



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

TUESDAY, NOVEMBER 8, 2016 - 9:00 A.M.

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

COUNTY COMMISSIONERS DISTRICT

Bob Solari, Chairman Joseph E. Flescher, Vice Chairman Wesley S. Davis Peter D. O'Bryan Tim Zorc	District 5 District 2 District 1 District 4 District 3	Jason E. Brown, County Administrator Dylan Reingold, County Attorney Jeffrey R. Smith, Clerk of the Circuit Court and Comptroller
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| 1. | <u>CALL TO ORDER</u> | <u>9:00 A.M.</u> | |
| 2. | <u>INVOCATION</u> | Jeffrey R. Smith, Clerk of the Circuit Court and Comptroller | |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | Commissioner Bob Solari, Chairman | |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | | |
| | A. | Presentation of Proclamation Designating the Month of November, 2016, as National Runaway Prevention Month | 1 |
| | B. | Presentation of Proclamation Designating the Month of November 2016, as National Adoption Awareness Month | 2 |

5.	<u>PROCLAMATIONS and PRESENTATIONS</u>	<u>PAGE</u>
	C. Presentation of Proclamation Designating the Day of November 11, 2016, as Veterans Day	3
	D. Presentation of Proclamation Designating the Day of November 29 th , 2016, as #Giving Tuesday	4
6.	<u>APPROVAL OF MINUTES</u>	
	None	
7.	<u>INFORMATION ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	
	A. Employment Report (memorandum dated November 2, 2016)	5-6
	B. Paychecks for Patriots Hiring Event (memorandum dated November 2, 2016)	7-8
	C. Update on All Aboard Florida / Vero Electric Expenses (memorandum dated October 31, 2016)	9-14
	D. Planning & Zoning Commission Vacancy Appointment (memorandum dated October 31, 2016)	15-18
	E. Indian River County Venue Event Calendar Review	19
	F. License / Use Agreement between FEMA, Indian River County and Indian River State College for Use of Space in Brackett Library (memorandum dated October 31, 2016)	20-24
	G. Florida Public Service Commission Notice of Consummating Order NO. PSC-16-0497-CO-EI In re: Petition for approval of modification to and extension of the approved economic development and re-development rider experimental pilot tariffs, by Duke Energy Florida, LLC, is available for review in the Office of the Clerk to the Board	----
	H. Florida Public Service Commission Order NO. PSC-16-0499-TRF-EQ In re: Petition for approval of modifications to standard interconnection agreement contained in the approved tariff by Duke Energy Florida, LLC, is available for review in the Office of the Clerk to the Board	----

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
A.	Approval of Checks and Electronic Payments October 21, 2016 to October 27, 2016 (memorandum dated October 27, 2016)	25-31
B.	Quarterly Investment Report for Quarter Ending 09/30/2016 (memorandum dated October 28, 2016)	32-44
C.	Quarterly Tourist Development Tax Report for Quarter Ending 09/30/2016 (memorandum dated October 25, 2016)	45-46
D.	Quarterly OPEB Trust Report for Quarter Ending 09/30/2016 (memorandum dated October 28, 2016)	47-57
E.	Internal Audit Division of the Clerk’s Office (memorandum dated November 1, 2016)	58-59
F.	Appointments to the Economic Opportunities Council of Indian River County, Inc. (memorandum dated October 25, 2016)	60-70
G.	Jake Owen Foundation’s Request to Utilize Sampson Field to Support Charity Event on December 9, 2016 (memorandum dated October 26, 2016)	71-75
H.	Resolution Cancelling Taxes on Property Quit-Claimed by Indian River County to the City of Fellsmere (memorandum dated October 31, 2016)	76-81
I.	Final Pay and Release of Retainage to Mack Concrete Industries, Inc., for a New Package Wastewater Treatment Plant at Blue Cypress Lake – UCP #4102, Bid No. 2015044 (memorandum dated October 27, 2016)	82-84
J.	Award of Bid No. 2017009, 8 th Street Sidewalk Improvements (58 th Avenue to 21 st Court) (memorandum dated October 13, 2016)	85-96

9.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	<u>PAGE</u>
A.	<u>Indian River County Clerk of the Circuit Court & Comptroller Jeffrey R. Smith</u> Annual Fiscal Report for the Fiscal Year Ended September 30, 2016	97-99
B.	<u>Indian River County Property Appraiser David C. Nolte</u> Annual Fiscal Report for the Fiscal Year Ended September 30, 2016	100-103
C.	<u>Indian River County Sheriff Deryl Loar</u> Annual Fiscal Report for the Fiscal Year Ended September 30, 2016	104-105
D.	<u>Indian River County Supervisor of Elections Leslie R. Swan</u> Annual Fiscal Report for the Fiscal Year Ended September 30, 2016	106-112
E.	<u>Indian River County Tax Collector Carole Jean Jordan</u> Annual Fiscal Report for the Fiscal Year Ended September 30, 2016	113-121

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

1.	Right-of-Way Ordinance Amendment (memorandum dated October 24, 2016) Legislative	122-129
2.	Ordinance Concerning Medical Marijuana Treatment Centers (memorandum dated October 24, 2016) Legislative	130-137

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 Ardra Rigby and Bill Rigby Regarding Issue on Natural Gas / Franchise Agreement Negotiated with Waste Management	138
2.	Request to Speak from Brian Heady Regarding Representative Government	139

10.	<u>PUBLIC ITEMS</u>	<u>PAGE</u>
	C. <u>PUBLIC NOTICE ITEMS</u>	
	1. <u>Notice of Scheduled Public Hearing for November 15, 2016:</u> Consider Creating a New Chapter 317 of the Code of Indian River County to Prohibit Oil and Gas Well Stimulation (Fracking) Legislative (memorandum dated October 31, 2016)	140

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
None

12. **DEPARTMENTAL MATTERS** **PAGE**
- F. **Public Works**
None
- G. **Utilities Services**
None
13. **COUNTY ATTORNEY MATTERS**
- A. Jenkins vs IRC – Unconditional Offer for a parcel of property located on the south side of 53rd Street west of Old Dixie Highway (memorandum dated November 1, 2016) 141-148
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14. **COMMISSIONERS MATTERS**
- A. **Commissioner Bob Solari, Chairman**
None
- B. **Commissioner Joseph E. Flescher, Vice Chairman**
None
- C. **Commissioner Wesley S. Davis**
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**
None
- C. **Environmental Control Board**
None

16. **ADJOURNMENT**

Except for those matters specifically exempted under the State Statute and Local Ordinance, the Board shall provide an opportunity for public comment prior to the undertaking by the Board of any action on the agenda, including those matters on the Consent Agenda. Public comment shall also be heard on any proposition which the Board is to take action which was either not on the Board agenda or distributed to the public prior to the commencement of the meeting.

Anyone who may wish to appeal any decision which may be made at this meeting will need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal will be based.

Anyone who needs a special accommodation for this meeting may contact the County's Americans with Disabilities Act (ADA) Coordinator at (772) 226-1223 at least 48 hours in advance of meeting.

Anyone who needs special accommodation with a hearing aid for this meeting may contact the Board of County Commission Office at 772-226-1490 at least 20 hours in advance of the meeting.

The full agenda is available on line at the Indian River County Website at www.ircgov.com The full agenda is also available for review in the Board of County Commission Office, the Indian River County Main Library, and the North County Library.

***Commission Meeting may be broadcast live by Comcast Cable Channel 27
Rebroadcasts continuously with the following proposed schedule:
Tuesday at 6:00 p.m. until Wednesday at 6:00 a.m.,
Wednesday at 9:00 a.m. until 5:00 p.m.,
Thursday at 1:00 p.m. through Friday Morning,
and Saturday at 12:00 Noon to 5:00 p.m.***