

5. **PROCLAMATIONS and PRESENTATIONS**

- 9:03 a.m. A. Presentation of Proclamation Designating the Day of November 11, 2015, as Veterans Day 1
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- Chairman Davis read and presented the proclamation to retired Colonel Marty Zickert and Vietnam Veteran John Genovese. Colonel Zickert announced upcoming celebration events for Veterans Day.**
- 9:12 a.m. B. Presentation of an Update on the ORCA – SCOTTS Working Group Study of the Indian River Lagoon by Commissioner Peter D. O’Bryan ---
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- Commissioner O’Bryan, member of the Research Review Committee for the Ocean Research and Conservation Association’s (ORCA) comprehensive canal study, provided an update on the nutrients and sediment found in the Indian River Lagoon; what the ORCA Kilroy water monitoring system revealed; and the issues with muck accumulation.**
- 9:24 a.m. C. Update by Waste Management ---
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- Lisa McNeight, Area Public Sector Director with Waste Management, Inc., of Florida (WMIF) reviewed their proposed recovery process; moving forward with a delivery plan; and showed a video of the Call Center. Throughout the update and presentation, she responded to the Board’s issues and concerns.**
- Bob DelaCruz, Waste Management, Inc., of Florida (WMIF) Operations Manager, spoke about proper cart placement and rerouting the trucks for better quality service within the same service days.**
- (Clerk’s Note: The Chairman adjourned this meeting at 10:17 a.m. to reconvene as the Board of Commissioners of the Solid Waste Disposal District, to hear Item 15.B.5. in conjunction with this item.)**

6. **APPROVAL OF MINUTES**

- 10:37 a.m. A. September 17, 2015 Final Budget Hearing
- B. September 22, 2015 Regular Meeting
ON MOTION by Commissioner O’Bryan, SECONDED by Vice Chairman Solari, the Board unanimously approved the Final Budget Hearing Meeting Minutes of September 17, 2015 and the Regular Meeting Minutes of September 22, 2015, as written.

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

- 10:38 a.m. A. 2015 Election of Short Term Vacation Rental Advisory Committee (STVRAC) Chairman and Vice Chairman (memorandum dated October 21, 2015) 2
Noted for the record was the election of Glenn Powell as Chairman, and Joe Paladin as Vice Chairman, of the Short Term Vacation Rental Advisory Committee (STVRAC).
- B. Proclamation and Retirement Award Honoring Timothy Ward on His Retirement from Indian River County Board of County Commissioners Department of Emergency Services/Fire Rescue With Thirty-three Years of Service 3-4
Commissioner O’Bryan recognized the retirement of Timothy Ward.
- C. The Florida Development Finance Corporation Annual Reporting Requirements (letter dated October 19, 2015) 5-27
- D. Update on All Aboard Florida / Vero Electric Expenses (memorandum dated October 27, 2015) 28-30

8. **CONSENT AGENDA**

- 10:38 a.m. **ON MOTION by Commissioner Flescher, SECONDED by Commissioner O’Bryan, the Board unanimously approved the Consent Agenda, pulling Item 8.C. for discussion.**
- A. Approval of Checks and Electronic Payments October 9, 2015 to October 15, 2015 (memorandum dated October 15, 2015) 31-38
Approved the checks and electronic payments as supplied by the Comptroller’s office.
- B. Approval of Checks and Electronic Payments October 16, 2015 to October 22, 2015 (memorandum dated October 23, 2015) 39-47
Approved the checks and electronic payments as supplied by the Comptroller’s office.
- 10:39 a.m. C. Quarterly Investment Report for Quarter Ending 09/30/2015 (memorandum dated October 26, 2015) 48-60
Commissioner O’Bryan encouraged staff to continue looking for opportunities to maximize the County’s overall return by paying off older debt, even though it is currently a low interest rate environment.

Administrator Joseph Baird stated that his staff continues to work closely with the Clerk of Circuit Court and Comptroller on debt and strategies.

Jeffrey R. Smith, Clerk of the Circuit Court and Comptroller, agreed that it is still a low interest market and reported that a few investments had been purchased over 1% before the market dropped, but those investments are no longer available.

ON MOTION by Commissioner O'Bryan, **SECONDED** by Vice Chairman Solari, the Board unanimously approved the Quarterly Investment Report.

- D.** Quarterly OPEB Trust Report for Quarter Ending 09/30/2015
(memorandum dated October 26, 2015) 61-63
Approved the Quarterly Investment Report.
- E.** Changes in Investment Policy
(memorandum dated October 26, 2015) 64-73
Approved the Investment Policy changes.
- F.** Miscellaneous Budget Amendment 027
(memorandum dated October 28, 2015) 74-76
Approved Resolution 2015-124, amending the fiscal year 2014-2015 Budget.
- G.** FDOT Local Agency Program (LAP) Supplemental Agreement and Resolution Authorizing the Chairman's Signature, 87th Street and 91st Avenue Sidewalk Improvements, IRC Project No. 1205 FM No. 431728-1-58/68/01
(memorandum dated October 19, 2015) 77-82
Deleted.
- H.** 74th Avenue – Advance Acquisition of Right-of-Way, 925 74th Avenue, S.W., INEOS New Planet Bioenergy, LLC
(memorandum dated October 21, 2015) 83-92
Approved the Contract for Sale and Purchase of the INEOS New Planet Bioenergy, LLC (INEOS) property for \$24,273.42, and authorized the Chairman to execute the contract on behalf of the Board.
- I.** Change Order No. 2 and Release of Retainage, 66th Avenue Roadway Improvements (S.R. 60 to North of 49th Street), IRC Project No. 0545 & 0370 – Bid No. 2013008
(memorandum dated October 1, 2015) 93-135
Approved Change Order No. 2, and approval of Dickerson Florida, Inc.'s Pay Application No. 29 (Final) for release of retainage in the amount of \$1,011,993.42. The final contract amount will be

\$20,239,868.41.

- J.** Amendment No. 2 to Work Order No. 1 for Masteller & Moler, Inc., 49th Street/US 1 Intersection Improvements, IRC Project No. 1412 (memorandum dated October 21, 2015)

136-140

Approved Amendment No. 2 to Work Order No. 1 to Masteller & Moler, Inc., authorizing professional services in the Scope of Services (Exhibit “A”), and authorized the Chairman to execute Amendment No. 2 to Work Order No. 1, for a lump sum amount of \$7,935.00.

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

None

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

None

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

10:41
a.m.

1. Update to Sealed Bid Sale of 5940 26th Street – Bid 2015042 (memorandum dated October 19, 2015)

141-143

Director of Management and Budget Jason Brown provided an update on the property located at 5940 26th Street, and stated that the proposed buyer had determined the lot was not as deep as was thought; therefore, he requested to not close on the property. Director Brown recommended moving forward with a sealed bid to sell the property, and retain the \$1,000 security deposit.

Chairman Davis suggested staff start requiring 10% of the purchase price down, in lieu of a \$1,000 security deposit.

Administrator Baird said staff would start doing so in the future.

ON MOTION by Vice Chairman Solari, SECONDED by Commissioner Flescher, the Board unanimously: (1) approved to retain the \$1,000 security submitted by the defaulting bidder as liquidated damages and declared Mr. Tuan Nguyen ineligible to bid on the future purchase of the property; (2) rejected the two lower bids submitted for the sale; (3) directed staff to re-advertise the property for sale by sealed bid; and (4) required the deposit in escrow for the sale of County property to be 10% of the purchase price, with one-half of the deposit being certified.

F. Public Works

10:47
a.m.

1. Seismic Airgun Testing, Presentation by Erin Handy, Oceana (memorandum dated October 28, 2015)

144-145

Public Works Director Christopher Mora informed the Board that Erin Handy, Oceana Group, had given a presentation to the Beach and Shore Preservation Advisory Committee, and a request was made that she bring it to the Board of County Commissioners, to see if there would be support for a Resolution against seismic airgun testing.

Erin Handy, Florida Manager for Oceana Group, used a PowerPoint presentation to speak about seismic airgun testing for the exploration of oil and natural gas off the mid-Atlantic coast of Florida, and its impacts to marine wildlife.

MOTION WAS MADE by Commissioner Flescher, SECONDED by Commissioner O'Bryan, to direct staff to research this issue and bring it back to the Board with a draft Resolution to ban seismic airgun testing.

County Coastal Engineer James Gray informed the Board that the Beach and Shore Preservation Advisory Committee voted to support a Resolution opposing seismic airgun testing, and also voted to support more passive types of investigations.

Tuck Ferrell, 12546 N. Highway A1A, voiced his concerns over the noise factor and the harm to sea creatures.

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

The Chairman called for a break at 11:07 a.m., and reconvened the meeting at 11:18 a.m., with all members present.

G. Utilities Services
None

13. COUNTY ATTORNEY MATTERS

11:18
a.m.

A. Demolition Liens
(memorandum dated October 12, 2015)

146-153

Deputy County Attorney William DeBaal requested the Board approve the following liens of demolition: (1) BH-18 Properties, LLC, 2460, 2470, and 2480 41st Street; (2) Harvey Smith, 4346 27th Avenue in Hillcrest Subdivision; and (3) Louise Wild, 4541 38th Court.

ON MOTION by Vice Chairman Solari, SECONDED by Chairman Davis, the Board unanimously approved the following demolition lien amounts: (1) BH-18 Properties, LLC in the amount of \$13,951.46;

(2) Harvey Smith in the amount of \$3,651.46; and (3) Louise Wild in the amount of \$4,977.38; and authorized the Chairman to execute each lien for recordation in the public records.

11:20 a.m. B. Legislative Update by Kate Pingolt-Cotner, Assistant County Attorney

Assistant County Attorney Kate Pingolt Cotner provided the Board with a current update on the Florida Legislature.

14. **COMMISSIONERS MATTERS**

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

11:25 a.m.

1. Treasure Coast Regional Planning Council Appointments (memorandum dated October 22, 2015) 154-157

Chairman Davis requested the Board submit their Treasure Coast Regional Planning Council's 2015-2016 membership appointments by December 2, 2015.

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

None

C. **Commissioner Joseph E. Flescher**

None

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

11:26 a.m.

1. Termination of Indian River Lagoon Counties Collaborative (memorandum dated October 27, 2015) 158-161

Commissioner O'Bryan revealed that due to the formation of a new National Lagoon Council, the Indian River Lagoon Counties Collaborative was being terminated because of redundancy.

ON MOTION by Commissioner O'Bryan, **SECONDED** by Vice Chairman Solari, the Board unanimously approved the termination of the Indian River Lagoon Counties Collaborative.

E. **Commissioner Tim Zorc**

None

15. **SPECIAL DISTRICTS AND BOARDS**

A. **Emergency Services District**

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

1. Approval to Replace Seven (7) Cardiac Monitors for Fire-Rescue Division from Physio-Control, Inc.
(memorandum dated October 23, 2015) 162-168

B. **Solid Waste Disposal District**

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

1. Approval of Minutes July 15, 2015 SWDD Budget Workshop
2. Approval of Minutes September 17, 2015 SWDD Final Budget Hearing
3. Landlord's Waiver for MWI
(memorandum dated October 28, 2015) 169-174
4. Final Pay to Geosyntec for Work Order No. 10 for Additional Site Redevelopment Assessment Activities at South Gifford Road Landfill
(memorandum dated October 16, 2015) 175-182
5. Request to Draw on Waste Management's Performance Bond
(memorandum dated October 26, 2015) 183-196
(Clerk's Note: This item was heard in conjunction with Item 5.C.)

10:17
a.m.

C. **Environmental Control Board**

None

16. **ADJOURNMENT**

There being no further business, the Chairman declared the meeting adjourned at **11:31 a.m.**

ATTEST:

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

Bob Solari, Chairman

By: _____
Deputy Clerk

Approved: December 1, 2015

BCC/LA/2015Minutes