

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



**REGULAR MEETING MINUTES
TUESDAY, JUNE 9, 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	Absent 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
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**DVD
TIMES**

**PACKET
PAGES**

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

2. **INVOCATION** Stan Boling, Community Development Director

3. **PLEDGE OF ALLEGIANCE** Joseph A. Baird, County Administrator

4. **ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS**
 9:02 Addition: Item 14.B. Vice Chairman Bob Solari: All Aboard Florida/Florida
 a.m. Development Finance Corporation

ON MOTION by Commissioner Flescher, **SECONDED** by Commissioner
 O'Bryan, by a 4-0 vote (Chairman Davis absent), the Board approved the
 agenda as amended.

5. **PROCLAMATIONS and PRESENTATIONS**
 None

6. **APPROVAL OF MINUTES**
 None

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

9:03
a.m.

- A. CarFit Safety Event, Wednesday, June 17, 2015 – Safety is Golden Mobility Fair at City of Vero Beach Community Center

1

Vice Chairman Solari announced that this event for senior drivers will be held on June 17, 2015, from 9:00 a.m. to 12:00 p.m. at the Vero Beach Community Center.

- B. Florida Public Service Commission Notice of Consummating Order PSC-15-0230-CO-EI is available for review in the Office of the Clerk to the Board

8. **CONSENT AGENDA**

9:04
a.m.

ON MOTION by Commissioner Flescher, SECONDED by Commissioner O’Bryan, by a 4-0 vote (Commissioner Davis absent), the Board approved the Consent Agenda, pulling Item 8.E. for discussion.

- A. Approval of Warrants – May 22, 2015 to May 28, 2015
(memorandum dated May 28, 2015)

2-9

Approved the list of warrants (checks) and wires as supplied by the Comptroller’s office.

- B. Renewal of Maintenance Agreement at Sandridge Golf Club
(memorandum dated May 30, 2015)

10-26

Authorized the Chairman to execute the Second Amendment to Golf Course Maintenance Agreement relating to the Sandridge Golf Club, with International Golf Maintenance, Inc.

- C. LF2/MCP Harbor Point LP’s Request for Final Plat Approval for a Commercial Subdivision to be known as Harbor Point
(memorandum dated June 1, 2015)

27-35

Granted final plat approval for the Harbor Point Commercial Subdivision.

- D. Approval of Change Order No. 2 to a Contract with Summerlin’s Marine Construction, LLC for Boat Dock Repair / Replacement at the Jones’s Pier Conservation Area
(memorandum dated June 2, 2015)

36-39

Approved and authorized the Chairman to execute Change Order No. 2 to the construction agreement with Summerlin’s Marine Construction, LLC for dock repairs at the Jones’s Pier property, with County costs to be funded with Environmental Land Bond funds.

- E. Request for Approval to Enter into a Public Transportation Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) for a Commuter Assistance Grant (memorandum dated May 27, 2015)

40-69

Commissioner O'Bryan voiced support for the "Beachside Circulator" GoLine bus, a public/private initiative that would alleviate some of the parking issues at beachside destinations.

Karen Deigl, CEO, Senior Resource Association, reported that the County was approved for a Florida Department of Transportation (FDOT) Commuter Assistance Grant to fund a new bus route, GoLine Route 16, to be known as the Beachside Circulator. She disclosed that the Vero Beach Hotel and Spa will provide the local grant match of \$40,000 for the first year of service, and recognized the Oceanside Business Association; Penny Chandler, Indian River Chamber of Commerce; and the beachside business owners for their help on this proposed solution to parking issues.

Duncan Clements, General Manager, Vero Beach Hotel & Spa, remarked on the opportunity to take advantage of the State funding.

Ms. Deigl noted that the Beachside Circulator would operate from 5:20 a.m. to 6:00 p.m., seven days a week beginning on July 1, 2015.

A brief conversation followed on the possibility of constructing a bus shelter, if warranted.

ON MOTION by Commissioner O'Bryan, SECONDED by Commissioner Flescher by a 4-0 vote (Commissioner Davis absent), the Board: (1) approved the Public Transportation Joint Participation Agreement; (2) approved Resolution 2015-072, authorizing the execution of a Public Transportation Joint Participation Agreement with the Florida Department of Transportation; and (3) approved the agreement by and between the Senior Resources Association, Inc., and Vero Beach Hotel and Spa, Inc., for contribution of the local match.

A brief discussion ensued as Ms. Deigl addressed questions and defined the bus route, which would run from a designated parking area at Riverside Park.

The Chairman CALLED THE QUESTION and by a 4-0 vote (Chairman Davis absent), the Motion carried.

- F. City of Vero Beach Marina Bus Shelter Agreement
(memorandum dated June 3, 2015)

70-76

Approved and authorized the Chairman to execute the License Agreement for Use of City Real Property (Bus Shelter – Municipal Marina) with the City of Vero Beach, for placement of a GoLine bus shelter.

9. **CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

None

10. **PUBLIC ITEMS**

A. **PUBLIC HEARINGS**

9:16
a.m.

1. Ordinance Eliminating Sunset of Ordinance Amending Section 300.02 (Prohibited hours of sale, service and consumption)
(memorandum dated May 26, 2015)

77-81

Legislative

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

County Attorney Dylan Reingold reported that in May 2014, the City of Vero Beach (the City) adopted an Ordinance extending the hours that alcohol can be served, from 1:00 a.m. to 2:00 a.m., with a sunset provision dated June 15, 2015. He recalled that on July 1, 2014, the County Commission adopted Ordinance 2014-013, providing the same extension and sunset provision with regards to alcohol sales. Attorney Reingold reported that the City subsequently made its Ordinance permanent, and asked whether the Board wished to maintain the extended hours for alcohol sales through adoption of the proposed Ordinance.

The Chairman opened the Public Hearing.

David Currey, Chief of Police for the City of Vero Beach, confirmed that there have been no problems with regards to the extended hours.

Commissioner Flescher noted that at the May 12, 2015 meeting, Sheriff Loar had affirmed that the extended hours had not caused problems in the unincorporated County.

There were no additional speakers, and the Chairman closed the Public Hearing.

ON MOTION by Commissioner Flescher, **SECONDED** by Commissioner O'Bryan, by a 3-1 vote (Commissioner Davis absent and Commissioner Zorc opposed), the Board adopted **Ordinance 2015-006**, amending Section 300.02 (Prohibited Hours of Sale, Service and Consumption) of Chapter 300 (Alcoholic Beverages) of the Code of Indian River County to remove the Sunset Provision and thereby allow the sale, service, and consumption of alcoholic beverages until 2:00 a.m.; and providing for severability, codification, and an effective date.

B. PUBLIC DISCUSSION ITEMS

None

C. PUBLIC NOTICE ITEMS

None

11. COUNTY ADMINISTRATOR MATTERS

None

12. DEPARTMENTAL MATTERS

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

9:19
a.m.

1. Tourist Development Council 2015-2016 Budget Recommendations (memorandum dated May 28, 2015) 82-84

Director of Management and Budget Jason Brown recapped staff's funding recommendations for the Tourist Development Council, as outlined on page 83 of the agenda package.

ON MOTION by Commissioner Flescher, **SECONDED** by Commissioner O'Bryan, by a 4-0 vote (Chairman Davis absent), the Board approved the funding amounts recommended by the Tourist Development Council as outlined on page 83 of the agenda package, for a total allocation of \$733,990.00.

12. DEPARTMENTAL MATTERS

F. Public Works

9:22
a.m.

1. Resolutions for Asphalt Millings Improvements and to set a Public Hearing for 9th Lane Petition Millings Project in Glendale Lakes Subdivision and Glendale Lakes Subdivision Unit Two, IRC Project No. 1436 (memorandum dated May 28, 2015) 85-92

Public Works Director Chris Mora provided background on the request from the residents of Glendale Lakes Subdivision and Glendale Lakes Subdivision Unit Two (Glendale Lakes) for a petition millings project on 9th Lane, west of 43rd Avenue and north of 8th Street. He asked the Board to approve: (1) the Resolution providing for the project; (2) the County's 25% portion of the funding, in the amount of \$2,804.28; and (3) the Resolution setting the time and place of a public hearing on this matter, at 9:05 a.m. or as soon as practicable, in the County Commission Chambers. Director Mora thereafter responded to questions from the Board.

ON MOTION by Commissioner O'Bryan, **SECONDED** by Commissioner Zorc, by a 4-0 vote (Chairman Davis absent), the Board: (1) approved **Resolution 2015-073**, providing for certain asphalt milling improvements to 9th Lane, in Glendale Lakes Subdivision and Glendale Lakes Subdivision Unit Two, providing the total estimated cost, method of payment of assessments, number of annual installments, and

legal description of the area specifically benefitted; (2) allocated \$2,804.28 from the Secondary Roads Gas Tax Account No. 10921441-035510-15026, 9th Lane / Glendale Lakes Petition Paving; and (3) approved Resolution 2015-074, setting a time and place at which the owners of property on 9th Lane, in the Glendale Lakes Subdivision and Glendale Lakes Subdivision Unit Two, County Project No. 1436 and other interested persons may appear before the Board of County Commissioners and be heard as to the propriety and advisability of making asphalt milling improvements to said property as to the cost thereof, as to the manner of payment therefor, and as to the amount thereof to be specifically assessed against each property benefitted thereby.

G. Utilities Services

None

13. COUNTY ATTORNEY MATTERS

None

14. COMMISSIONERS MATTERS

A. Commissioner Wesley S. Davis, Chairman

None

B. Commissioner Bob Solari, Vice Chairman

**9:25
a.m.**

Add: All Aboard Florida/Florida Development Finance Corporation

Vice Chairman Solari read part of the County Attorney's email to Joseph Stanton, Esq., Florida Development Finance Corporation (FDFC), with regards to the erratic scheduling of the FDFC hearing on the prospective issuance of bonds to help finance All Aboard Florida (AAF). He also referred to correspondence sent by Steve Ryan, Esq., Citizens Against Rail Expansion in Florida (CARE FL), asking the Executive Director of FDFC, Bill Spivey, to level the playing field for all persons interested in attending the hearing. Vice Chairman Solari asked whether the Board wished to send its own letter to Mr. Spivey requesting a level playing field, at least thirty days' public notice before the FDFC hearing, and sufficient time for public comment at the hearing.

Attorney Reingold observed that the unpredictability in the scheduling of the upcoming FDFC hearing makes it difficult for all interested parties to attend.

MOTION WAS MADE by Commissioner Flescher, **SECONDED** by Vice Chairman Solari, to direct the County Attorney to send a letter to Bill Spivey, Executive Director, requesting that the Florida Development Finance Corporation provide: (1) at least 30 days public notice prior to the upcoming hearing with regards to bond issuance to All Aboard Florida; (2) adequate time for all interested parties to comment; and (3) a level playing field for all parties.

Attorney Reingold responded to the Board's questions about timelines with regards to the provisional allocation of the bonds. He also sought and received confirmation that the Board wanted him to send the letter after it is executed by the Chairman or Vice Chairman. Attorney Reingold advised that he would include a copy of the letter under Informational Items on the June 16, 2015 County Commission agenda.

The Chairman **CALLED THE QUESTION** and by a 4-0 vote (Chairman Davis absent), the Motion carried.

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**

None

B. **Solid Waste Disposal District**

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

9:34
a.m.

1. Approval of Minutes Meeting of May 12, 2015
2. Amendment No. 2 to Work Order No. 1 to Kessler Consulting, Inc., for Service Transition Assistance (memorandum dated June 1, 2015)

93-98

C. **Environmental Control Board**
None

16. ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at **9:35 a.m.**

ATTEST:

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

Wesley S. Davis, Chairman

By: _____

Approved: June 23, 2015

BCC/MG/2015Minutes