-1490 at least 20 hours in advance of the 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, and the North County Library.

***Commission Meeting may be broadcast live by Comcast Cable Channel 27
Rebroadcasts continuously with the following proposed schedule:
Tuesday at 6:00 p.m. until Wednesday at 6:00 a.m.,
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.***