

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



**REGULAR MEETING MINUTES
TUESDAY, MAY 12, 2015**

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	Present Present Present Present Present	Joseph A. Baird, County Administrator Dylan Reingold, County Attorney Jeffrey R. Smith, Clerk of the Circuit Court and Comptroller Maureen Gelfo, Deputy Clerk	Present Present Present Present Present
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**DVD
TIMES**

**PACKET
PAGES**

1. **CALL TO ORDER** **9:00 A.M.**

2. **INVOCATION** Commissioner Wesley S. Davis, Chairman

3. **PLEDGE OF ALLEGIANCE** Commissioner Tim Zorc

4. **ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS**
 9:01 **Delete: Item 14.A.1. Chairman Wesley S. Davis - Jungle Trail and Fire Tower**
 a.m. **ON MOTION by Commissioner Flescher, SECONDED by Commissioner**
 O'Bryan, the Board unanimously approved the agenda as amended.

5. **PROCLAMATIONS and PRESENTATIONS**
 9:01 A. Presentation of Proclamation Designating May 14, 2015, as Jordan Darrell
 a.m. Day

----- 1

Commissioner Zorc read and presented the Proclamation to Jordan Darrell's parents Kara and Ray Darrell, his godmother Mamie Pruett,

and Jennifer Graves, Foundation 15 Director. Details were provided on the upcoming fundraiser, the First Annual Jordan Bowl, to be held at the Citrus Bowl on Saturday, May 16, 2015, at 10:00 a.m. Foundation 15 was established to raise scholarship funds for youth in academics and sports.

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6. <u>APPROVAL OF MINUTES</u> None	
7. <u>INFORMATION ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u> None	
8. <u>CONSENT AGENDA</u> <u>ON MOTION</u> by Commissioner Flescher, <u>SECONDED</u> by Chairman Davis, the Board unanimously approved the Consent Agenda, pulling Item 8.E., for discussion.	
9:07 a.m. A. Approval of Warrants – April 24, 2015 to April 30, 2015 (memorandum dated April 30, 2015)	2-8
<hr style="border-top: 1px dashed black;"/>	
Approved the list of warrants (checks) and wires as supplied by the Comptroller’s office.	
B. Engagement of Berger Singerman LLP for Public Service Commission Appeals (memorandum dated May 5, 2015)	9-20
<hr style="border-top: 1px dashed black;"/>	
Authorized the County Attorney or the County Administrator to execute the engagement letter with Berger Singerman LLP.	
C. Final Payment for Engineering Consulting Services with Schulke, Bittle & Stoddard, LLC., for Professional Services for Engineering Design, Permitting and Construction Services for Conflict Resolution between Water and Sewer Mains and Proposed Drainage on U.S. 1 South of 11 th Street SW to the County Line – UCP #4096 (memorandum dated April 30, 2015)	21-23
<hr style="border-top: 1px dashed black;"/>	
Approved: (1) the new total project budget of \$80,390.50; and (2) the Final Invoice No. 12-147-23 from Schulke, Bittle & Stoddard, LLC, in the amount of \$1,653.68 for additional reimbursables.	
D. Approval of Award for Bid 2015038 – Wet Well Rehabilitations (memorandum dated May 5, 2015)	24-31
<hr style="border-top: 1px dashed black;"/>	
Approved: (1) the bid award to the lowest most responsive and responsible bidder, J&H Waterstop Utilities, Inc. of Orange City, Florida; (2) the agreement with J&H Waterstop Utilities, Inc.; and (3) authorized the Chairman to execute same upon review and approval	

by the County Attorney as to form and legal sufficiency, and after receipt and approval of the required insurance by Risk Management.

9:07
a.m.

- E.** Collective Bargaining Agreement Between Indian River County Firefighters/Paramedics Association, Local 2201, I.A.F.F. (the Union) and Indian River County Emergency Services District (memorandum dated May 7, 2015)

32-125

Commissioner O’Bryan spoke in support of the finalized Collective Bargaining Agreement between the County and Union, and commended the firefighters/paramedics on their exemplary service to the community.

ON MOTION by Commissioner O’Bryan, SECONDED by Commissioner Flescher, the Board unanimously approved and authorized the Chairman to execute the finalized version of the Collective Bargaining Agreement between Indian River County Firefighters/Paramedics Association, Local 2201, International Association of Firefighters (the Union), and Indian River County Emergency Services District.

- F.** Final Pay to Masteller and Moler, Inc., for WO No. 3 – Central Regional Wastewater Plant (Central Regional WWTP) Sludge Holding Tank Modifications (memorandum dated April 27, 2015)

126-127

Approved Final Pay to Masteller and Moler, Inc., in the amount of \$587.97.

- G.** Final Pay and Release of Retainage for R. J. Sullivan Corp. on the Central Wastewater Treatment Plant (Central WWTP) Sludge Holding Tank Modifications Project – UCP 4102 (memorandum dated April 27, 2015)

128-133

Approved the Final Pay Application No. 11 to R.J. Sullivan Corporation in the amount of \$32,582.95.

- H.** Work Order No. 9 CB&I Coastal Planning and Engineering, Inc., Sector 3 Beach Restoration Project, 2015 Post Construction Physical Monitoring Services (memorandum dated May 4, 2015)

134-142

Approved and authorized the Chairman to execute Work Order No. 9 to the contract with CB&I Coastal Planning and Engineering, Inc.

- I.** Work Order No. 2 Morgan & Eklund, Inc., 2015 Beach Profile Monitoring Surveys (memorandum dated May 5, 2015)

143-149

Approved and authorized the Chairman to execute Work Order No. 2 to the Professional Land Surveying and Mapping Services contract with Morgan and Eklund, Inc.

J. Award of Bid No: 2015037, 20th Avenue and 16th Street Intersection Improvements, IRC Project No. 0225 (memorandum dated May 1, 2015) 150-160

Approved: (1) that the project be awarded to Timothy Rose Contracting, Inc., in the amount of \$1,112,457.78; (2) approved the sample agreement; and (3) 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.

K. Change Order No. 1 and Release of Retainage, 69th Street Bridge over the Indian River Farms Water Control District (IRFWCD) Lateral G. Canal, IRC Project No. 1363 (memorandum dated April 28, 2016) 161-167

Approved: (1) Change Order No. 1 to Melvin Bush Construction, Inc., decreasing the contract to \$190,570.44; and (2) Melvin Bush Construction, Inc. Contractor's Application for Payment No. 3 in the amount of \$9,528.52 for release of retainage.

L. Board Approval of Resolutions for Grant Applications to the Florida Inland Navigation District for Replacement of the Round Island Riverside Park Boardwalk and for Dock Restoration at the Archie Smith Fish House (memorandum dated May 5, 2015) 168-177

Approved: (1) Attachment E-6 Resolution 2015-059, authorizing and approving a grant application to the Florida Inland Navigation District Waterways Assistance Program for improvements and repairs to be made to Round Island Riverside Park; (2) Resolution 2015-060, Attachment E-6 Resolution for Assistance 2015 under the Florida Inland Navigation District Waterways Assistance Program; and (3) authorized the Board to execute the resolutions on behalf of the County.

(Clerk's Note: Resolution 2015-060 is for Archie Smith Fish House Phase IIA Dock Restorations Project)

9. **CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

9:09
a.m.

A. **Indian River County Clerk of the Circuit Court and Comptroller, Jeffrey R. Smith**
Laserfiche and Granicus Software Proposal (memorandum dated May 5, 2015) 178-222

Clerk of Circuit Court and Comptroller Jeffrey Smith recalled the Board's direction on November 8, 2011, for Clerk and County staff to explore new software for official document management, public records requests, agenda/minutes production, and enhanced video

streaming of County meetings. He advised that the current records management software is obsolete, and defined the benefits to the Clerk and County of the following proposed software systems:

- **Laserfiche:** Digital Document Management
- **Granicus:** Agenda/Minutes Management and Webcasting

Chairman Davis said he was familiar with Granicus, and supported the Clerk's request.

Vice Chairman Solari commented on the increase in public records requests, and voiced support for the software. He also inquired on the funding, and financial details were provided by Mr. Smith and County Administrator Joseph Baird.

Commissioner Zorc mentioned a software system (used in Brevard County), that has voice recognition capability and records Commission votes.

Maria Suesz, Clerk to the Board Supervisor, advised that Granicus has "real-time" voting, which would allow the Commissioners to electronically record their votes.

MOTION WAS MADE by Vice Chairman Solari, **SECONDED** by Commissioner Flescher, to approve funding for the purchase of the Laserfiche and Granicus software programs.

County Attorney Dylan Reingold clarified that while the Board is approving the funding for the Laserfiche and Granicus software, the Clerk's Office will be purchasing the software in accordance with the Clerk's purchasing policies.

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

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

None

B. PUBLIC DISCUSSION ITEMS

(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 New Public Cameras in Public Building, Documented etc. 223

Absent

C. PUBLIC NOTICE ITEMS

None

11. COUNTY ADMINISTRATOR MATTERS

None

12. DEPARTMENTAL MATTERS

PAGE

A. Community Development

None

B. Emergency Services

None

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

None

F. Public Works

None

G. Utilities Services

None

13. **COUNTY ATTORNEY MATTERS**

9:18
a.m.

- A. Sunset of Ordinance Amending Section 300.02 (Prohibited hours of sale, service and consumption)
(memorandum dated May 5, 2015)

224-225

County Attorney Dylan Reingold recalled the City's adoption of an Ordinance on May 20, 2014, to extend the hours that alcohol could be served from 1:00 a.m. to 2:00 a.m., with a sunset provision dated June 15, 2015. He stated that on July 1, 2014, the County Commission had subsequently adopted Ordinance 2014-013, providing the same extension and sunset provision with regards to alcohol sales. Attorney Reingold reported that the City has decided to make its Ordinance permanent, and asked whether the Board also wished to maintain the extended hours for alcohol sales.

Sheriff Loar attested that there had been no dramatic increase in alcohol-related incidents related to the 2:00 a.m. cut-off time.

Attorney Reingold provided the Board with a report (copy on file) from the Sheriff's Office reflecting the number of alcohol-related incidents prior to Ordinance 2014-013, as well as after.

MOTION WAS MADE by Commissioner Flescher, **SECONDED** by Commissioner O'Bryan, to direct the County Attorney's Office to draft an ordinance maintaining the extended hours until 2:00 a.m., for the sale of alcohol in the unincorporated areas of the County.

The Chairman invited public input; there were no speakers.

The Chairman **CALLED THE QUESTION** and by a 4-1 vote (Commissioner Zorc opposed), the Motion carried.

Attorney Reingold anticipated bringing the Ordinance back to a Public Hearing on June 9, 2015.

9:22
a.m.

- B. County Attorney's Annual Employment Agreement
(memorandum dated May 1, 2015)

226-230

Attorney Reingold reported that his employment contract will expire on July 1, 2015, and requested that the Board extend the agreement for another year with one minor change.

ON MOTION by Commissioner Flescher, **SECONDED** by Commissioner O'Bryan, the Board unanimously approved the Annual Employment Agreement with Dylan T. Reingold, and authorized the Chairman to execute same.

Vice Chairman Solari pointed out that the change in the contract pertains to affording Attorney Reingold the same cost of living increase that all other County employees have.

Several Commissioners congratulated Attorney Reingold on his excellent job performance, and commended the County Attorney's office as a whole.

Attorney Reingold praised his legal staff.

14. COMMISSIONERS MATTERS

A. Commissioner Wesley S. Davis, Chairman

1. Jungle Trail and Fire Tower
(memorandum dated May 6, 2015) 231-232
~~Deleted~~

B. Commissioner Bob Solari, Vice Chairman

None

C. Commissioner Joseph E. Flescher

None

D. Commissioner Peter D. O'Bryan

None

E. Commissioner Tim Zorc

None

15. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District

9:25
a.m.

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

1. Approval of Minutes Impasse Hearing March 20, 2015 – Emergency Services District and Firefighters/Paramedics Association Local 2201 I.A.F.F.
2. Approval of Minutes Meeting of March 24, 2015

3. Approval of Minutes Meeting of April 7, 2015
4. Approval of Minutes Meeting of April 14, 2015
5. New World Systems Records Management and Tracking Software
(memorandum dated April 30, 2015) 233-241

B. Solid Waste Disposal District

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

**9:27
a.m.**

1. Approval of Minutes April 7, 2014
2. Request to Participate in the “2015 KIRB Marketplace” at Indian River Mall
(memorandum dated May 1, 2015) 242-247

C. Environmental Control Board

None

16. ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at **9:29 a.m.**

ATTEST:

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

Wesley S. Davis, Chairman

By: _____

Approved: June 2, 2015

BCC/MG/2015Minutes