



**BOARD OF COUNTY
COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA
REGULAR MEETING MINUTES**

TUESDAY, FEBRUARY 17, 2015

County Commission Chamber
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	District 1	Present	Joseph A. Baird, County Administrator	Present
Bob Solari, Vice Chairman	District 5	Present	Dylan Reingold, County Attorney	Present
Joseph E. Flescher	District 2	Present	Jeffrey R. Smith, Clerk of the Circuit	Present
Peter D. O'Bryan	District 4	Present	Court and Comptroller	
Tim Zorc	District 3	Present	Leona Adair Allen, Deputy Clerk	Present

**DVD
TIMES**

**PACKET
PAGES**

1. **CALL TO ORDER** **9:00 A.M.**
2. **INVOCATION** Stan Boling, Community Development Director
3. **PLEDGE OF ALLEGIANCE** Commissioner Joseph E. Flescher

4. **ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS**

9:02 a.m. **Addition: Emergency Item 5.A. Presentation of Proclamation Designating the Week of February 23-28, 2015 as National Invasive Species Awareness Week**

Addition: Emergency Item 11.A. Lobbyist for 2015 Legislative Session

Deletion: Item 8.H. Authorize County Administrator to Execute the Business Associate Agreement and Confidentiality Agreement pertaining to the Health Insurance Portability and Accountability Act of 1996 (HIPAA)

Move: Item 14.B.1. to be heard in conjunction with Item 10.B.1., both regarding All Aboard Florida (AAF)

ON MOTION by Commissioner Flescher, SECONDED by Chairman Davis, the Board unanimously approved the agenda as amended.

5. PROCLAMATIONS and PRESENTATIONS

- 9:04 a.m.** 5.A. **Addition: Emergency Item: Proclamation Designating the Week of February 23 - 28 as National Invasive Species Awareness Week.**

Presented by Commissioner O’Bryan and received by Ken Gonyo.

6. APPROVAL OF MINUTES

- 9:08 a.m.** A. Regular Meeting of January 20, 2015
- B. Special Call Meeting of January 28, 2015

ON MOTION by Commissioner Zorc, SECONDED by Commissioner Flescher, the Board unanimously approved the Regular Meeting Minutes of January 20, 2015, and the Special Call Meeting Minutes of January 28, 2015, as written.

7. INFORMATION ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION

- 9:08 a.m.** A. Town of Indian River Shores, City of Vero Beach, and Indian River County Mediation – December 17, 2014 Meeting Minutes 1-13
- B. 2015 Election of Beach & Shore Preservation Advisory Board Chairman and Vice Chairman (memorandum dated February 9, 2015) 14
Noted for the record was the election of Christian Hendricks as Chairman, and Bob Anderson as Vice Chairman, of the Beach and Shore Preservation Advisory Board for 2015.
- C. Florida Department of State Minority Appointment Reporting Calendar Year 2013 (memorandum dated February 2, 2015) 15-25

8. CONSENT AGENDA

9:09 a.m. **ON MOTION by Commissioner O’Bryan, SECONDED by Commissioner Flescher, the Board unanimously approved the Consent Agenda, pulling Item 8.C. for discussion.**

- A. Approval of Warrants January 30, 2015 to February 5, 2015 (memorandum dated February 5, 2015) 26-34
Approved the list of warrants (checks) and wires as supplied by the Comptroller’s Office.

- B.** Escheated Properties Located Within the Municipal Boundaries of the City of Fellsmere
(memorandum dated February 6, 2015) 35-38
Approved the two County Deeds conveying the properties to the City of Fellsmere, pursuant to Section 197.592(3), Florida Statutes. (1050 State Street, and 1018 State Street - Hall, Carter and James Subdivision)
- 9:10 a.m.** **C.** Miscellaneous Budget Amendment 007
(memorandum dated February 9, 2015) 39-43
Vice Chairman Solari pulled this item to point out the projects that have been scheduled to improve the Gifford community.
- ON MOTION** by Vice Chairman Solari, **SECONDED** by Commissioner O’Bryan, the Board unanimously approved **Resolution 2015-023**, amending the Fiscal Year 2014-2015 Budget.
- D.** Declaration of Excess Equipment as Surplus for Sale or Disposal
(memorandum dated February 2, 2015) 44-47
Declared the items on the Excess Equipment List as surplus and authorized their sale and/or disposal.
- E.** Work Order No. 1, Kimley-Horn & Associates, Inc., 45th Street Left Turn Lane at US1, IRC Project No. 1355
(memorandum dated February 9, 2015) 48-54
Approved Work Order No. 1 to Kimley-Horn and Associates, Inc., authorizing the professional services as outlined in the Scope of Services (Exhibit A), and authorized the Chairman to execute same, for a lump sum amount of \$82,195.00.
- F.** Award of Bid Old Dixie Highway Sidewalk from 38th Lane to 45th Street, IRC Project No. 0845B, Bid No. 2014032
(memorandum dated January 28, 2015) 55-65
Approved the bid award to Timothy Rose Contracting, Inc. in the amount of \$129,200.52 as the lowest and most responsive bidder meeting the specifications as set forth in the Invitation to Bid; approved the Sample Agreement; and authorized the Chairman to execute the 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.
- G.** Florida Blue – Administrative Services Agreement Renewal
(memorandum dated February 9, 2015) 66-69
Authorized the County Administrator to execute the Administrative Services Agreement renewal with Blue Cross and Blue Shield of Florida, Inc. d/b/a Florida Blue, for the term of October 1, 2015 through September 30, 2018.

- H.** Authorize County Administrator to Execute the Business Associate Agreement and Confidentiality Agreement pertaining to the Health Insurance Portability and Accountability Act of 1996 (HIPAA)
(memorandum dated February 9, 2015) 70-86
Deleted
- I.** Authorize County Administrator to Execute the BlueMedicare Group Master Agreement
(memorandum dated February 9, 2015) 87-106
Authorized the County Administrator to execute the BlueMedicare Group Master Agreement.
- J.** Approval of Release of Retainage for GFA Work Order #GFA-3 for Osprey Marsh Stormwater Park
(memorandum dated February 9, 2015) 107-109
Approved the release of retainage for geotechnical services performed by GFA International.
- K.** 2015-2016 Budget Workshop / Hearing Schedule
(memorandum dated February 9, 2015) 110
Approved the Budget Workshop dates and the dates for the Budget Hearings for the 2015-2016 Budgets.
- L.** Approval of State Sovereignty Submerged Lands Fee Waived Lease 5-Year Renewal for Boat Club Island (Spoil Island IR-25)
(memorandum dated February 10, 2015) 111-123
Approved the Sovereignty Submerged Lands Fee Waived Lease Renewal for Boat Club Island (Spoil Island IR-25), and authorized the Chairman to execute same on behalf of the County.
- M.** John and Kari Tench’s Request for Partial Release of an Easement at 5821 Bent Pine Drive (Bent Pine Subdivision, Unit 4)
(memorandum dated February 10, 2015) 124-130
Approved Resolution 2015-024, releasing a portion of an easement on Lot 3, Unit 4, of Bent Pine Subdivision Unit 3 and Unit 4.
- N.** Approval of Release of Retainage for Various Tasks of Work Order No. L-1, and Associated Change Orders with G.K. Environmental, Inc. for Egret Marsh Stormwater Park
(memorandum dated February 6, 2015) 131-133
Approved the release of retainage held through calendar year 2014 for landscape maintenance and exotic vegetation control services performed by G.K. Environmental, Inc.

- O. Consent to Assignment and Assumption of License by Vertical Bridge Acquisitions, LLC

(memorandum dated February 10, 2015)

134-137

Approved the consent of the transfer and assumption of the license for the Old Dixie Highway site, and authorized the Chairman to execute the Consent to Assignment, Sale and Assumption of License with Capstar Radio Operating Company, and iHeartMedia Tower Co. I LLC.

9. **CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

9:11
a.m.

A. **Indian River County Sheriff Deryl Loar**

Request for Funding for Improvements to the Indian River County Jail
(letter dated February 9, 2015)

138-143

Sheriff Deryl Loar requested the Board approve funding for the following improvement projects to the Indian River County Jail: (1) replacement of hot water boilers in C-Building; (2) replacement of cell vents in B-Building; and (3) shower refurbishment.

Vice Chairman Solari was not in support of the Sheriff's request because of the maintenance line items in his budget; plus, he had not received the quarterly information he had requested earlier.

A brief discussion ensued regarding Jail maintenance.

MOTION WAS MADE by Commissioner Flescher, SECONDED by Chairman Davis, to approve the Sheriff's request for funding.

County Administrator Joe Baird conveyed that the source would come from Optional Sales Tax for items 1 and 3, and Ad Valorem Tax for item 2.

The Chairman CALLED THE QUESTION, and by a 4-1 vote (Vice Chairman Solari opposed), the Motion carried. The Board approved the following improvement projects for the Indian River County Jail: (1) replacement of hot water boilers in C-Building; (2) replacement of cell vents in B-Building; and (3) shower refurbishment.

10. **PUBLIC ITEMS**

9:17
a.m.

A. **PUBLIC HEARINGS**

1. Tracy Sabol's Request for Abandonment of a Right-of-Way for a 16' Alleyway Running from 129th Place to 130th Street and Lying Behind Lots 1-10, Block 1 of the Townsite Plat of Roseland Subdivision
(memorandum dated February 6, 2015)

144-156

Legislative

PROOF OF PUBLICATION OF ADVERTISEMENT FOR HEARING IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

Community Development Director Stan Boling provided background and analysis regarding Tracy Sabol's request to abandon a 16-foot wide alley right-of-way that runs behind lots 1-10, of the Townsite Plat of Roseland Subdivision. He stated that the alleyway had never been formally improved, was not needed for drainage or access, and could possibly be used for future utilities. He recommended the Board abandon the alley right-of-way and retain a utility easement over the entire right-of-way.

The Chairman opened the Public Hearing. There being no speakers, the Chairman closed the Public Hearing.

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Zorc, the Board unanimously approved Resolution 2015-025, providing for the closing, abandonment, vacation and discontinuance of a 16' wide alleyway running from 129th Place to 130th Street and lying behind Lots 1-10, Block 1 of the Townsite Plat of Roseland Subdivision as shown in Plat Book 1, Page 43 of the Public Records of Saint Lucie County, as described herein, said land now lying in Indian River County, Florida; said abandonment subject to retaining a utility easement.

- 9:21 a.m. 2. Public Hearing to Consider Amending the Code of Indian River County to Create "The Indian River County Driver Education Program Trust Fund" to Implement the Dori Slosberg Driver Education Safety Act (memorandum dated February 5, 2015)

157-163

Legislative

PROOF OF PUBLICATION OF ADVERTISEMENT FOR HEARING IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

Management and Budget Director Jason Brown provided a brief history regarding the Indian River County Driver Education Program Trust Fund and the Dori Slosberg Driver Education Safety Act. He asked the Board to make a determination of whether to charge the Dori Slosberg fee of \$5.00 on traffic citations going forward, for funding driver education courses in public and non-public schools.

The Chairman opened the Public Hearing. There being no speakers, the Chairman closed the Public Hearing.

MOTION WAS MADE by Commissioner Flescher, SECONDED by Commissioner Zorc, to approve staff's recommendation.

Commissioner O'Bryan noted the broad support expressed during the January 20, 2015, Board of County Commission Meeting, for re-initiating the Dori Slosberg fee to provide funding for driver education services for local students.

The Chairman CALLED THE QUESTION and the Motion carried unanimously. The Board adopted Ordinance 2015-003, amending Section 305.08, Maintenance of Traffic Education Program Trust Fund; Section 305.09, Reserved; and Section 306.10, Uses and Purposes of Traffic Education Program Trust Fund, of the Code of Indian River County to create “The Indian River County Driver Education Program Trust Fund” implementing the Dori Slosberg Driver Education Safety Act, and merging the Indian River County Traffic Education Program Trust Fund into the Indian River County Driver Education Program Trust Fund; providing for the creation and administration of the Indian River County Driver Education Program Trust Fund; providing for the Clerk of the Circuit and County Court to collect an additional \$5.00 with each Civil Traffic penalty assessed in the incorporated and unincorporated areas of Indian River County to be deposited into the Indian River County Driver Education Program Trust Fund to fund Driver Education Programs in public and nonpublic schools; providing for a quarterly report; providing for grants from the Indian River County Driver Education Program Trust Fund; and providing for severability, codification, and an effective date.

B. PUBLIC DISCUSSION ITEMS

9:24 a.m. (As a general rule, public discussion items should be limited to matters on which the commission may take action.)

1. Request to Speak from Susan Mehiel Regarding the County’s Efforts to Fight AAF and in Support of the County Setting Aside Funds for the Legal Efforts to Stop the Train

164

(Clerk’s Note: Item 14.B.1. was heard in conjunction with this item.)

Susan Mehiel, 131 Laurel Oak Lane, explained why the Board should continue to fight All Aboard Florida (AAF) and allot funds for litigation to stop the proposed high speed rail project.

Vice Chairman Solari favored spending 1% of the annual budget (\$2.7 million) to fight AAF. He emphasized that AAF had tried to build a feeling amongst the citizens that this is a “done deal,” but he did not feel this to be the case.

MOTION WAS MADE by Vice Chairman Solari, SECONDED by Commissioner O’Bryan to: (1) appropriate \$2.7 million as a fund to protect Indian River County against All Aboard Florida through litigation; and (2) direct staff to set aside \$500,000 in Reserve Funds for the current fiscal year, and budget \$1.1 million for each of the next two fiscal years.

A lengthy discussion ensued regarding constituent support/opposition to the project; the dangers of high speed rail through our community; seeking a unified front with neighboring Counties; and preserving the quality of life in Indian River County.

The following individuals spoke in support of the motion:

- Joseph Paladin, Black Swan Consulting
- Barbara Cournoyer, Property Manager at Whispering Palms, Sebastian
- Phyllis Frey, 275 Date Palm Road, Vero Beach
- Stanford Erickson, 1743 Belmont Circle Southwest, Vero Beach
- Nicholas Schaus, 307 Sable Oak Drive, Vero Beach
- Charlie Wilson, 2134 18th Avenue, Vero Beach
- Hal Robinson, 95 Spring Lake Drive, Vero Beach
- Stephanie Austin, 6250 Arrowhead Lane, Vero Beach
- Tuck Ferrell, 12546 N. Highway A1A, Vero Beach
- Nancy Hernandez, Vice President of Waverly Place Homeowners Association, Vero Beach
- Judy Vigliano, Sebastian
- Lange Sykes, 836 Riomar Drive, Vero Beach
- Roger Chesley, Oak Harbor, Vero Beach
- Althea McKenzie, 2405 16th Avenue, Vero Beach
- John O'Connor, President of the International Association of Firefighters Association Local 2201
- Butch Swiger

The following individual spoke in opposition of the motion:

- Donald Hood, 400 40th Court Southwest

Vice Chairman Solari restated his motion.

Commissioner O'Bryan sought and received clarification on litigation procedures.

The Chairman CALLED THE QUESTION and the Motion carried unanimously.

MOTION WAS MADE by Vice Chairman Solari, SECONDED by Chairman Davis, to authorize the County Attorney, with his assistance, to draft a Resolution to present to the Board, for possible approval in March, and style the Resolution to consolidate the Treasure Coast in the fight against All Aboard Florida.

Discussion ensued regarding time sensitivity and distribution of the Resolution.

The Chairman CALLED THE QUESTION and the Motion carried unanimously.

C. PUBLIC NOTICE ITEMS

None

11. COUNTY ADMINISTRATOR MATTERS

- A. **Addition: Emergency Item, Lobbyist for 2015 Legislative Session**
Administrator Baird informed the Board that Southern Strategies Group had a conflict representing Indian River County on Florida Municipal Power Agency (FMPA) issues. After staff spoke with potential lobbyists, it was determined that Anfield Consulting would be the best to advocate on the County's legislative priorities. He recommended the Board authorize staff to enter into an agreement immediately with Anfield Consulting, for lobbying services for the term of February 17, 2015 to December 31, 2015.

ON MOTION by Commissioner O'Bryan, SECONDED by Commissioner Zorc, the Board unanimously authorized staff to enter into an agreement with Anfield Consulting for lobbying services for the term of February 17, 2015 to December 31, 2015; and authorized the County Administrator to execute the Agreement.

The Chairman called for a break at 10:52 a.m., and reconvened the meeting at 11:05 a.m., with all members present.

12. DEPARTMENTAL MATTERS

11:05
a.m.

A. Community Development

1. Authorization for 45th Street Beautification Project: Phase I and Resurfacing Improvements
(memorandum dated January 26, 2015)

165-171

Community Development Director Stan Boling introduced the 45th Street Beautification Project – Phase 1, an update to the 2002 Gifford Neighborhood Plan. Phase 1 will beautify 45th Street from 43rd Avenue to US1 with widened shoulders, adding bike lanes, streetlights, curbing, resurfacing side street approaches, landscaping, and a westbound right turn lane at 28th Court. He said Phase 2 was in the plan for 2018, which will allow for culverts, and landscaping on the south side of 45th Street. Staff was seeking authorization to bid the process for Phase 1 of the project, including resurfacing of 45th Street.

Engineer Brian Good, Kimley Horn and Associates, provided a brief presentation on the 45th Street Beautification Project.

Joe Idlette, 4570 57th Avenue, thanked the Board and supported the Project.

Althea McKenzie, 2405 16th Avenue, sought and received further details pertaining to open canals, culverts, and funding.

Freddie Woolfork, 4590 57th Avenue, thanked the Board for moving the project forward.

MOTION WAS MADE by Commissioner Flescher, **SECONDED** by Commissioner Zorc, to approve staff's recommendation.

Discussion ensued regarding the proposed bike lanes; placement of the culverts; and adding audible traffic stripes on 45th Street to separate the vehicular lanes.

Public Works Director Chris Mora disclosed that 26th Street would still be the same distance from the canal after the additional lanes are added to the north.

Althea McKenzie requested the Board to commit funds for culverting the .8 mile stretch of road; and encourage the Metropolitan Planning Organization (MPO) to consider Gifford for future funding opportunities.

The Chairman **CALLED THE QUESTION** and the Motion carried unanimously. The Board authorized staff to proceed with the bid process for the 45th Street Beautification Project Phase 1, including resurfacing of 45th Street.

11:42
a.m.

2. Condemnation, Demolition and Removal of Unsafe Structures Located at 2313 3rd Avenue SE, 4401 31st Avenue, 2460-2480 41st Street, and 1165 6th Avenue
(memorandum dated January 23, 2015)

172-201

Building Official Scott McAdam informed the Board that staff had been working with the Bank of America NA (2313 3rd Avenue SE), and Titone Properties, LLC (1165 6th Avenue), and recommended the Board declare the structures unsafe, a nuisance, and order the buildings demolished if permits are not obtained within 60 to 90 days to demolish or rehabilitate the structures, and also stipulated that construction must progress and be completed within six months. In addition, he recommended the Board declare the structures of Rachel Pickney (4401 31st Avenue), and Beor Fund 1, LLC (2460-2480 41st Avenue) unsafe, a nuisance, and order the buildings demolished.

Mark Titone provided an update on the repairs he had been making to the structure, and requested the Board to allow him to continue to rehabilitate the structure.

(Clerk's Note: The following Resolutions are not in sequential order due to the additional Resolutions needed for the various properties.)

ON MOTION by Vice Chairman Solari, SECONDED by Chairman Davis, the Board unanimously approved Resolution 2015-029, providing for the demolition of unsafe structures and the recovery of costs. (Titone Properties LLC, 1165 6th Avenue)

Building Official McAdam said the Attorney for the Bank of America NA property had been speaking with staff on how to proceed with demolishing or rehabilitating the building.

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

Deputy County Attorney William DeBaal informed the Board that Bank of America's Attorney had been discussing whether to demolish or quick sale after rehabilitating the structure. He said the property had been acquired through foreclosure and simply dropped through the cracks on their end.

Commissioner O'Bryan questioned whether this would come back to the Board if nothing is done after 60 days. Director Boling said the Board could pass a motion to authorize staff to move forward after a particular period of time and then staff would bring this back.

The Chairman CALLED THE QUESTION and the Motion carried unanimously. The Board approved Resolution 2015-028, providing for the demolition of unsafe structures and the recovery of costs. (Bank of America NA, 2313 3rd Avenue SE)

Mr. McAdam described the Rachel Pickney and Beor Fund 1, LLC properties, and recommended the Board declare the structures unsafe, a nuisance, and order the buildings demolished.

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

Discussion ensued regarding weed control.

The Chairman CALLED THE QUESTION and the Motion carried unanimously. The Board approved Resolution 2015-026, providing for the demolition of unsafe structures and the recovery of costs. (Rachel

Pinkney, 4401 31st Avenue, and Beor Fund 1, LLC, 2460-2480 41st Street).

Commissioner Zorc requested staff to look at two burned-out properties – one on 16th Street, west of 43rd Avenue; and the other on 12th Street, east of 82nd Avenue.

11:56
a.m.

3. Review of INEOS New Planet BioEnergy LLC’s Ad Valorem Tax Exemption Annual Report (memorandum dated January 29, 2015)

202-218

Director Boling reviewed INEOS New Planet BioEnergy LLC’s Ad Valorem Tax Exemption Annual Report, and reported that after a review of the January 2015 annual report, staff found that INEOS’s 2014 actual performance scored the same as its 2011 tax abatement application. Since INEOS continues to qualify for its economic development ad valorem tax exemption, he recommended the Board accept INEOS’s Report so they can file their tax exemption application before March 1, 2015.

ON MOTION by Commissioner O’Bryan, SECONDED by Vice Chairman Solari, the Board unanimously found INEOS New Planet BioEnergy LLC to be in compliance with its ad valorem tax exemption requirements.

B. Emergency Services

None

C. General Services

12:00
p.m.

1. Replacement of Weathered Seats in Historic Dodgertown’s Holman Stadium (memorandum dated February 10, 2015)

219-226

Assistant County Administrator Michael Zito provided background, description, and analysis on the purchase of 2,000 stadium replacement seats (plastic backs and bottoms) for Historic Dodgertown’s Holman Stadium. He recommended the Board approve the purchase of the refurbished “Archer Seating” stadium seats, which were originally in the Baltimore Camden Yard Facility, and stated that a collaborative effort would be made to install the seats.

Bradey Ballard, Vice President of Dodgertown, responded to the Board’s concerns regarding the condition of the refurbished stadium seats; the sample seat that was installed at Hollman Stadium to ensure it would be compatible; and the reduction in price due to the vendor’s desire to liquidate their inventory.

The Board discussed the disrepair of the Dodgertown seats; the expense of new seats versus the cost of refurbished seats; and locating the seats

in a centralized area (from first to third base) to create a uniform appearance.

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

Further discussion ensued regarding whether Archer Seating could provide sequential seat numbering.

The Chairman **CALLED THE QUESTION** and the Motion carried unanimously. The Board waived the requirement to bid the purchase of 2,000 stadium replacement seats, and authorized staff to facilitate the purchase of Archer Seating.

1. **Human Services**
None
2. **Sandridge Golf Club**
None
3. **Recreation**
None

D. **Human Resources**
None

E. **Office of Management and Budget**

12:10
p.m.

1. Potential Refunding of Land Acquisition Bonds Series 2006 (memorandum dated February 10, 2015)

227

Management and Budget Director Jason Brown provided background; explained the benefits for refunding the existing bonds; spoke about the significant savings for the County; and recommended the Board authorize staff to move forward with a bank loan through a Request for Proposal (RFP), to refund a portion of the Limited Obligation Bonds, Series 2006. He said staff would bring this item back to the Board for final award after the process was complete.

MOTION WAS MADE by Vice Chairman Solari, **SECONDED** by Commissioner O'Bryan, to approve staff's recommendation.

Vice Chairman Solari asked Director Brown to provide him with a spreadsheet that would show all the refunded bonds in whole or part, and the amounts.

Director Brown explained why staff recommends moving forward at this time, even though the bonds are not callable until July 2016.

The Chairman CALLED THE QUESTION and the Motion carried unanimously. The Board approved the issuance of a Request for Proposal (RFP) for a bank loan to refund a portion of the Limited (Land Acquisition) General Obligation Bonds, Series 2006.

The Chairman called for a break at 12:15 p.m., and reconvened the meeting at 12:22 p.m., with all members present.

12:22
p.m.

2. Approval of Firm Selection for RFP 2015024 – Lessee to Provide Concessionaire Services at Sandridge Snack Bar (memorandum dated February 9, 2015)

228-237

Director Brown provided background regarding the concessionaire services at Sandridge Snack Bar; stated that Peggy Cardell and Associates, Inc. was the current tenant whose contract expires on March 31, 2015; reported that a Request for Proposal (RFP) was issued to obtain submittals from potential lessees for the period starting April 1, 2015; and revealed that after the selection committee's scores were compiled, the overall ranking established Di'Michelli's Catering, Inc. to be in first place. Following the release of the proposed rankings, Ms. Cardell protested the rankings through her attorney. After investigation, Purchasing Manager Jennifer Hyde determined the claims were unsubstantiated and the protest was denied. Director Brown requested the Board authorize staff to move forward with the final rankings established by the committee.

A lengthy discussion ensued regarding future upgrades/renovations to the amenities; improving the level of service on the golf course; the food and beverage operation; the interview process; the lack of demographics to support a full service restaurant; the rankings; the amount of commitment/capital each applicant was willing to invest to enhance the operation; and the term of the contract.

Bela Nagy, Sandridge Golf Professional, pointed out that the Sandridge Golf concession was originally built 23 years ago as a snack bar, and that it was too small for tournaments and events.

MOTION WAS MADE by Commissioner O'Bryan, SECONDED by Commissioner Flescher, to accept staff's recommendation.

Peggy Cardell, 1016 36th Avenue, current tenant Tee Time Café, explained why she completed the application as she did; felt the ranking system was unfair; and explained why she submitted a letter protesting the ranking and argued that the opposing bid was not being compliant.

Attorney Reingold stated that he had reviewed and supported Purchasing Manager Jennifer Hyde's letter of decision regarding the protest.

Chris Vasquez, customer of Tee Time Café, commented on the bid package and guidelines. He did not believe the selected bid was compliant.

Larry Zimmerman, customer of Tee Time Café, supported Peggy Cardell, and questioned whether the new tenant would really invest \$20,000 into a non-functional restaurant.

Director Zito further described the RFP ranking process and the results.

John Bishop, customer of Tee Time Café, spoke highly of Ms. Cardell, her staff, and the food. He reiterated Mr. Zimmerman's comments.

The Chairman CALLED THE QUESTION, and by a 4-1 vote (Chairman Davis opposed), the Motion carried. The Board approved the Committee's final rankings and authorized negotiations with the top ranked firm, Di'Michelli's Catering, Inc., with the Agreement to be presented to the Board for approval at a later date.

F. Public Works

None

G. Utilities Services

None

The Chairman called for a break at 1:00 p.m., and reconvened the meeting at 1:34 p.m., with all members present.

13. COUNTY ATTORNEY MATTERS

1:34
p.m.

- A. First Amendment to Court Funding Interlocal Agreement
(memorandum dated February 11, 2015)

238-246

County Attorney Dylan Reingold stated that in 2010, the Chief Judge for the 19th Judicial Circuit, the Clerks of the Circuit Courts for St. Lucie County, Indian River County, Martin County, and Okeechobee County, entered into an Interlocal Agreement (ILA) concerning court funding. Since that time, St. Lucie County had requested an Amendment to the ILA that would include a reimbursement for general and administration expenses. After working with Martin County and staff to revise some of the language that was originally proposed, he was now ready to bring it to the Board for approval.

ON MOTION by Commissioner Flescher, **SECONDED** by Chairman Davis, the Board unanimously approved the proposed Amendment to the Interlocal Agreement between Chief Judge for the 19th Judicial Circuit of the State of Florida, Clerk of the Circuit Court for St. Lucie County, Indian River County, Martin County, Okeechobee County, and St. Lucie County; and authorized the Chairman to execute any documents necessary to effectuate the Interlocal Agreement.

1:36 p.m. **B.** Resolution Regarding the Florida Auditor General’s Preliminary and Tentative Audit Findings and Recommendations Concerning FMPA and the Plans of the City of Vero Beach in Response to that Audit (memorandum dated February 11, 2015)

247-251

Attorney Reingold recalled that the Board had directed his office, on February 10, 2015, to prepare a draft Resolution similar to that of the Town of Indian River Shores, regarding the Florida Auditor General’s preliminary and tentative audit findings concerning the Florida Municipal Power Agency (FMPA), and the plans of the City of Vero Beach in response to the preliminary audit findings. He asked the Board to review the draft Resolution, make recommended changes, and authorize the Chairman to execute it so he can present it to the City Council at their next meeting.

MOTION WAS MADE by Vice Chairman Solari, **SECONDED** by Commissioner Zorc, to approve staff’s recommendation.

Commissioner O’Bryan recommended the following changes to the Resolution: (1) removing Section 3, Item 2(d); and (2) changing the wording of Section 3(a) to: “Request the Florida Auditor General and the Joint Legislative Auditing Committee and any other appropriate committee of the Florida Legislature to use any funds necessary to: ...”

MOTION WAS AMENDED by Vice Chairman Solari, **SECONDED** by Commissioner Zorc, to include Commissioner O’Bryan’s comments.

Commissioner Zorc requested the Resolution be provided to the Florida Auditor General, as well as the House and Senate Representatives.

The **AMENDED MOTION WAS RE-AMENDED** by Vice Chairman Solari, **SECONDED** by Commissioner Zorc, to include Commissioner Zorc’s comments.

The Chairman **CALLED THE QUESTION** and the Amended Motion carried unanimously. The Board approved **Resolution 2015-027**, *as amended to: (1) delete Section 3, Item 2(d); (2) change the wording of Section 3(a) “Request the Florida Auditor General and the Joint Legislative Auditing Committee and any other appropriate committee of the Florida Legislature to use any funds necessary to: ...”; and (3) add wording under Section 4 “...and mail a copy to the Florida Auditor General and the Joint Legislative Auditing*

Committee; regarding the Florida Auditor General's Preliminary and tentative audit findings and recommendations concerning the Florida Municipal Power Agency (FMPA) and the Plans of the City of Vero Beach in response to that Audit Report.

14. **COMMISSIONERS MATTERS**

1:42
p.m.

A. **Commissioner Wesley S. Davis, Chairman**

1. District 1 Announcement
(memorandum dated February 11, 2015) 252

Chairman Davis announced that he would not be seeking reelection in 2016, and the District 1 seat would be open for those wishing to file.

1:44
p.m.

B. **Commissioner Bob Solari, Vice Chairman**

1. All Aboard Florida
(memorandum dated January 30, 2015) 253

Clerk's Note: This Item was heard in conjunction with Item 10.B.1.

1:50
p.m.

2. IRL – NEP
(memorandum dated February 11, 2015) 254

Vice Chairman Solari provided an update on the Indian River Lagoon – National Estuary Program (IRL–NEP); his thoughts on the Special Call Meeting of the Advisory Board that met on February 11, 2015; and the corruption within the program.

Discussion ensued among the Board.

C. **Commissioner Joseph E. Flescher**

None

D. **Commissioner Peter D. O'Bryan**

None

2:02
p.m.

E. **Commissioner Tim Zorc**

1. Discussion on Planning of Future Fire Station Locations
(memorandum dated February 9, 2015) 255

Commissioner Zorc discussed the existing Fire-Rescue Stations and gave a presentation on future station planning. He spoke about call volumes; high demand regions; and cross-coverage areas. He proposed holding a Workshop so the stations can be analyzed, and funding projections can be discussed.

Commissioner O'Bryan requested hearing Item 15.A.3. before scheduling a Workshop.

15. **SPECIAL DISTRICTS AND BOARDS**

2:14
p.m.

A. **Emergency Services District**

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

1. Approval of Minutes Meeting of December 16, 2014
2. Approval of Minutes Meeting of January 13, 2015
3. Emergency Services District Capital Improvements
(memorandum dated February 10, 2015) 256-260
4. Work Order No. 4 for Fire Rescue Station No. 13 (4th Street and 43rd Avenue)
(memorandum dated February 10, 2015) 261-267

B. **Solid Waste Disposal District**

2:42
p.m.

The Board reconvened as the Board of Commissioners of the Solid Waste Disposal District. Those Minutes are available separately.

1. Approval of Minutes Meeting of January 6, 2015
2. Approval of Minutes Meeting of January 20, 2015
3. CCNA-2014 Work Order No. 1 to CDM Smith, Inc. for Engineering Services with the 2015 Annual Permit Compliance Monitoring and Reporting
(memorandum dated February 6, 2015) 268-282
4. CCNA-2014 Work Order No. 2 to CDM Smith, Inc. for the 2015 Annual Financial Assurance Report
(memorandum dated February 6, 2015) 283-289
5. Amendment No. 1 to Work Order No. 1 to Kessler Consulting, Inc., for Solid Waste Procurement & Technical Services
(memorandum dated February 6, 2015) 290-297

C. **Environmental Control Board**

None

16. **ADJOURNMENT**

There being no further business, the Chairman declared the meeting adjourned at **2:49 p.m.**

ATTEST:

Jeffrey R. Smith, CPA, CGFO, CGMA
Clerk of Circuit Court and Comptroller

Wesley S. Davis, Chairman

By: _____
Deputy Clerk

Approved: March 10, 2015

BCC/LA/2015Minutes