



**BOARD OF COUNTY
COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA
REGULAR MEETING MINUTES
TUESDAY, MAY 24, 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	Michael Zito, Assistant County Administrator	Present
Joseph E. Flescher, Vice Chairman	District 2	Present	Dylan Reingold, 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		
Tim Zorc	District 3	Present	Leona Adair Allen, Deputy Clerk	Present

**DVD
TIMES**

**PACKET
PAGES**

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

2. **INVOCATION** Jeffrey R. Smith, Clerk of the Circuit Court and Comptroller

3. **PLEDGE OF ALLEGIANCE** Commissioner Wesley S. Davis

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

9:02 a.m. **Move: Item 8.G. Amendment to Termination of Lease Agreement with Indian River Sports Complex 16th Street Ballfields, to be heard under 12.C.3. Recreation**

Move: Item 12.A.1. Board Consideration of a Proposed Non-exclusive License Agreement with Friends of the Morningside Drive Dock, Inc., to Use and Maintain a Dock on County-owned Land off South Jungle Trail, to be heard following Item 5.E.

Move: Item 14.E.2 Boys and Girls Club and St. Francis Manor Ground Lease, to be heard in conjunction with Item 10.B.2.

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 and Retirement Award Honoring Christopher Mora on His Retirement from Indian River County Board of County Commissioners Department of Public Works With Twenty-One Years of Service 1-3
Chairman Solari read and presented the Proclamation to Christopher Mora.
- 9:26 a.m. B. Presentation of Proclamation and Retirement Award Honoring Tommy Dupuis on His Retirement from Indian River County Board of County Commissioners Department of Emergency Services/Fire Rescue With Thirty Years of Service 4-5
Chairman Solari read and presented the Proclamation to Tommy Dupuis.
- 9:31 a.m. C. Presentation of Proclamation and Retirement Award Honoring Patrick McNeal on His Retirement From Indian River County Board of County Commissioners Department of Public Works/Road & Bridge Division With Thirty-Five Years of Service 6-7
Chairman Solari read and presented the Proclamation to Patrick McNeal.
- 9:38 a.m. D. Presentation by Rick Hatcher, Executive Director, Treasure Coast Sports Commission on the 2016 FHSAA Girls Softball Championships at Historic Dodgertown ----
Executive Director of the Treasure Coast Sports Commission Rick Hatcher provided an update on hosting the Florida College System Activities Association Athletics (FCSAA), and the Florida High School Athletic Association (FHSAA) Softball State Championships at Historic Dodgertown; and presented the Board with FHSAA commemorative coins.
- 9:47 a.m. E. Presentation for the Indian River Chamber of Commerce by Dr. Tony Villamil, Washington Economics Group, of the Economic Impacts Brief – The Economic Development Return on Public Investment in Indian River County ----
Founder and President of the Washington Economics Group, Inc. (WEG) Dr. Tony Villamil presented a summary of the “Economic Impacts Brief: The Economic Development Return on Public Investment in Indian River County” report, and responded to the Board’s questions and comments.

(Clerk’s Note: Chairman Solari requested that Item 12.A.1. be heard as the next Agenda item.)

6. **APPROVAL OF MINUTES**

- 10:19 a.m. A. Regular Meeting of April 12, 2016
- B. Regular Meeting of April 19, 2016

ON MOTION by Vice Chairman Flescher, SECONDED by Commissioner O'Bryan, the Board unanimously approved the Regular Meeting Minutes of April 12, 2016, and April 19, 2016, as written.

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

- 10:20 a.m.** **A.** May 25, 2016 All Aboard Florida 100% Plans – Public Review and Comment Session
(memorandum dated May 16, 2016) 8

Chairman Solari announced that the All Aboard Florida 100% Plans meeting, for public review and comments, is scheduled for May 25, 2016, from 1:00 p.m. to 3:00 p.m., in Building B, Room B1-501.
- 10:21 a.m.** **B.** Proclamation and Retirement Award Honoring John “Jack” Reschak on His Retirement From Indian River County Board of County Commissioners Department of Emergency Services/Fire Rescue With Twenty-Seven Years of Service 9-10

Commissioner O'Bryan recognized John Reschak on his retirement.
- 10:21 a.m.** **C.** Update – May 14, 2016, Sebastian Lionfish Fest (memorandum dated May 17, 2016) 11-13

Coastal Environmental Specialist for Indian River County Kendra Cope provided an update on the success of the first Sebastian Lionfish Fest event.
- D.** Indian River County Event Calendar Review 14-15

8. CONSENT AGENDA

- 10:26 a.m.** **ON MOTION by Vice Chairman Flescher, SECONDED by Commissioner Davis, the Board unanimously approved the Consent Agenda as amended, moving Item 8.G. to be heard under Item 12.C.3.**
- A.** Approval of Checks and Electronic Payments – May 6, 2016 to May 12, 2016 (memorandum dated May 12, 2016) 16-24

Approved the list of checks and electronic payments as supplied by the Comptroller’s office.
- B.** Amendment No. 16 to Indian River County Civil Engineering and Land Surveying Agreement for Bridge Replacements and Widening of 66th Avenue from South of SR60 to North of 57th Street (memorandum dated May 11, 2016) 25-45

Approved Amendment No. 16 with Arcadis US, Inc. (formally known as Arcadis G&M, Inc.), for an amount not to exceed \$72,231.66, and authorized the Chairman to execute the Agreement.

- C. Work Order No. 6, Kimley-Horn & Associates, Inc., Oslo Road and 66th Avenue Intersection Improvements
(memorandum dated May 12, 2016) 46-50
Approved Work Order No. 6 to Kimley-Horn & Associates, Inc.; authorized the professional services outlined in the Scope of Work (Exhibit A); and authorized the Chairman to execute the Work Order for a lump sum amount of \$23,140.00.
- D. Work Order No. 21 Ecological Associates, Inc., Sector 3 Beach Restoration Project, 2016 Post Construction Biological Monitoring Services
(memorandum dated May 17, 2016) 51-64
Approved Work Order No. 21 to the contract with Ecological Associates, Inc., and authorized the Chairman to execute same on behalf of the County.
- E. 790 A1A, LLC's Request for Final Plat Approval of Sandy Lane PD
(memorandum dated May 12, 2016) 65-80
Granted final plat approval for Sandy Lane Planned Development (PD) (formerly known as 790 A1A Residential PD).
- F. Renewal of Pictometry Connect Software Agreement
(memorandum dated May 13, 2016) 81-91
Authorized the Chairman to execute the Agreement with Pictometry International Corp. in the amount of \$550.00.
- G. Amendment to Termination of Lease Agreement with Indian River Sports Complex 16th Street Ballfields
(memorandum dated May 16, 2016) 92-94
This Item was moved to 12.C.3. Recreation.
- H. Justice Assistance Grant – Miscellaneous Budget Amendment 018
(memorandum dated May 17, 2016) 95-97
Approved the utilization of the Justice Assistance Grant (JAG) funds totaling \$9,300.00; and Resolution 2016-045, amending the fiscal year 2015-2016 Budget.
- I. Agenda item 8.I. has been removed from the Agenda 98-124
- The Chairman called for a break at 10:26 a.m., and reconvened the meeting at 10:37 a.m., with all members present.**

9. **CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

None

10. **PUBLIC ITEMS**

A. **PUBLIC HEARINGS**

10:37
a.m.

1. County Initiated Request to Amend (Update) the Text of Several Elements of the County’s Comprehensive Plan (memorandum dated May 6, 2016)

125-183

Legislative

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

Community Development Director Stan Boling used a PowerPoint Presentation to explain the purpose and process of the proposed text amendment to several elements and a sub-element of the Comprehensive Plan (Plan). He also spoke about the consistency with the Plan and the changed circumstances to bring it up to date. He said that staff and the Planning and Zoning Commission recommend that the Board approve the proposed Comprehensive Plan Text Amendment for transmittal to the State and regional review agencies.

Discussions ensued regarding the proposed amendments to the Solid Waste Sub-Element, and the Transportation Element.

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

ON MOTION by Commissioner O’Bryan, **SECONDED** by Commissioner Zorc, the Board unanimously: (1) approved **Resolution 2016-046**, approving the transmittal of a proposed Indian River County Comprehensive Plan Text Amendment to State and Regional review Agencies; and (2) announced intent to hold and advertise a final public hearing at the adoption stage of the plan amendment process (tentatively planned for August 2016).

B. **PUBLIC DISCUSSION ITEMS**

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

10:52
a.m.

1. Request to Speak from GEDC Regarding Updating Gifford Community Activities

184

Wanda Scott, representing the Gifford Economic Development Council, Inc. (GEDC), showed a video and voiced concerns over public safety, the completion of pending projects, and areas in need of revitalization.

Winston Brown requested staff to investigate and resolve drainage issues before paving the road for the 45th Street Beautification Project.

Ms. Scott requested Gifford's drainage schematics from staff.

Public Works Director Richard Szpyrka provided background on the Beautification Project; said his staff was investigating the areas of concern; revealed that staff was currently in the process of paving the street; and noted that it could take weeks or months to resolve certain drainage problems.

Chairman Solari said that due to limited funds, and the community waiting for the Beautification Project to be completed, the drainage issues would need to be addressed through a planning process.

11:34
a.m.

2. Request to Speak from Louis Schacht Regarding St. Francis Manor Lease Options

185

(Clerk's Note: This Item was heard in conjunction with Item 14.E.2. and is placed here for continuity.)

Louis Schacht, 1915 34th Avenue, asked for the Board to consider a modification to the Boys and Girls Club of Indian River County and St. Francis Manor's Lease Agreement (for a parcel of land south of St. Francis Manor that was rendered unbuildable due to the tower and support cables, and later declared as surplus), which could allow for two new senior affordable housing buildings.

Commissioner Zorc proposed that St. Francis Manor and Carter and Associates, Inc. identify the optimum minimum size needed to place the two buildings, and bring the information back to the Board.

A brief discussion ensued regarding the amount of property needed for the two new buildings; the existing tower; and the construction start date.

Deputy County Attorney William DeBaal explained the problems of moving the tower due to its height.

ON MOTION by Commissioner Zorc, **SECONDED** by Commissioner O'Bryan, the Board unanimously directed staff to make the best use of the property, and to work with St. Francis Manor and Carter and Associates, Inc. to obtain an optimal solution.

(Clerk's Note: Commissioner Davis exited the meeting at 11:44 a.m.)

C. PUBLIC NOTICE ITEMS

None

11. COUNTY ADMINISTRATOR MATTERS

None

12. DEPARTMENTAL MATTERS

A. Community Development

10:04
a.m.

(Clerk’s Note: This Item was heard following Item 5.E. and is placed here for continuity.)

- 1. Board Consideration of a Proposed Non-exclusive License Agreement with Friends of the Morningside Drive Dock, Inc., to Use and Maintain a Dock on County-owned Land off South Jungle Trail (memorandum dated May 16, 2016)

186-198

Chief of Environmental Planning and Code Enforcement Roland DeBlois used a PowerPoint Presentation to review staff’s discussion and direction at the February 16, 2016 Board of County Commission meeting, where this Item was TABLED for 90 days. He said that after that meeting, the newly renovated Jones’s Pier dock was opened to the public, and the Riverside Estates residents had: (1) hired Attorney Bruce Barkett; (2) created a non-profit corporation called Friends of the Morningside Dock, Inc.; (3) submitted a boundary survey; (4) met on-site with the County Building Official to discuss the upgrades to meet the building code requirements; (5) submitted “dock rules” for group members; and (6) submitted a proposed non-exclusive License Agreement that would allow for general public access. He spoke about the conditions that would apply if the dock is to be used by the community; outlined the provisions of the proposed License Agreement; and conveyed staff’s recommendation.

Attorney Bruce Barkett, representing Riverside Estates, was agreeable to the conditions.

County Attorney Dylan Reingold clarified the modification to Item 6 of the License Agreement.

A brief discussion ensued regarding insurance, dock improvements, and the usage/access to the dock.

Chairman Solari voiced his objections to staff’s recommendation.

ON MOTION by Commissioner O’Bryan, **SECONDED** by Vice Chairman Flescher, by a 4-1 vote (Chairman Solari opposed), the Board approved a revised License Agreement with Friends of the Morningside Dock, Inc., approved by the County Attorney, with two additional sections to the Agreement requiring: (1) proof of insurance to be submitted to the County Attorney within 15 days of execution of the Agreement; and (2) permit(s) obtained and dock improvements brought into building code compliance within six months of execution of the Agreement.

B. Emergency Services

None

C. General Services

None

1. Human Services

None

2. Sandridge Golf Club

None

3. Recreation

None

**11:44
a.m.**

(Clerk’s Note: This Item was moved from 8.G.)

Amendment to Termination of Lease Agreement with Indian River Sports Complex 16th Street Ballfields

(memorandum dated May 16, 2016)

Assistant County Administrator Michael Zito recalled that during the February 16, 2016 Board of County Commission meeting, the Board approved a Termination of Lease Agreement with Indian River Sports Complex, Inc.; during the May 10, 2016 meeting, the Board declared the property surplus and directed staff to bring back an Amendment to extend the termination date to the date of the sale. He recommended that the Board approve the new Amendment of Lease Agreement for the use of the property, which shall terminate upon Lessor approval of the sale of the property, or a date certain of November 30, 2016, whichever occurs first.

Discussion ensued regarding the language in the Amendment, should there be a partial sale during the interim period.

ON MOTION by Vice Chairman Flescher, **SECONDED** by Commissioner Zorc, by a 4-0 vote (Commissioner Davis absent), the Board approved and authorized the Chairman to execute the Amendment to Termination of Lease Agreement with Indian River Sports Complex, Inc.

D. Human Resources

None

E. Office of Management and Budget

None

F. Public Works

None

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

None

D. Commissioner Peter D. O'Bryan

None

14. **COMMISSIONERS MATTERS**

E. **Commissioner Tim Zorc**

11:52
a.m.

1. Private-Public Partnerships
(memorandum dated May 16, 2016) 199-209

**Commissioner Zorc spoke about public-private partnerships
and the governing directive, Florida Statute 287.05712.**

11:34
a.m.

2. Boys and Girls Club and St. Francis Manor Ground Lease
(memorandum dated May 18, 2016) 210-214

*(Clerk's Note: This Item was heard in conjunction with Item
10.B.2.)*

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
11:58 p.m.

ATTEST:

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

Bob Solari, Chairman

By: _____
Deputy Clerk

Approved: July 5, 2016

BCC/LA/2016Minutes