



**BOARD OF COUNTY
COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA
REGULAR MEETING MINUTES**

TUESDAY, MAY 3, 2016

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	District 5	Present	Jason Brown, Management & Budget	Present
Joseph E. Flescher, Vice Chairman	District 2	Present	Bill DeBraal, Deputy County Attorney	Present
Wesley S. Davis	District 1	Present	Jeffrey R. Smith, Clerk of the Circuit Court and Comptroller	Present
Peter D. O'Bryan	District 4	Present	Leona Adair Allen, Deputy Clerk	Present
Tim Zorc	District 3	Present		

**DVD
TIMES**

**PACKET
PAGES**

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

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

3. **PLEDGE OF ALLEGIANCE** Commissioner Peter D. O'Bryan

4. **ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS**
9:02 a.m. **Addition: Emergency Item 5.D. Proclamation Recognizing May 1, 2016 as the 50th Anniversary of the Indian River County (IRC) Volunteer Ambulance Squad.**

ON MOTION by Commissioner O'Bryan, SECONDED by Commissioner Davis, the Board unanimously approved the agenda as amended.

5. **PROCLAMATIONS and PRESENTATIONS**
9:02 a.m. **A. Presentation of Proclamation Designating May 1 – 7, 2016 as Public Service Recognition Week in Indian River County** 1
Commissioner Davis read and presented the Proclamation to the following public service employees: Steve Adamson, Ron Hunt, John Ankeny, Michael

Barkwell, Tanya Huff, Ed Kuvlesky, George Perez, Peggy Parmenter, Sasan Rahani, Denise Sleeman, Edward Stiffen, Gary Wiles, and Sandra Wright.

- 9:11 a.m.** **B.** Presentation of Proclamation Designating the Week of May 1 through May 7, 2016, as National Correctional Officers and Employees Week 2

Vice Chairman Flescher read and presented the Proclamation to Sheriff Deryl Loar, Major Selby Strickland, Captain Ryan Haffield, and Lieutenant Adam Bailey.
- 9:19 a.m.** **C.** Presentation of Proclamation Designating the Month of May, 2016, as Mental Health Awareness Month 3

Commissioner O’Bryan read and presented the Proclamation to individuals from the Suncoast Mental Health Center (Art Ciasca, Frank Jencik, Cathy Cordeiro, and Jane Turmail); and New Horizons of the Treasure Coast, Inc. (Patricia Austin, Heather Roberts and Lisa Kale).
- 9:30 a.m.** **D.** **Addition: Emergency Item 5.D. Proclamation Recognizing May 1, 2016 as the 50th Anniversary of the Indian River County (IRC) Volunteer Ambulance Squad**

Commissioner Zorc read and presented the Proclamation to Indian River County Volunteer Ambulance Squad President Carl Goebel and Administrator April Hargett.

6. APPROVAL OF MINUTES

- 9:38 a.m.** **A.** Regular Meeting of April 5, 2016

ON MOTION by Vice Chairman Flescher, SECONDED by Commissioner O’Bryan, the Board unanimously approved the Regular Meeting Minutes of April 5, 2016, as written.

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

- 9:38 a.m.** **A.** Retirement Award and Proclamation Honoring James Dupuis on His Retirement from Indian River County Board of County Commissioners Department of Emergency Services/Fire Rescue with Twenty-Seven Years of Service 4-5

Commissioner O’Bryan recognized James Dupuis on his retirement.
- B.** Retirement Award and Proclamation Honoring Joseph Gabbert on His Retirement from Indian River County Board of County Commissioners Department of Public Works/Road & Bridge Division with Thirty Years of Service 6-7

Commissioner O’Bryan recognized Joseph Gabbert on his retirement.
- C.** Proclamation Designating May 9, 2016, as Child Welfare Professionals Recognition Day 8

D.	City of Vero Beach, Ordinance 2016-010 – Annexation of 7.46 Acres, more or less, located at 3780 Indian River Boulevard, is on file in the Office of the Clerk to the Board (letter dated April 22, 2016)	9-15
E.	May 14, 2016 Sebastian Lionfish Fest at Captain Hiram’s (memorandum dated April 25, 2016) Commissioner O’Bryan announced that the Sebastian Lionfish Fest is scheduled for May 14, 2016, at Captain Hiram’s. County Coastal Engineer James Gray provided the details and activities scheduled for the festival.	16-18
F.	Update on All Aboard Florida / Vero Electric Expenses (memorandum dated April 26, 2016)	19-23
G.	Upgrade to Street Lights in the Moorings of Vero (memorandum dated April 26, 2016)	24-28
H.	Indian River County Event Calendar	29-30

8. CONSENT AGENDA

ON MOTION by Commissioner O’Bryan, SECONDED by Vice Chairman Flescher, the Board unanimously approved the Consent Agenda, pulling Item 8.D. for discussion.

9:45 a.m.	A. Approval of Checks and Electronic Payments April 8, 2016 to April 14, 2016 (memorandum dated April 14, 2016) Approved the list of checks and electronic payments as supplied by the Comptroller’s office.	31-38
	B. Approval of Checks and Electronic Payments April 15, 2016 to April 21, 2016 (memorandum dated April 21, 2016) Approved the list of checks and electronic payments as supplied by the Comptroller’s office.	39-48
	C. Quarterly Investment Report for Quarter Ending 03/31/2016 (memorandum dated April 22, 2016) Accepted the Quarterly Investment Report.	49-61
9:45 a.m.	D. Quarterly Tourist Development Tax Report for Quarter Ending 03/31/2016 (memorandum dated April 18, 2016) Commissioner O’Bryan thanked Clerk of Circuit Court and Comptroller Jeff Smith and his staff for providing the quarterly Tourist Development Tax Report and inquired about the number of short term rental accounts contributing to the tourist tax.	62-63

Clerk of Circuit Court and Comptroller Jeffrey Smith reported that there are currently 477 registered short-term rental accounts.

ON MOTION by Commissioner O’Bryan, **SECONDED** by Vice Chairman Flescher, the Board unanimously accepted the Quarterly Tourist Development Tax Report.

Commissioner Zorc sought and received further information regarding tourist tax exemptions.

- E. Quarterly OPEB Trust Report for Quarter Ending 03/31/2016
(memorandum dated April 22, 2016) 64-67

Accepted the Quarterly Other Post Employment Benefits (OPEB) Trust Report.
- F. Amendments 1, 2, and 3 to Work Order No. 1 – Engineering – Carter Associates, Inc. 41st Street/US1 Intersection Improvements
(memorandum dated April 21, 2016) 68-99

Approved Amendments No. 1, 2, and 3 to Work Order No. 1, to Carter Associates, Inc.; authorized the professional services as outlined in the Scope of Services (Exhibits) to each Amendment; and authorized the Chairman to execute the Amendments for an amount of \$93,490.00.
- G. Miscellaneous Budget Amendment 017
(memorandum dated April 27, 2016) 100-102

Approved Resolution 2016-038, amending the fiscal year 2015-2016 Budget.

9. **CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

None

10. **PUBLIC ITEMS**

A. **PUBLIC HEARINGS**

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

9:48
a.m.

1. Consideration of the Disposition of County Owned Surplus Properties for Affordable Housing
(memorandum dated April 21, 2016) 103-126

Administrative
Community Development Director Stan Boling provided background, analysis, and alternatives regarding the disposition of County-owned surplus properties. Staff believed the best approach would be to sell all 20 County-owned surplus lots and contribute the proceeds to the County’s affordable housing trust fund – the State Housing Initiatives Partnership Program (SHIP).

Discussion ensued regarding the reimbursement of traffic impact fees; lots being placed on the Lands Available List; governmental liens; and possibly using small parcels of land for pocket parks.

The Chairman opened the Public Hearing, there being no speakers, he closed the Public Hearing.

ON MOTION by Commissioner O'Bryan, SECONDED by Commissioner Zorc, the Board unanimously approved Resolution 2016-039, approving the list of County owned properties appropriate for the provision of affordable housing and providing for the disposition of those properties.

- 9:59 a.m. 2. Public Hearing and Confirming Resolution for 51st Avenue Petition Millings Project (65th Street to 67th Street) (memorandum dated April 18, 2016)

127-136

Legislative

Assistant Public Works Director Richard Szyrka provided background and conditions relating to the Petition Asphalt Millings Improvement Project on a portion of 51st Avenue, between 65th Street and 67th Street, in the Winter Beach Highlands Subdivision. He noted that 74% of the 24 property owners were in favor of the project, and had consented to moving the project forward based on the construction approach that would base the assessment cost on the square footage of the lots.

The Chairman opened the Public Hearing; there being no speakers, he closed the Public Hearing.

Commissioner Davis preferred to see the assessment cost as an individual unit basis per residence versus the square footage of each lot.

ON MOTION by Vice Chairman Flescher, SECONDED by Commissioner Zorc, by a 4-1 vote (Commissioner Davis opposed), the Board approved Resolution 2016-040, confirming the assessment roll for certain asphalt milling improvements to 51st Avenue between 65th Street and 67th Street in the Winter Beach Highlands Subdivision and 2 parcels immediately south and abutting 51st Avenue, Indian River County Project No. 1511; and providing for special assessment liens to be made of record.

B. PUBLIC DISCUSSION ITEMS

(As a general rule, public discussion items should be limited to matters on which the commission may take action.)

10:03 a.m. 1. Request to Speak from Michael Marsh Regarding Body Cameras for Indian River County Sheriff's Office 137

Michael Marsh, Vero Beach, requested that the Board consider approving training and body cameras for the deputies in Indian River County in the next budget, due to an incident involving his friend, Corey Jones, who was shot and killed by a police officer in Palm Beach Gardens, on October 18, 2015.

Sheriff Deryl Loar, Chairman Solari, and Commissioner Davis responded to Mr. Marsh's questions and concerns.

10:11 a.m. 2. Request to Speak from GEDC Regarding Gifford Follow-Up 138

Wanda Scott, 4306 26th Avenue, representing the Gifford Economic Development Council, Inc., voiced concerns over public safety, taxation without representation, accountability, economics, infrastructure, and the quality of services in certain areas of Indian River County.

Assistant Director Szyrka reported that the 45th Street Beautification Project would be completed within the next three weeks.

The Chairman called for a break at 10:41 a.m., and reconvened the meeting at 10:50 a.m., with all members present.

C. PUBLIC NOTICE ITEMS

10:50 a.m. 1. **Notice of Scheduled Public Hearing for May 10, 2016:**

To Consider Amending Chapter 315 of the Code of Indian River County to Include Regulations and Prohibitions of Certain Activities Relating to Medical Marijuana

Legislative

(memorandum dated April 29, 2016) 139

Chairman Solari read the Notice 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

E. **Office of Management and Budget**

10:51
a.m.

1. Distinguished Budget Presentation Award Fiscal Year 2015/2016
(memorandum dated April 20, 2016)

140-143

Assistant Management and Budget Director Michael Smykowski announced that Indian River County was the recipient of the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for fiscal year 2015-2016, which is the 25th consecutive year that the Office of Management and Budget has received the award.

F. **Public Works**

10:57
a.m.

1. 2nd Street Petition Millings Project (35th Avenue to 32nd Avenue),
Resolutions to provide funds and set a Public Hearing
(memorandum dated April 19, 2016)

144-154

Assistant Director Szyrka informed the Board that representatives from the Emerson Park Subdivision had presented a petition requesting the County to install asphalt milling improvements on a portion of 2nd Street. He said there were 20 parcels within the project,

with 78.34% of the petitioners supporting the project, which meets the 66.7% approval requirement, and provided the details of the project. He noted that the assessment for the project would be based on square footage in lieu of front footage, to which the property owners consented. He also noted that the total project cost would be \$71,556.12, the total assessment to the property owners would be \$54,740.43, and the County's participation would be 25% or \$17,889.03.

MOTION WAS MADE by Vice Chairman Flescher, **SECONDED** by Commissioner Zorc, to approve: (1) **Resolution 2016-041**, providing for certain asphalt milling improvements to 2nd Street between 35th Avenue and 32nd Avenue in the Emerson Park Subdivision, providing the total estimated cost, method of payment of assessments, number of annual installments, and legal description of the area specifically benefited; (2) **Resolution 2016-042**, setting a time and place at which the owners of property on 2nd Street between 35th Avenue and 32nd Avenue in the Emerson Park Subdivision 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 benefited thereby; and (3) allocating \$17,889.03 from the Secondary Roads Gas Tax Account No. 10921441-035510-16021, 2nd Street/ Emerson Park Subdivision Petition Millings.

Chairman Solari invited the public to speak about the petition paving (millings), but there were no speakers.

The Board sought additional information, offered suggestions, and made comments to staff.

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

G. Utilities Services

None

13. COUNTY ATTORNEY MATTERS

None

14. COMMISSIONERS MATTERS

A. Commissioner Bob Solari, Chairman

None

B. Commissioner Joseph E. Flescher, Vice Chairman

None

C. Commissioner Wesley S. Davis

11:03
a.m.

1. Modification of Waste Management Pickups
(memorandum dated April 26, 2016)

155-159

Commissioner Davis reported that individuals in the State Road 60 west (A-3 Zoning) area had expressed concerns over weekly recycling pickups. They wanted to know if there was a modification to allow them to have less collection pickups than other residences inside the Urban Service Area. He questioned whether there could be a modification to the Franchise Agreement that would allow for this.

Chairman Solari wanted more information on how many people would be affected.

Director of Utility Services Vincent Burke provided background regarding the issue, and noted that Waste Management, Inc. of Florida (WMIF) had been reviewing the commercial accounts prior to the meeting.

There was CONSENSUS by the Board for staff to conduct further research and return to the Board.

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**

There being no further business, the Chairman declared the meeting adjourned at **11:09 a.m.**

ATTEST:

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

Bob Solari, Chairman

By: _____
Deputy Clerk

Approved: June 7, 2016

BCC/LA/2016Minutes