

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



TUESDAY, AUGUST 16, 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 E. Brown, 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	
Peter D. O'Bryan	District 4	Present	Court and Comptroller	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** Deputy Teddy Floyd, IRC Sheriff's Department

3. **PLEDGE OF ALLEGIANCE** Commissioner Bob Solari, Chairman

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

9:03 Delete Item 5.B.
a.m. Delete Page 661 of the Agenda Packet (duplicate)
Delete Item 15.A.3.
Replace and add additional pages to the Agenda Packet for Item 8.EE.
Move Item 13.C. to be heard in conjunction with Item 5.G.
Move Item 14.A.2. to be heard in conjunction with Item 5.I.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Zorc, the Board unanimously approved the agenda as amended.

5. PROCLAMATIONS and PRESENTATIONS

- 9:20 a.m.** **A.** Legislative Update by U.S. Congressman Bill Posey, Representing Florida’s 15th District
(no back-up) -----
- (Clerk’s Note: This Item was heard following Item 5.E., and is placed here for continuity.)**
- Congressman Bill Posey provided the Board with a Legislative update.**
- B.** Presentation of Proclamation Honoring Senator Thad Altman ----- 1
Deleted
- 9:03 a.m.** **C.** Presentation of Proclamation Designating the Month of September 2016, as “Hunger Action Month” in Indian River County, Florida ----- 2
Commissioner Davis read and presented the Proclamation to Treasure Coast Food Bank members Krista Garofalo and Dolores Korf.
- 9:06 a.m.** **D.** Presentation of Proclamation Designating the Day of September 12, 2016, as Florida Missing Children’s Day ----- 3
Commissioner Zorc read and presented the Proclamation to Florida Missing Children’s Day Foundation and Member of Missing Endangered Persons Information Clearing House (MEPIC) President John Pitta.
- 9:10 a.m.** **E.** Presentation of Proclamation Designating September 10, 2016 as Suicide Awareness Day ----- 4
Vice Chairman Flescher read and presented the Proclamation to Suncoast Mental Health Center Chief Executive Officer Art Ciasca, and members Cathy Cordeiro, Valerie Richards, and Chasity Chandler.
- 9:39 a.m.** **F.** Presentation of Proclamation Recognizing Tammy Hallam and Marco Osorio for Their Lifesaving Efforts ----- 5
(Clerk’s Note: This Item was heard following Item 5.A., and is placed here for continuity.)
- Chairman Solari read and presented the Proclamation to Tammy Hallam, Marco Osorio, Brian Burkeen, and Cory Richter.**
- Paul Kelly thanked Tammy Hallam for saving his life by using her Cardio Pulmonary Resuscitation (CPR) and Automated External Defibrillator (AED) training to bring him back to life after collapsing on a tennis court.**
- 9:54 a.m.** **G.** Presentation of Proclamation Designating Sean Sexton as the First Poet Laureate of Indian River County, Florida ----- 6
(Clerk’s Note: This Item was heard in conjunction with Item 13.C.)

Commissioner O’Bryan read and presented the Proclamation to Sean Sexton.

Sean Sexton thanked the Board for establishing the position and electing him as the first Poet Laureate of Indian River County; read a brief poem; and recognized Marie Steifel, Chairman of the Laura Riding Jackson Foundation, and Board members Nancy Offutt and Susan Boyd.

10:04 a.m. H. Presentation on Tunnel to Towers by Gina Kempf, Director, Tunnel to Towers Vero Beach -----

Gina Kempf announced and provided background on the Stephen Siller Tunnel to Towers Run, a walk/run event recognizing the 15-year anniversary of the 911 Twin Towers tragedy. The event is scheduled for 7:30 a.m. on September 10, 2016, at Riverside Park.

10:13 a.m. I. Presentation on BlueTube by Patty Goffinet, BlueTube Founder -----

(Clerk’s Note: Item 14.A.2. was heard in conjunction with this Item.)

Patricia Goffinet, founder of Bluetube, Inc., was absent. Franny Goffinet (daughter) provided the presentation and requested approval to place BlueTubes at dune cross-overs and boat ramps for recycling and clean-ups.

10:17 a.m. J. Presentation Turtle Hatchlings Released at Indian River County Coastal Division Dig by Commissioner Peter O’Bryan (memorandum dated July 20, 2016) ----- 7

Commissioner O’Bryan gave a brief presentation on the successful sea turtle hatchling event at the Indian River County Coastal Division dig.

Kendra Cope, Coastal Division of Public Works, explained the markings on the sticks at turtle nesting sites.

6. APPROVAL OF MINUTES

- 10:24 a.m. A. Regular Meeting of June 14, 2016**
- B. Regular Meeting of June 21, 2016**
- C. Fellsmere Roads Workshop of June 27, 2016**
- D. Regular Meeting of July 5, 2016**
- E. 2016-2017 Budget Workshop of July 13, 2016**

ON MOTION by Commissioner Zorc, SECONDED by Vice Chairman Flescher, the Board unanimously approved the Regular Meeting Minutes of June 14, 2016, June 21, 2016, and July 5, 2016; the Fellsmere Roads Workshop of June 27, 2016; and the 2016-2017 Budget Workshop of July 13, 2016.

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

- A. Service as Co-Chair of FAC’s Growth Management, Agriculture & Environment Committee (memorandum dated July 20, 2016) 8-10

- 10:25 a.m. B. Update on All Aboard Florida / Vero Electric Expenses (memorandum dated August 8, 2016) 11-16
County Attorney Dylan Reingold reviewed the expenses year-to-date for All Aboard Florida.

- C. Indian River County Venue Event Calendar Review 17

- 10:26 a.m. D. Retirement Award and Proclamation Honoring W. Carlton Rawls on His Retirement from Indian River County Board of County Commissioners Department of Public Works/Traffic Engineering Division With Thirty Years of Service 18-19
Vice Chairman Flescher recognized W. Carlton Rawls on his retirement.

- E. Third Party Claims Administration Contract Negotiations (memorandum dated August 8, 2016) 20-23

- F. Florida Public Service Commission Docket No. 160093-EI Petition for Approval of Modifications to Standby Generation Tariff and Program Participation Standards, by Duke Energy Florida, LLC, has been received and is available for review in the Office of the Clerk to the Board ----

- G. Florida Public Service Commission Docket No. 160049-EU Petition for Modification of Territorial Order by the Town of Indian River Shores has been received and is available for review in the Office of the Clerk to the Board ----

- H. Proof of Publication of Unclaimed Monies for Cash Bonds Deposited with the Clerk of the Circuit Court prior to January 1, 2015, is on file in the Office of the Clerk to the Board ----

- I. Florida Public Service Commission Docket No. 160093-EI Order No. PSC-16-0270-TRF-EI Consummating Order has been received and is available for review in the Office of the Clerk to the Board ----

8. **CONSENT AGENDA**

10:27 a.m. **ON MOTION by Vice Chairman Flescher, SECONDED by Commissioner O’Bryan, the Board unanimously approved the Consent Agenda, pulling Items 8.EE., 8.JJ., and Bob Johnson’s request for 8.W., all for discussion or comment.**

A.	Approval of Checks and Electronic Payments July 1, 2016 to July 7, 2016 (memorandum dated July 7, 2016)	24-31
	Approved the list of checks and electronic payments as supplied by the Comptroller's office.	
B.	Approval of Checks and Electronic Payments July 8, 2016 to July 14, 2016 (memorandum dated July 14, 2016)	32-41
	Approved the list of checks and electronic payments as supplied by the Comptroller's office.	
C.	Approval of Checks and Electronic Payments July 15, 2016 to July 21, 2016 (memorandum dated July 21, 2016)	42-51
	Approved the list of checks and electronic payments as supplied by the Comptroller's office.	
D.	Approval of Checks and Electronic Payments July 22, 2016 to July 28, 2016 (memorandum dated July 28, 2016)	52-60
	Approved the list of checks and electronic payments as supplied by the Comptroller's office.	
E.	Approval of Checks and Electronic Payments July 29, 2016 to August 4, 2016 (memorandum dated August 4, 2016)	61-68
	Approved the list of checks and electronic payments as supplied by the Comptroller's office.	
F.	Quarterly OPEB Trust Report for Quarter Ending 06/30/2016 (memorandum dated July 29, 2016)	69-78
	Accepted the Quarterly Other Post Employment Benefits (OPEB) Trust Report for the quarter ending June 30, 2016.	
G.	Quarterly Investment Report for Quarter Ending 06/30/2016 (memorandum dated July 29, 2016)	79-91
	Accepted the Quarterly Investment Report for the quarter ending June 30, 2016.	
H.	Quarterly Tourist Development Tax Report for Quarter Ending 06/30/2016 (memorandum dated July 25, 2016)	92-93
	Accepted the Quarterly Tourist Development Tax Report for the quarter ending June 30, 2016.	
I.	Out of County Travel to Attend the Florida Shore & Beach Preservation Association Conference (memorandum dated July 12, 2016)	94-98
	Authorized out-of-County travel for Commissioners and staff to attend the Florida Shore and Beach Preservation Association 59th Annual Conference, from September 14 through 16, 2016, in Naples, Florida.	

J.	Out of County Travel to Attend the Public Safety Facilities Planning Seminar in Orlando, Florida (memorandum dated July 28, 2016)	99-106
	Authorized out-of-County travel for Commissioners and staff to attend the Public Safety Facilities Planning Seminar, September 15 and 16, 2016, in Orlando, Florida.	
K.	Work Order No. 4 with Atkins North America, Inc. for Engineering Review and Summary of All Aboard Florida Drainage Reports and Calculations (memorandum dated August 2, 2016)	107-114
	Ratified Work Order No. 4 with Atkins North America, Inc. executed by the County Administrator per Resolution No. 2016-058; and authorized the Chairman to execute same, as well as any and all other documents necessary to effectuate the Work Order.	
L.	Resolutions Canceling Taxes on Properties Purchased by Indian River County for Public Purpose (memorandum dated August 9, 2016)	115-129
	Approved: (1) <u>Resolution 2016-066</u>, cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes (Jane Schnee); and (2) <u>Resolution 2016-067</u>, cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes (Bent Pine Golf Club, Inc.)	
M.	Miscellaneous Budget Amendment 024 (memorandum dated August 10, 2016)	130-139
	Approved <u>Resolution 2016-068</u>, amending the Fiscal Year 2015-2016 Budget.	
N.	Approval of Purchase Agreement with Kannact Inc. for Diabetes Management Supplies and Services (memorandum dated August 9, 2016)	140-153
	Approved the Purchase Agreement with Kannact, Inc., effective October 1, 2016 through September 30, 2019; and authorized the Chairman to execute same.	
O.	Approval of BlueMedicare Advantage Renewal (memorandum dated August 9, 2016)	154-170
	Approved <u>Renewal Alternative 1</u> for the plan year effective October 1, 2016 through September 30, 2017; and authorized the Chairman to execute same.	
P.	Authorization of Selection of P25 Migration Project Vendor and Agreement for Service (memorandum dated August 9, 2016)	171-197

Awarded the work to Communications International, Inc., as sole source, and waived the requirement for bid. The work to be performed will be through individual work orders and will be brought to the Board for formal approval.

- Q.** Declare Marine 21 (Fleet 587/Asset 23517) Engines Surplus for Trade-In (memorandum dated August 2, 2016) 198-200
Declared assets 23638 and 23639 (less their props) surplus, and authorized the Fire Rescue Division to trade them to Vero Marine Center for a total \$4,000.00 discount on the purchase of two replacement outboards.
- R.** Traffic Control Device Ledger (memorandum dated July 18, 2016) 201-222
Approved Resolution 2016-069, approving Traffic Control Devices authorized by the Director of Public Works.
- S.** Request for Approval of First Amendment to “Vero Beach Rocktoberfest” License Agreement for Use of the Indian River County Fairgrounds (memorandum dated July 20, 2016) 223-237
Approved the “First Amendment to Indian River County Fairgrounds License Agreement for Vero Beach Rocktoberfest Event Between Indian River County and Fully Involved Event Productions, LLC. Dated March 15, 2016”; and authorized the Chairman to execute same on behalf of the Board.
- T.** Extension for Closing on Agreement for Purchase of 2625 54th Street, 26th Street Project, Owner: Lisa and Michael Giessert (memorandum dated July 28, 2016) 238-239
Approved the 45-day extension of closing date, and authorized the Chairman to execute the Second Amendment to Agreement to Purchase and Sell Real Estate, on behalf of the Board.
- U.** Approval of Final Release of Retainage for Work Order L-1 and Associated Change Orders With GK Environmental, Inc. for Egret Marsh Stormwater Park (memorandum dated August 1, 2016) 240-241
Approved the release of final retainage with G.K. Environmental, Inc., in the amount of \$2,152.15, for Work Order L-1 and its associated Change Orders.
- V.** Mediated Settlement: Meadowbrook/Starr Insurance (memorandum dated July 22, 2016) 242-248
Ratified the County Administrator’s action of executing the Release of Contract and Hold Harmless Agreement, pertaining to former fire fighter Otto Lenke’s compensation claim.

10:33
a.m.

- W.** Approval of Contract with Van Ert, Nemoto and Associates, LLC for a Pilot Plant Study for a Full-Scale Managed Aquatic Plant Pollutant Removal System that Incorporates the Beneficial Use of Harvested Biomass (memorandum dated August 3, 2016) 249-277

Bob Johnson, Coral Wind Subdivision, sought and received information regarding the pilot plant project, and requested the Board to Table this item.
- Commissioner Zorc suggested staff develop a standard set of data tracking points to build a history that can be uploaded into a larger data base for other projects.**
- ON MOTION by Commissioner O’Bryan, SECONDED by Vice Chairman Flescher, the Board unanimously approved the Agreement for a Pilot Plant Study with Van Ert, Nemoto and Associates, LLC.**
- X.** Florida Department of Transportation Traffic Signal Maintenance and Compensation Agreement Revised Terms and Conditions (memorandum dated August 2, 2016) 278-292

Approved: (1) the Amendment to the Traffic Signal Maintenance and Compensation Agreement, and (2) Resolution 2016-070, authorizing the execution of the revised terms and conditions for the Traffic Signal Maintenance and Compensation Agreement and providing an effective date.
- Y.** Declaration of Excess Equipment as Surplus for Sale or Disposal (memorandum dated August 8, 2016) 293-296

Declared the items on the Excess Equipment List as surplus, and authorized their sale and/or disposal as indicated.
- Z.** Recommended Selection of Consultants for RFQ 2016029 – Continuing Surveying Services (memorandum dated August 3, 2016) 297-298

Approved the Selection Committee’s final ranking; and authorized negotiations with the top five ranked firms: Kimley-Horn, Morgan and Eklund, Inc., Carter Associates, Inc., Southeastern Surveying and Mapping Corporation, and CivilSurv Design Group, Inc. (and the subsequently ranked firms, should negotiations with any higher ranked firms fail) in accordance with Florida Statute 287.055, Consultant’s Competitive Negotiation Act.
- AA.** Robert Keating’s Request for Release of a Portion of an Easement at 5705 Glen Eagle Lane (Bent Pine Subdivision Unit 1) (memorandum dated August 3, 2016) 299-305

Approved Resolution 2016-071, releasing a portion of an easement on Lot 1, Unit 1, of Bent Pine Unit 1 and Unit 2.

- BB.** Revision to the Lease with the Senior Resource Association for the Transit Administration Facility
(memorandum dated August 10, 2016) 306-310
Approved the Amendment and Extension to Lease Agreement, and authorized the Chairman to execute same.
- CC.** Amendment No. 1 to Work Order No. 1, Andersen Andre Consulting Engineers, Inc. for the Intergenerational Recreation Facility at South County Regional Park
(memorandum dated August 2, 2016) 311-315
Approved Amendment No. 1 to Work Order No. 1 to Andersen Andre Consulting Engineers, Inc. authorizing professional services; and authorized the Chairman to execute the Amendment for a not-to-exceed amount of \$10,400.00.
- DD.** Ratification of the TBRA (Tenant Based Rental Assistance) Contract Signed by the County Administrator
(memorandum dated August 9, 2016) 316-345
Ratified the Tenant Based Rental Assistance (TBRA) Program Contract executed by the County Administrator, pursuant to Resolution 2016-058.
- 10:28 a.m.** **EE.** Update on Florida Department of Transportation Grant for Additional Funding to Construct the New GoLine Main Transit Hub
(memorandum dated August 8, 2016) 346-347
Metropolitan Planning Organization Director Phil Matson discussed the changes that had occurred since this item was placed on the Agenda.

ON MOTION by Vice Chairman Flescher, SECONDED by Chairman Solari, the Board unanimously approved Resolution 2016-077, authorizing the execution of a Public Transportation Joint Participation Agreement with the Florida Department of Transportation.
- FF.** Consideration of the Indian River County SHIP Program Annual Report
(memorandum dated August 5, 2016) 348-368
Approved the State Housing Initiatives Partnership (SHIP) Annual Reports, and authorized the Chairman to execute the Certification form.
- GG.** Declaration of Fleet 343/Asset 22579 Surplus and Authorization for Disposition
(memorandum dated August 3, 2016) 369-372
Designated Fleet 343, Asset 22579 (2005 Chevy Silverado), as surplus to the County's needs, and authorized the Purchasing Division to sell it via online auction.
- HH.** Approval of Award for Bid 2016050 – Demolition of County-Owned Building at 1990 25th Street
(memorandum dated August 8, 2016) 373-380

Awarded Bid Award 2016050 to Summit Construction of Vero Beach, LLC; approved the Agreement; and authorized the Chairman to execute it upon review and approval by the County Attorney as to form and legal sufficiency, and the review and approval of the required insurance by Risk Management.

- II.** Ratification of Change Order to SRS Agreement for Concrete Repairs at Sandridge
(memorandum dated August 8, 2016)

381-383

Ratified the Change Order made to the SRS Services, LLC Agreement, to facilitate the emergency repairs to the 15th Green cart path.

- 10:31 a.m.** **JJ.** 43rd Avenue – Advance Acquisition of Right-of-Way, 1313 43rd Avenue, Vero Beach, FL 32960, Owner: Ventures Trust 2013-I-H-R by MCM Capital Partners, LLC its Trustee
(memorandum dated August 8, 2016)

384-391

Commissioner O’Bryan voiced his opposition to the right-of-way acquisition on 43rd Avenue.

Joseph Paladin, President of Black Swan Consulting and Entitlement, LLC, provided background and supported the right-of-way acquisition.

ON MOTION by Vice Chairman Flescher, SECONDED by Commissioner Zorc, by a 4-1 vote (Commissioner O’Bryan opposed), the Board approved the Agreement to Purchase, Sell, and Lease, and authorized the Chairman to execute same on behalf of the Board.

- KK.** Work Order #3 for REI Engineers – Design and Replacement of Indian River County Health Department Roof
(memorandum dated August 8, 2016)

392-398

Approved Work Order No. 3 for REI Engineers, Inc. to design, assist in bidding, and perform construction inspection services to replace the existing Health Department Roof, to design repairs to the building envelope as identified in the August 28, 2015 evaluation report; and authorized the Chairman to execute the Work Order in the lump sum amount of \$28,400.00.

- LL.** Work Order #2 for Jay Ammon Architect, Inc. to Design the Repair and Replacement of Various Roofs at the Indian River County Jail
(memorandum dated August 8, 2016)

399-406

Approved Work Order No. 2 for Jay Ammon Architect, Inc. to design, assist in bidding, and perform construction inspection services for the repair and replacement of various roofs at the Indian River County Jail; and authorized the Chairman to execute the Work Order in the lump sum amount of \$37,175.00.

- MM.** Division of Library and Information Services State Aid Application / Agreement
(memorandum dated August 9, 2016) 407-422

Authorized the Chairman to execute the State Aid to Libraries Grant Agreement with the State of Florida, Department of State, and return it to the Library Services Director, who will forward it to the appropriate State Library staff.
- NN.** Approval of SJRWMD Cost-Share Grant for Osprey Acres Stormwater Park
(memorandum dated July 29, 2016) 423-437

Approved and authorized the Chairman to execute the Cost-Share Agreement.
- OO.** Work Order #4 for REI Engineers to Perform a Roof Condition Assessment for the Administration Annex, Courthouse, and Main Library
(memorandum dated August 8, 2018) 438-451

Approved Work Order No. 4 for REI Engineers, Inc. to perform a roof condition assessment and give recommendations for the Administration Annex located at 1028 20th Place, the Indian River County Courthouse located at 2000 16th Avenue, and the Indian River County Main Library located at 1600 21st Street, Vero Beach; and authorized the Chairman to execute the Work Order in the lump sum amount of \$6,575.00.
- PP.** Approval of Extension of FX Software Agreement
(memorandum dated August 9, 2016) 452-455

Authorized a one (1) year extension to the Enhanced Digital Access Commission System (EDACS) FX Agreement with Harris Corporation (formerly M/A-Com, Inc.).
- QQ.** Work Order No. 2, Masteller & Moler, Inc. IRC Courthouse Judges Security Upgrades
(memorandum dated August 4, 2016) 456-462

Approved Work Order No. 2 to Masteller & Moler, Inc., authorizing professional services as outlined in the Scope of Services (Exhibit A), and authorized the Chairman to execute same for a total lump sum amount of \$25,260.00.
- RR.** Approval of Section 125 Plan Document, Health Care Flexible Spending Account Plan Document, and Dependent Care Flexible Spending Account Plan Document and Authorizing the Chair to Execute the Documents after Review and Approval by the County Attorney
(memorandum dated August 9, 2016) 463-496

Approved the Indian River County Board of County Commissioners Section 125 Plan effective October 1, 2015; Indian River County Board of County Commissioners Health Care Flexible Spending Account Plan Document effective October 1, 2015; and Indian River County Board of

County Commissioners Dependent Care Flexible Spending Account Plan Document effective October 1, 2015; and authorized the Chairman to execute the documents after review and approval by the County Attorney.

- SS.** Request for Approval of Circus Pages License Agreement for Use of the Indian River County Fairgrounds for Event on September 9, 2016
(memorandum dated August 9, 2016)

497-518

Approved and authorized the Chairman to execute the Indian River County Fairgrounds License Agreement.

- TT.** Approval of Auction Sale Prices for Surplus Properties Appropriate for Affordable Housing
(memorandum dated August 10, 2016)

519-520

Ratified and accepted the winning bids, and authorized the Chairman to execute any necessary contracts for sale or title transfer documents.

- UU.** Award of Bid 2016049 – Security System Camera Upgrade
(memorandum dated August 10, 2016)

521-528

Approved Bid Award 2016049 to Precision Contracting Services, Inc. in the amount of \$45,980.00; approved the Agreement; and authorized the Chairman to execute it upon review and approval by the County Attorney as to form and legal sufficiency, and the review and approval of the required insurance by Risk Management.

- VV.** Approval of Agreement with Florida Blue for the County’s Excess Loss / Reinsurance Policy
(memorandum dated August 8, 2016)

529-535

Approved and authorized the Chairman to execute the Agreement for the Renewal Option with Florida Blue for the County’s excess loss/reinsurance policy for plan year 2016-2017.

- WW.** Request for Ratification, Florida Department of Law Enforcement, FY 2016/2017 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, Distribution of Grant
(memorandum dated August 3, 2016)

536-546

Ratified the distribution of 2016-2017 Edward Byrne Memorial Justice Assistance Grant dollars allocated by the Florida Department of Law Enforcement.

- XX.** Water, Sewer and Reclaim Water Line Replacement/Extension and Miscellaneous Labor Contract, Bid Number 2015001
(memorandum dated August 9, 2016)

547-550

Approved the Extension and Amendment of Continuing Contract Agreement with Blue Goose Construction, LLC, as the labor contractor for one year; authorized the Chairman to execute the Agreement after the County Attorney has approved it as to form and legal sufficiency, and after

the Risk Manager has received and approved the required insurance; and authorized the Purchasing Manager to renew any subsequent extensions authorized under the Contract if in the best interest of the County.

9. **CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

10:44 a.m. A. **Indian River County Sheriff Deryl Loar**
Request for Transfer of \$8,595.28 Forfeiture Proceeds to Substance Awareness Center Pursuant to Florida State Statute 932.7055
(letter dated August 4, 2016) 551

Sheriff Deryl Loar requested authorization to transfer \$8,595.28 of the acquired forfeiture proceeds of real or personal property to the Substance Awareness Center.

ON MOTION by Vice Chairman Flescher, **SECONDED** by Commissioner Davis, the Board unanimously approved the transfer of \$8,595.28 of acquired forfeiture proceeds to the Substance Awareness Center.

The Chairman called for a break at 10:45 a.m., and reconvened the meeting at 10:57 a.m., with all members present.

10. **PUBLIC ITEMS**

10:57 a.m. A. **PUBLIC HEARINGS**
1. County Initiated Request to Amend (Update) the Text of Several Elements of the County's Comprehensive Plan
(memorandum dated August 8, 2016) 552-615

Legislative

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

Community Development Director Stan Boling provided background and outlined the proposed text amendments to the County's Comprehensive Plan.

Discussion ensued regarding Fellsmere's annexation amendment process and infrastructure impacts.

The Chairman opened the Public Hearing.

Bob Johnson, Coral Wind Subdivision, sought and received information pertaining to Planned Developments (PD's).

There being no other speakers, the Chairman closed the Public Hearing.

ON MOTION by Commissioner O’Bryan, SECONDED by Vice Chairman Flescher, the Board unanimously adopted Ordinance 2016-008, amending the text of the future Land Use, Transportation, Economic Development, and Recreation and Open Space Elements, and Solid Waste Sub-Element of the County’s Comprehensive Plan; and providing codification, severability, and effective date.

B. PUBLIC DISCUSSION ITEMS

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

11:17
a.m.

1. Request to Speak from Keith D. Kite Regarding Hotels

616-617

Keith Kite, 1045 Winding River Road, Vero Beach, highlighted some factors that he thought could facilitate hotel growth in Indian River County. He urged the Board to stay active in business sustainability, tourism marketing, and the local environment.

Discussions ensued as the Board posed questions to Mr. Kite.

Allison McNeal, Indian River County Chamber of Commerce Tourism Director, said she would provide the Board with a Countywide Five-Year Monthly Occupancy Rate Comparison Report.

12:00
p.m.

2. Request to Speak from Gifford Economic Development Council Regarding Gifford Follow-Up

618

Wanda Scott, 4306 26th Avenue, representing the Gifford Economics Development Council, discussed some of the factors that she believed were impacting the economic stability of Gifford.

Chairman Solari asked staff to provide a report on which expenditures have been made for the Gifford area.

Administrator Brown clarified the current budget amounts for the Municipal Service Benefit Unit (MSBU), and spoke about the pending project for drainage improvements.

C. PUBLIC NOTICE ITEMS

None

11. COUNTY ADMINISTRATOR MATTERS

12:23
p.m.

- A. Department Head Appointment
(memorandum dated August 9, 2016)

619

Administrator Brown introduced Suzanne Boyll, who was recently appointed to the position of Human Resources Director.

The Chairman called a recess at 12:31 p.m. and reconvened the meeting at 1:01 p.m., with all members present.

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

F. **Public Works**

1:01
p.m.

1. Response to May 10, 2016 Commission Meeting Discussing Commissioner Zorc's Request to Consider Additional Sampling and Testing in Indian River Farms Water Control District Canals (memorandum dated July 22, 2016)

620-626

Public Works Director Rich Szyrka reviewed staff's response to the May 10, 2016 Board of County Commission meeting, whereby staff was directed to return to the Board with recommendations and a cost analysis of water sampling for what

appear to be excessive nutrient loading in the canal between 90th Avenue and 74th Avenue. He briefed the Board on the problem areas identified by the Indian River Farms Water Control District (IRFWCD); discussed the sample analysis locations; and outlined the proposed three-phase plan and the estimated costs for each.

Discussions ensued throughout the presentation as Commissioners posed questions to staff.

ON MOTION by Commissioner Davis, **SECONDED** by Commissioner Zorc, the Board unanimously: (1) approved funding and proceeding with Phase 1 sampling of the 8th Street Canal; (2) authorized PACE Environmental Laboratories to perform sample collection and analysis; and (3) approved that the overall project budget be \$28,500, with \$7,500 allocated to Phase 1. (After Phase 1 is complete, staff will reexamine the Phase 2 scope and estimated cost, and if the new estimated cost is less than \$6,000, staff will proceed with Phase 2. Likewise, Phase 3 analysis will proceed in a similar manner. If costs for either Phase 2 or Phase 3 are determined to exceed \$6,000 or \$15,000 respectively, staff will approach the Commission for direction.)

G. Utilities Services

1:21
p.m.

1. Collier Creek Subdivision Phase 1 Petition Water Assessment Project UCP 4125, Request for Authorization for the Department of Utility Services to Amend the Original Assessment Boundary (memorandum dated August 1, 2016)

627-631

Director of Utility Services Vincent Burke provided background and analysis regarding the request of the Collier Creek Subdivision residents who are located outside the Phase 1 boundary, for County water services. He recommended the Board authorize the inclusion of Phase 1A and 1B into the Original Phase 1 Assessment Area.

ON MOTION by Vice Chairman Flescher, **SECONDED** by Commissioner Zorc, the Board unanimously approved: (1) to amend the Original Assessment Area (Phase 1) to include Holden Avenue to the south specifically denoted as Phase 1A, encompassing an additional 23 lots; and (2) that once staff has received and verified all necessary documentation, to then include the six (6) parcels (Phase 1B) along Holden Court in the Original Assessment at Resolution 1 – Providing Resolution at a later date.

1:25
p.m.

2. Fischer Lakes Island Subdivision Phase 1 through 6 and Replat of 7 Petition Water Assessment Project UCP 4118, Resolutions I (Preliminary Assessment Roll) and II (Public Hearing Date) (memorandum dated August 8, 2016)

632-661

Director of Utility Services Vincent Burke provided background and analysis on the proposed water assessment project for Fischer Lake Island Subdivision, Phases 1 through 6, and Replat 7. He requested the Board to approve the Resolution providing for the installation of the water main, and the Resolution setting the time and place for the Public Hearing, on October 4, 2016.

Commissioner Davis requested that staff focus on the amount of conservation land around the Fischer Lake Island community, and the strategic placements of fire hydrants on County property.

ON MOTION by Vice Chairman Flescher, **SECONDED** by Commissioner O'Bryan, the Board unanimously approved: (1) **Resolution 2016-072**, providing for a water main extension from 1501 Eagles Circle to and including 1581 Eagles Circle and 1532 Erica's Way, within the subdivision of Fischer Lake Island, Phases One, Two, Three, Four, Five, Six and replat of a portion of Seven, located within the City of Sebastian, in Indian River County, Florida; providing the total estimated cost, method of payment of assessments, number of annual installments, and description of the area to be served; and (2) **Resolution 2016-073**, setting a time and place at which the owners of properties from 1501 Eagles Circle to and including 1581 Eagles Circle and 1532 Erica's Way, within the subdivision of Fischer Lake Island, Phases One, Two, Three, Four, Five, Six and replat of a portion of Seven, located within the City of Sebastian, in Indian River County, Florida, and other interested persons, may appear before the Board of County Commissioners of Indian River County and be heard as to the propriety and advisability of constructing the water main extension, as to the cost thereof, as to the manner of payment therefor, and as to the amount thereof to be specially assessed against each property benefited thereby.

1:33
p.m.

3. Pinson Subdivision Petition Water Assessment Project UCP #4126, Resolutions I (Preliminary Assessment Roll) and II (Public Hearing Date) (memorandum dated August 9, 2016)

662-675

Director Burke recalled that at the Board of County Commission meeting of July 12, 2016, the Board authorized staff to proceed with two directives on the Pinson Subdivision Petition Water Assessment Project to: (1) configure a plan to provide County water to residents, and (2) explore options to

mitigate equivalent residential unit or impact fees for water based on income qualifications. He provided analysis and estimated water and sewer cost scenarios; and recommended the Board approve the equal per parcel cost to be based on the construction cost estimate, the Resolution providing for the installation of the water main, and the Resolution setting the time and place for the Public Hearing, on September 20, 2016.

Discussion ensued regarding the income profile of Pinson Subdivision residents; the possibility of using State Housing Initiatives Partnership (SHIP) funds to reduce monthly utility bills; and the poor water quality in the community.

Freddie Woolfork, 4590 57th Avenue, supported the project and thanked the Board for trying to reduce the costs of service for the residents.

Julianne Price, Department of Health, supported the project and felt confident that SHIP funding could be used for the project.

ON MOTION by Vice Chairman Flescher, SECONDED by Chairman Solari, the Board unanimously approved: (1) Resolution 2016-074, providing for water main extension from 2000 to and including 2066 42nd Place and including 4206, 4216, 4220, 4230, 4240, 4250, and 4260 20th Avenue within Pinson Subdivision, and including 2226 42nd Street in Indian River County, Florida; providing the total estimated cost, method of payment of assignments, number of annual installments, and description of the area to be served; and (2) Resolution 2016-075, setting a time and place at which the owners of properties from 2000 to and including 2066 42nd Place and including 4206, 4216, 4220, 4230, 4240, 4250, and 4260 20th Avenue within Pinson Subdivision, and including 2226 42nd Street in Indian River County, Florida, and other interested persons, may appear before the Board of County Commissioners of Indian River County and be heard as to the propriety and advisability of constructing the water main extension, as to the cost thereof, as to the manner of payment therefor, and as to the amount thereof to be specially assessed against each property benefited thereby.

- 2:01 p.m.
4. Mitigation/Donation of Reserve ERU's for Financially Disadvantaged Communities (memorandum dated August 9, 2016) 676-677
-
- (Clerk's Note: This Item was heard following Item 14.A.3., and is placed here for continuity.)

Director Burke recalled the Board's direction from the July 12, 2016 Board of County Commission meeting, and outlined the key components, criteria, and options to mitigate/donate Equivalent Residential Units (ERU's) or impact fees for water to the Pinson Subdivision residents based on income qualifications. He requested the Board's authorization to work with the County Attorney's office to develop a draft modification to Indian River County Code 201.09 (Impact Fees).

Discussion ensued on how to lessen the burden for low-income people in the County, ERU policies, long-term issues that will need to be addressed, legitimate donations, and the consideration that the Utility Services Department would monitor/control the program.

Attorney Reingold voiced concerns over how the not-for-profit organizations would be monitored.

(Clerk's Note: At 2:17 p.m. Attorney Reingold exited the meeting and Deputy County Attorney William DeBaal joined the meeting.)

Commissioner O'Bryan wanted to hold off on any action, and allow staff to conduct further research before bringing this item back to the Board.

Administrator Brown voiced concerns over the impact to the Utility Services Department, should it expand into something larger.

Chairman Solari wanted staff to review this and try to get an understanding of the problem, and return to the Board at a future meeting with a draft modification to Section 201.09 of the County Code, in order to establish a mechanism by which the County may accept donations of reserve ERU's to be transferred to financially disadvantaged communities.

A CONSENSUS was reached to table this item for further review by staff and to bring it back to the Board for discussion.

(Clerk's Note: Commissioner Zorc exited the meeting at 2:48 p.m.)

13. COUNTY ATTORNEY MATTERS

- 2:29 p.m.** A. Report on the 30th Annual Environmental Permitting Summer School Seminar (memorandum dated August 5, 2016)

678-686

Assistant County Attorney Kate Pingolt Cotner and Coastal Engineer James Gray provided an update from the Environmental Permitting School Seminar that was given by the Florida Chamber of Commerce, in Orlando, from July 20 through July 22, 2016.

- 1:50 p.m. B. Florida Power & Light Offer to Purchase Electric System in Indian River Shores
(memorandum dated August 8, 2016) 687-688
(Clerk's Note: This Item was heard following Item 12.G.3., and is placed here for continuity.)

County Attorney Dylan Reingold revealed that Florida Power and Light (FPL) had rejected the City of Vero Beach's offer of \$47 million to purchase the electric system in Indian River Shores.

No Board action required or taken.

- 9:52 a.m. C. Resolution Establishing Honorary Position of Indian River County Poet Laureate
(memorandum dated August 2, 2016) 689-691
(Clerk's Note: This Item was heard in conjunction with Item 5.G.)

Attorney Reingold recalled that on July 12, 2016, the Board of County Commissioners had voted to establish the honorary position of Indian River County Poet Laureate, and agreed to accept the selection made by the Laura Riding Jackson Foundation, Inc.

ON MOTION by Commissioner O'Bryan, SECONDED by Vice Chairman Flescher, the Board unanimously approved Resolution 2016-076, establishing the honorary position of Indian River County Poet Laureate; and agreeing that the Laura (Riding) Jackson Foundation, Inc. will present individual(s) qualified for such honorary position to the Board of County Commissioners of Indian River County for appointment.

14. COMMISSIONERS MATTERS

- A. Commissioner Bob Solari, Chairman
2:48 a.m. 1. Optional Sales Tax and the Lagoon
(memorandum dated July 21, 2016) 692
(Clerk's Note: This Item was heard following Item 13.A., and is placed here for continuity.)

Chairman Solari proposed that the Board commit to spending 20% of the Optional Sales Tax proceeds, if it is renewed by the voters, for the first five years of its renewal, on projects that will help return the Lagoon to good health.

Commissioner O’Bryan suggested that the allocated dollars for lagoon projects be added as a line item in the Five-Year Capital Improvement Element.

ON MOTION by Vice Chairman Flescher, **SECONDED** by Chairman Solari, by a 4-0 vote (Commissioner Zorc absent), the Board approved to allocate 20% of the Optional Sales Tax proceeds, if it is renewed by the voters, for the first five years of its renewal, on projects that will help restore the Lagoon to good health.

10:15
a.m.

2. Blue Tube at the Beaches
(memorandum dated July 21, 2016) 693-694

(Clerk’s Note: This Item was heard in conjunction with Item 5.I.)

Chairman Solari asked for the Board’s consideration in approving and directing staff to work with Patricia and Franny Goffinet in placing the BlueTube containers at County parks.

ON MOTION by Commissioner O’Bryan, **SECONDED** by Vice Chairman Flescher, the Board unanimously approved and directed staff to work with Patricia and Franny Goffinet, to place the BlueTube containers at County Parks.

1:55
p.m.

3. Senator Negrón’s Reservoir Plan
(memorandum dated August 10, 2016) 695

(Clerk’s Note: This Item was heard following Item 14.B.1., and is placed here for continuity.)

Chairman Solari disclosed Senator Joe Negrón’s plan to deal with Lake Okeechobee discharges by proposing a \$2.4 billion project split between the State and Federal Government for two large parcels of land that would contain a reservoir treatment filtration area, and questioned whether the Board wished to support the plan.

ON MOTION by Vice Chairman Flescher, **SECONDED** by Chairman Solari, the Board unanimously authorized the Chairman to prepare and bring back to the Board a Resolution supporting Senator Joe Negrón’s Reservoir Plan.

1:51
p.m.

B. Commissioner Joseph E. Flescher, Vice Chairman

- 1. Ordinance Regarding County Right-of-Way and Pedestrian Use for Activities
(memorandum dated August 5, 2016) 696-713

(Clerk’s Note: This Item was heard following Item 13.B., and is placed here for continuity.)

Vice Chairman Flescher provided background and highlighted the reasons why he wanted staff to review the current County ordinance and seek assistance from the Sheriff’s Office regarding County right-of-way and pedestrian use for activities.

ON MOTION by Vice Chairman Flescher, SECONDED by Commissioner Davis, the Board unanimously directed staff to work with the Sheriff’s Office to develop an Ordinance that would be enforceable, suitable, and have the public’s safety in mind.

12:25
p.m.

C. Commissioner Wesley S. Davis

- 1. County Program for Job Mentoring
(memorandum dated August 1, 2016) 714-718

(Clerk’s Note: This Item was heard following Item 10.B.2., and is placed here for continuity.)

Chuck Bailey from the ARC of Indian River County, requested that the Board consider participating in a Countywide job mentoring program that would give three or more young adults with special needs, short internships so they can have real-life work experiences, for future employment opportunities.

ON MOTION by Commissioner Davis, SECONDED by Vice Chairman Flescher, the Board unanimously directed staff to create, develop, and implement a Countywide job mentoring program that will offer on-the-job training by the County to young adults with intellectual and developmental disabilities.

Attorney Reingold said he would work with the County Administrator and the ARC to bring a contract back to the Board.

D. Commissioner Peter D. O’Bryan

None

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 of Minutes Meeting of June 7, 2016
2. Approval of Minutes Meeting of June 21, 2016
3. Lease of Fire Tower and Accessory Building at 43rd Avenue and 4th Street to Indian River County Historical Society, Inc.
(memorandum dated August 4, 2016)

719-730

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 Meeting of June 21, 2016
2. Approval of Minutes Meeting of July 13, 2016
3. Quarterly Recycling Update
(memorandum dated August 4, 2016)

731-732

C. **Environmental Control Board**

None

16. **ADJOURNMENT**

There being no further business, the Chairman declared the meeting adjourned at **3:07 p.m.**

ATTEST:

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

Bob Solari, Chairman

By: _____
Deputy Clerk

Approved: September 13, 2016

BCC/LA/2016Minutes