



**BOARD OF COUNTY  
COMMISSIONERS  
INDIAN RIVER COUNTY, FLORIDA  
REGULAR MEETING MINUTES  
TUESDAY, NOVEMBER 17, 2015**

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

<u>COUNTY COMMISSIONERS</u>	<u>DISTRICT</u>	<u>PRESENT</u>	<u>ABSENT</u>
Bob Solari, Chairman	District 5	Present	Michael Zito, Assistant County Administrator
Joseph E. Flescher, Vice Chairman	District 2	Present	William DeBaal, Deputy County Attorney
Wesley S. Davis	District 1	Present	Jeffrey R. Smith, Clerk of the Circuit Court and Comptroller
Peter D. O'Bryan	District 4	Present	Leona Adair Allen, Deputy Clerk
Tim Zorc	District 3	Present	

DVD  
TIMES

PACKET  
PAGES

1. CALL TO ORDER 9:00 A.M.
  
2. INVOCATION Deputy Teddy Floyd, IRC Sheriff Department
  
3. PLEDGE OF ALLEGIANCE Commissioner Wesley S. Davis, Chairman

9:02  
a.m.

ELECTION OF BOARD OF COUNTY COMMISSION CHAIRMAN

Deputy County Attorney William DeBaal conducted the election of the new Chairman and Vice Chairman of the Board of County Commissioners by opening the floor to nominations.

Commissioner O'Bryan nominated Commissioner Bob Solari for Chairman. There were no other nominations.

ON MOTION by Commissioner O’Bryan, **SECONDED** by Commissioner Davis, the Board unanimously closed the floor to nominations.

ON MOTION by Commissioner O’Bryan, **SECONDED** by Commissioner Zorc, the Board unanimously elected Commissioner Solari as Chairman of the Board of County Commissioners, effective November 17, 2015.

9:03  
a.m.

**ELECTION OF BOARD OF COUNTY COMMISSION VICE-CHAIRMAN**

Commissioner O’Bryan nominated Commissioner Joseph Flescher for Vice Chairman. There were no other nominations.

ON MOTION by Commissioner Davis, **SECONDED** by Commissioner O’Bryan, the Board unanimously closed the floor to nominations.

ON MOTION by Commissioner O’Bryan, **SECONDED** by Commissioner Davis, the Board unanimously elected Commissioner Flescher as Vice Chairman of the Board of County Commissioners, effective November 17, 2015.

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

9:05  
a.m.

Delete Item 5.B. Presentation on Recycling Education and Outreach Efforts by Stephanie Vos, Solid Waste Disposal District Recycling Education and Marketing Coordinator

Move Item 15.B.1. to be heard following Item 5.A.

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

**5. PROCLAMATIONS and PRESENTATIONS**

9:05  
a.m.

A. Presentation of Proclamation Designating the Month of November, 2015, as National Adoption Awareness Month 1

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**Commissioner Zorc read and presented the Proclamation to Frank Avilla, Adoption Marketing Specialist for the Children’s Home Society of Florida, Treasure Coast Division.**

**Mr. Avilla announced that the National Adoption Day Celebration was scheduled for November 21, 2015, from 10:00 a.m. to 1:00 p.m., at Langford Park in Jensen Beach.**

B. Presentation on Recycling Education and Outreach Efforts by Stephanie Vos, Solid Waste Disposal District Recycling Education and Marketing Coordinator

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**Deleted**

6. **APPROVAL OF MINUTES**

9:37  
a.m.

A. Regular Meeting of October 13, 2015

**ON MOTION by Vice Chairman Flescher, SECONDED by Commissioner O’Bryan, the Board unanimously approved the regular meeting minutes of October 13, 2015, as written.**

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

9:38  
a.m.

A. Update Regarding the 2015 Amnesty Program for Certain Delinquency Charges  
(memorandum dated November 2, 2015) 2-3

**Commissioner O’Bryan reported that the Amnesty Program had resulted in payments of over \$358,000 to Utility Services.**

9:38  
a.m.

B. Transportation Disadvantaged Annual Public Hearing, November 19, 2015  
November 19, 2015, 10:00 A.M., Conference Room B1-501 County Administration Complex, Building B, 1801 27<sup>th</sup> Street  
(memorandum dated November 10, 2015) 4-5

**Commissioner O’Bryan reiterated the date of the Public Hearing.**

8. **CONSENT AGENDA**

**ON MOTION by Commissioner Davis, SECONDED by Vice Chairman Flescher, the Board unanimously approved the Consent Agenda, pulling Item 8.G. for discussion.**

9:40  
a.m.

A. Approval of Checks and Electronic Payments – October 30, 2015 to November 5, 2015  
(memorandum dated November 5, 2015) 6-13

**Approved the checks and electronic payments as supplied by the Comptroller’s office.**

B. Annual Resolution Regarding Delegation of Authority Concerning Declarations of State of Local Emergencies and to Act in a State Declared Emergency Affecting Indian River County  
(memorandum dated October 30, 2015) 14-16

**Approved Resolution 2015-127, delegating authority to the County Administrator to declare States of Local Emergencies and to act in a State of Florida Declared Emergency affecting Indian River County; rescinding Resolution No. 2014-106 effective November 17, 2015; and providing an effective date.**

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- C. Annual Resolution Delegating the Authority to the County Administrator or his Designee, to execute Resolutions Calling Letters of Credit as Necessary during a Declared State of Local Emergency or Declared State of Florida Emergency Affecting Indian River County  
(memorandum dated October 30, 2015) 17-19

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**Approved Resolution 2015-128, delegating the authority to the County Administrator or his designee, to execute Resolutions Calling Letters of Credit as necessary during a declared State of Local Emergency or declared State of Florida Emergency affecting Indian River County; rescinding Resolution No. 2014-105 effective November 17, 2015; and providing an effective date.**

- D. Annual Resolution re Signatories  
(memorandum dated October 30, 2015) 20-25

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**Approved Resolution 2015-129, directing Depositories of County Funds to honor certain authorized signatures on County checks, warrants, and other orders for payment; providing for Board of County Commissioners and Clerk of the Circuit Court Signatories; rescinding Resolution No. 2014-104 effective November 17, 2015 which speaks to authorized signatures on County checks, warrants, and other orders for payment; and providing an effective date.**

- E. Miscellaneous Budget Amendment 002  
(memorandum dated November 6, 2015) 26-29

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**Approved Resolution 2015-130, amending the fiscal year 2015-2016 Budget.**

- F. Exchange Ten (10) Hydra Lunas Handheld Meter Reading Units for Ten (10) Panasonic Tough Pad Tablets  
(memorandum dated October 26, 2015) 30-32

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**Declared ten (10) Hydra Lunas handheld meter reading devices surplus property; and authorized staff to trade-in ten (10) Hydra Lunas handheld meter reading devices for ten (10) Panasonic Toughbook tablets with extended life batteries, Tough Mate cases and three years of support service for the discounted rate of \$4,500.00 (\$1,500.00 per year).**

9:40  
a.m.

- G. Award of Bid No: 2016003 CR512 Resurfacing from 125<sup>th</sup> Avenue to I-95 IRC Project No. 1304  
(memorandum dated November 4, 2015) 33-43

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**Commissioner O’Bryan pointed out that this resurfacing project would widen the existing paved shoulders of CR 512 from 125<sup>th</sup> Avenue in Fellsmere to I-95, and allow for a bike lane with bicycle symbols.**

**ON MOTION by Commissioner O’Bryan, SECONDED by Vice Chairman Flescher, the Board unanimously: (1) approved the project be awarded to Ranger Construction Industries, Inc., in the amount of \$787,526.59;**

(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.

- H.** 2016 Oblique Aerial Imagery Acquisition Project  
(memorandum dated November 5, 2015) 44-69  
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**(1) Classified Pictometry as the sole source provider; (2) waived the requirement for bids; (3) authorized the execution of the Contract with Pictometry as described in Section A, in the amount of \$124,783.00; and (4) authorized the Chairman to execute the Agreement and related documents.**
- I.** Request for Sole Source to Communications Inc. for the 800 MHz Communications System Master Service Agreement  
(memorandum dated November 9, 2015) 70-86  
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**Approved the 800 MHz Communications System Master Service Agreement with Communications International, Inc.**
- J.** Revised Temporary Construction Easement for 45<sup>th</sup> Street Beautification Project  
(memorandum dated November 10, 2015) 87-91  
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**Approved the Temporary Construction Easement Deed with the revised legal description for the installation of landscaping on the south side of Gifford Middle School in association with the 45<sup>th</sup> Street Beautification Project; and authorized the Chairman to execute the Acceptance of Conveyance of the easement on behalf of the Board.**
- K.** Award of Bid 2016010 – Golf Carts for Sandridge Golf Club  
(memorandum dated November 9, 2015) 92-95  
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**(1) Waived the technicality of the aluminum frame bid specification; (2) approved award to the lowest, most responsive and responsible bidder, Yamaha Golf Car Company; (3) authorized the Purchasing Division to issue a Purchase Order to facilitate the fleet update; (4) declared the 150 carts and one range cart, which will be identified as excess equipment upon delivery of the new carts as surplus; (5) authorized their trade-in to Yamaha as indicated in the bid; and (6) approved an interfund loan from the General Fund in the amount of \$254,500 to be repaid over a four-year period as shown in the attached amortization schedule.**
- L.** Miscellaneous Budget Amendment 003 – Sheriff’s Office Rollover Request  
(memorandum dated November 6, 2015) 96-100  
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**Approved Resolution 2015-131, amending the fiscal year 2015-2016 Budget.**

9. **CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

9:41  
a.m.

- A. **Indian River County Supervisor of Elections Leslie R. Swan**  
Canvassing Board Member Appointment for the 2016 Election Cycle  
((memorandum dated November 2, 2015)

101

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**Gary Gordon, Information Technology (IT) Manager, Supervisor of Elections Office, asked the Board to elect a Canvassing Board member and an alternate for the upcoming elections. Thereafter, he provided the Board with election facts.**

**ON MOTION by Commissioner Davis, SECONDED by Chairman Solari, the Board unanimously appointed Vice Chairman Flescher as the Primary and Commissioner O'Bryan as the Alternate members to serve on the Canvassing Board for 2016.**

10. **PUBLIC ITEMS**

A. **PUBLIC HEARINGS**

None

B. **PUBLIC DISCUSSION ITEMS**

9:43  
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 Nick Schaus Regarding All Aboard Florida

102

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**Nick Schaus, Sable Oak Drive, Indian River Shores, provided background regarding All Aboard Florida (AAF), and urged the Commissioners to continue their work to stop the train. He informed the Board that George Bryant had submitted a proposal to the Legal Office to utilize County Zoning and Land Use Regulations to stop AAF. He said the AAF passenger train meets the definition of a material expansion of a non-conforming use, and if the County enforces local zoning laws, the Courts would most likely support such enforcement, which would stop AAF, but not the freight trains. He predicted this would deny AAF the right to use the tracks for passenger rail; and he urged the Board to move forward with legal action.**

**ON MOTION by Commissioner Davis, SECONDED by Commissioner Zorc, the Board unanimously directed Legal staff to coordinate with Community Development staff to determine if there would be a non-conforming use by going from freight rail to passenger rail, and determine if it would be an expansion.**

10. **PUBLIC ITEMS**

C. **PUBLIC NOTICE ITEMS**

9:53  
a.m.

1. **Notice of Scheduled Public Hearing December 1, 2015**  
Consider Amending Sections 103.09 and 207.02 of the Code of Indian River County with Regard to Sunsetting the Indian River County Enterprise Zone Development Agency (**Legislative**)  
(memorandum dated November 3, 2015) ..... 103
  
2. **Notice of Scheduled Public Hearing December 1, 2015**  
Consider Extending the Existing One-Cent Local Government Infrastructure Sales Surtax for an Additional Fifteen Years (**Legislative**)  
(memorandum dated November 5, 2015) ..... 104-105  
**Deputy County Attorney Bill DeBraal read the Notices into the record.**

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

12. DEPARTMENTAL MATTERS

E. Office of Management and Budget

None

F. Public Works

None

G. Utilities Services

None

13. COUNTY ATTORNEY MATTERS

9:54  
a.m.

- A. Tourist Development Council Vacancy Appointment  
(memorandum dated November 1, 2015)

106-112

Attorney DeBraal announced the vacancy on the Tourist Development Council for an “Owner/Operator of Motel, Hotel, RV Park or other tourist accommodation” representative.

ON MOTION by Commissioner Davis, SECONDED by Vice Chairman Flescher, the Board unanimously approved the appointment of William Collins to the Tourist Development Council, as an “Owner/Operator of Motel, Hotel, RV Park or other Tourist Accommodation” representative.

9:56  
a.m.

- B. Construction Board of Adjustment and Appeals Committee Appointment  
(memorandum dated November 4, 2015)

113-118

Attorney DeBraal reported the vacancy of the “General Public” representative to the Construction Board of Adjustment and Appeals Committee.

ON MOTION by Commissioner Davis, SECONDED by Vice Chairman Flescher, the Board unanimously approved the appointment of John A. Walker to the Construction Board of Adjustment and Appeals Committee, as the General Public representative.

9:56  
a.m.

- C. Indian River County Committees – Member Reappointments  
(memorandum dated October 27, 2015)

119-123

Attorney DeBraal informed the Board that committee members whose term will expire in January 2016 had been contacted and listed on pages 121 through 123 of the Agenda Packet. He asked the Board to



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review and approve the list.

ON MOTION by Commissioner O'Bryan, **SECONDED** by Commissioner Zorc, the Board unanimously approved the list of committee reappointments presented on pages 121 through 123 of the Agenda Packet

**14. COMMISSIONERS MATTERS**

**A. Commissioner Wesley S. Davis**

**9:57  
a.m.**

1. Interlocal Agreement Establishing the Treasure Coast Workforce Consortium and the Workforce Development Board of the Treasure Coast, Inc. (Deferred from October 6, 2015)  
(memorandum dated September 18, 2015) 124-135

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**Commissioner Davis requested the Board consider approving the Interlocal Agreement establishing the Treasure Coast Workforce Consortium and the Workforce Development Board of the Treasure Coast, Inc.**

**Chairman Solari did not support the request. He had requested two pieces of information, and to date he has received nothing.**

**ON MOTION by Commissioner O'Bryan, **SECONDED** by Commissioner Davis, by a 4-1 vote (Chairman Solari opposed), the Board approved the Interlocal Agreement establishing the Treasure Coast Workforce Consortium and the Workforce Development Board of the Treasure Coast, Inc.**

**B. Commissioner Bob Solari**

**10:00  
a.m.**

1. Resolution in Support of Representative Mayfield's Florida Municipal Power Agency (FMPA) Bill  
(memorandum dated November 10, 2015) 136-139

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**Chairman Solari requested the Board consider approving a Resolution in support of Representative Mayfield's Bill, to make the Florida Municipal Power Agency (FMPA) more transparent and accountable.**

**MOTION WAS MADE by Vice Chairman Flescher, **SECONDED** by Commissioner Davis, to approve Resolution 2015-132, urging the Florida Legislature to adopt and the Governor Rick Scott to support House Bill 579 regulating municipal power; and directing certified copies of this Resolution to be provided to various officials.**

Commissioner O'Bryan mentioned that Senator Alan Simpson had filed Senate Bill 840 regulating Municipal Power, and felt it would be appropriate to reference it as a matching companion bill in the Resolution.

MOTION WAS AMENDED by Vice Chairman Flescher, SECONDED by Commissioner Davis, to reference Senate Bill 840.

Glenn Heran, 1964 Grey Falcon Circle, supported the Bill.

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

C. Commissioner Joseph E. Flescher

None

D. Commissioner Peter D. O'Bryan

None

E. Commissioner Tim Zorc

10:09  
a.m.

1. Save the Date: Public Workshop on Indian River Lagoon  
(memorandum dated November 10, 2015) 140

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**Commissioner Zorc announced that the Public Workshop on the Indian River Lagoon is tentatively scheduled for Thursday, March 3, 2016, at the Board of County Commission Chambers.**

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 of Minutes Meeting of October 13, 2015
2. Approval of Work Order No. 2 for Fire-Rescue Station #7 Modular  
(1893 90<sup>th</sup> Avenue)  
(memorandum dated November 2, 2015) 141-148

B. Solid Waste Disposal District

1. Waste Management's Credit to Customers  
(memorandum dated November 10, 2015) 149-150

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

C. Environmental Control Board  
None

16. ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at **10:13 a.m.**

ATTEST:

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

\_\_\_\_\_  
Bob Solari, Chairman

By: \_\_\_\_\_  
Deputy Clerk

Approved: December 8, 2015

BCC/LA/2015Minutes