

Indian River County Florida

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



Meeting Minutes - Draft

Tuesday, March 5, 2019

9:00 AM

Commission Chambers

Board of County Commissioners

*Bob Solari, Chairman, District 5
Susan Adams, Vice Chairman, District 1
Joseph E. Flescher, District 2
Peter D. O'Bryan, District 4
Tim Zorc, District 3*

**Jason E. Brown, County Administrator
Dylan Reingold, County Attorney
Jeffrey R. Smith, Clerk of the Circuit Court and Comptroller
Randi Wardlow, Deputy Clerk**

1. CALL TO ORDER

Present: 5 - Chairman Bob Solari
Vice Chairman Susan Adams
Commissioner Joseph Flescher
Commissioner Peter O'Bryan
Commissioner Tim Zorc

2.A. A MOMENT OF SILENT REFLECTION FOR FIRST RESPONDERS**2.B. INVOCATION**

Pastor Chris Kollmann, Lutheran Church of the Redeemer

3. PLEDGE OF ALLEGIANCE

Commissioner Bob Solari, Chairman

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

A motion was made by Commissioner Flescher, seconded by Commissioner Zorc, to approve the Agenda as presented. The motion carried by the following vote:

Aye: 5 - Chairman Solari, Vice Chairman Adams, Commissioner Flescher, Commissioner O'Bryan, and Commissioner Zorc

5. PROCLAMATIONS and PRESENTATIONS**5.A. 19-0061** Presentation of Proclamation Indian River County Celebrating Children's Week

Recommended Action: Read and Presented.

Attachments: [Proclamation](#)

Marsha Powers, CEO, Early Learning Coalition (ELC), accepted the proclamation presented by Vice Chairman Adams. Ms. Powers introduced new ELC Board Chair Leigh Giunta, and thanked the Board for their support of children and families in Indian River County.

Read and Presented

5.B. 19-0063 Presentation of Proclamation Designating the Month of March 2019 as March for Meals Month

Recommended Action: Read and Presented

Attachments: [Proclamation](#)

Commissioner Zorc read and presented the proclamation to Karen Deigl, CEO, Senior Resource Association (SRA), who provided information about the number of residents assisted by the Meals on Wheels program. The Board commended the

SRA's programs benefiting seniors in the community.

Read and Presented

- 5.C. 19-0195** Presentation of Proclamation Designating the Month of March, 2019, As Red Cross Month

Recommended Action: Read and Present

Attachments: [Proclamation](#)

Commissioner Flescher read and presented the proclamation to Red Cross volunteer Ben Trautman who thanked the Board for their support. Mr. Trautman made mention of the upcoming Hangar Party in May which promotes hurricane readiness education.

Read and Presented

6. APPROVAL OF MINUTES

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

- 7.A. 19-0173** PGA Village Property Owners Association, Inc Letter to Governor DeSantis Regarding Biosolids

Recommended Action: No action required

Attachments: [Commissioner's memorandum](#)
[Letter to Governor from PGA Village](#)

No Action Taken or Required

- 7.B. 19-0182** Modification to Purchasing Manual Paragraph 1.3.P Regarding Projects Involving Federal Funding

Recommended Action: No action is required by the Board.

Attachments: [Staff Report](#)

No Action Taken or Required

- 7.C. 19-0187** Indian River County Venue Event Calendar Review

Recommended Action: This is an informational item only; no Board action is required.

Attachments: [Staff Report](#)

Commissioner O'Bryan highlighted the Firefighters Fair which runs from March 8 to March 17, 2019.

No Action Taken or Required

7.D. 19-0192 Update On All Aboard Florida Expenses

Recommended Action: No Action Required

Attachments: [Staff Report](#)
[All Aboard FL Expenses](#)

No Action Taken or Required

8. CONSENT AGENDA

A motion was made by Commissioner Flescher, seconded by Commissioner O'Bryan, to approve the Consent Agenda as amended, pulling Item 8.E. for discussion. The motion carried by the following vote:

Aye: 5 - Chairman Solari, Vice Chairman Adams, Commissioner Flescher, Commissioner O'Bryan, and Commissioner Zorc

8.A. 19-0169 Checks and Electronic Payments February 8, 2019 to February 14, 2019

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of February 8, 2019 to February 14, 2019

Attachments: [Finance Department Staff Report](#)

Approved

8.B. 19-0183 Checks and Electronic Payments February 15, 2019 to February 21, 2019

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of February 15, 2019 to February 22, 2019

Attachments: [Finance Department Staff Report](#)

Approved

8.C. 19-0127 Award of Bid 2019021 - Annual Bid for Concrete Cutting, Removal and Replacement

Recommended Action: Staff recommends the Board award bid 2019021 to Timothy Rose Contracting. Staff also recommends the Board authorize the Purchasing Division to issue blanket

purchase orders to the awarded bidder, and authorize the Purchasing Manager to renew this bid for two (2) additional one (1) year periods subject to satisfactory performance, vendor acceptance, and the determination that renewal of this annual bid is in the best interest of Indian River County.

Attachments: [Staff Report](#)

Approved staff's recommendation

- 8.D. 19-0142** DiVosta Homes, LP's Request for Final Plat Approval for The Lakes at Waterway Village PODs M, N, O, & P [PD-17-09-06 / 2004010124-82753]

Recommended Action: Based on the analysis, staff recommends that the Board of County Commissioners grant final plat approval for The Lakes at Waterway Village PODs M, N, O, & P

Attachments: [Staff Report](#)

[Application](#)

[Location Map](#)

[Final Plat Layout](#)

[Contract for Construction of Required Improvements](#)

[Letter of Credit](#)

Approved staff's recommendation

- 8.E. 19-0171** Work Order No. 2 to CivilSurv Design Group, Inc., 101st Avenue Widening (87th Street to CR 512), IRC-1902

Recommended Action: Staff recommends the Board of County Commissioners approve Work Order No. 2 with CivilSurv Design Group, Inc. for a lump sum amount of \$22,950.00 and authorize the Chairman to execute Work Order No. 2.

Attachments: [Staff Report](#)

[Work Order No. 2](#)

[Scope of Services \(Exhibit A\)](#)

Director of Public Works Richard Szyrka provided details on the preliminary stages of the planned 101st Avenue widening project which will serve residents of Vero Lake Estates.

A motion was made by Vice Chairman Adams, seconded by Commissioner Zorc, to approve staff's recommendation. The motion carried by the following vote:

Aye: 5 - Chairman Solari, Vice Chairman Adams, Commissioner Flescher, Commissioner O'Bryan, and Commissioner Zorc

- 8.F. 19-0174** Request for Authorization for the Board Chairman to Sign a Department of

Opportunity/Indian River County Housing Rehabilitation Community Development Block Grant (CDBG) Agreement

Recommended Action: Staff recommends that the Board of County Commissioners: 1. Approve the resolution authorizing the chairman to execute the DEO/Indian River County CDBG contract and other documents required for Indian River County to enter into the contract, and granting authority to the Community Development Director, or his designee to execute documents related to the administration of the CDBG; and 2. Authorize staff to transmit the signed copies of the agreement to DEO.

Attachments: [Staff Report](#)
[DOE Agreement](#)
[Resolution to Execute CDBG Contract](#)
[Budget Office Grant Form](#)

Approved Resolution 2019-019, authorizing the Chairman to execute the documents required for the County to enter into a contract with the Florida Department of Economic Opportunity for a Federal Fiscal Year (FFY) 2017 Housing Rehabilitation category Community Development Block Grant and authorizing the Community Development Director to execute all documents required for the administration of the Housing Rehabilitation category Community Development Block Grant.

8.G. 19-0177 26th Street Properties, LLC's Request for Release of Easements on Certain Lots on Bella Rosa Lane at 5995 26th Street (Bella Rosa Subdivision)

Recommended Action: Staff recommends that the Board, through adoption of the resolution, approve release of the 18 6'x15' utility easements described in the resolution.

Attachments: [Staff Report](#)
[Maps Depicting Easements](#)
[Proposed Resolution Releasing Easements](#)

Approved Resolution 2019-020, releasing certain easements on 18 lots in Bella Rosa subdivision.

8.H. 19-0178 Consideration of Consultant Contract for Community Development Block Grant (CDBG) Housing Rehabilitation Administration Services

Recommended Action: Staff recommends that the Board of County Commissioners: 1. Approve the proposed contract between the Board of County Commissioners and Guardian Community Resource Management, Inc. for administration of a Housing Rehabilitation Community Development Block Grant; and 2. Authorize the Chairman to execute the contract.

Attachments: [Staff Report](#)
[CDBG Grant Administration Agreement](#)

Approved staff's recommendation

- 8.I. 19-0179** Work Order No. 1, Atkins North America, Inc. - 6th Avenue Resurfacing US-1 to 21st Street (IRC-1638)

Recommended Action: Staff recommends approval of Work Order No. 1 to Atkins North America, Inc., authorizing the professional services as outlined in the Scope of Services and requests the Board authorize the Chairman to execute Work Order No. 1 on their behalf for a lump sum amount of \$168,940.00.

Attachments: [Staff Report](#)
[Work Order No. 1](#)
[Exhibit A](#)
[Exhibit B](#)
[Exhibit C](#)

Approved staff's recommendation

- 8.J. 19-0180** Work Order No. 2018006-5, Aptim Environmental & Infrastructure, Inc., Sector 3 Beach and Dune Renourishment - Construction Easements

Recommended Action: The recommendation of staff is for the Board to approve Work Order No. 2018006-5 to the contract with Aptim Environmental & Infrastructure, Inc. and authorize the Chairman to sign on behalf of the County

Attachments: [Staff Report](#)
[APTIM WO No. 2018006-5](#)

Approved staff's recommendation

- 8.K. 19-0181** Work Order No. 2018029-3 APTIM Environmental & Infrastructure, Inc. Sector 5 Beach and Dune Restoration Project - Construction Easements

Recommended Action: The recommendation of staff is for the Board to approve Work Order No. 2018029-3 to the contract with APTIM Environmental & Infrastructure, Inc. and authorize the Chairman to sign on behalf of the County.

Attachments: [Staff Report](#)
[APTIM WO No. 2018029-3](#)

Approved staff's recommendation

- 8.L. 19-0188** Approval of Work Order No. AA-LEAPS-1 With Andersen Andre Consulting Engineers, Inc. for Geotechnical Engineering Evaluation Services for the North Relief Canal Stormwater Treatment Facility

Recommended Action: Staff recommends the Board of County Commissioners approve Work Order No. AA-LEAPS-1 with Andersen Andre Consulting Engineers, Inc. and authorize the Chairman to execute the Work Order on behalf of the County.

Attachments: [Staff Report](#)
[WO No. AA-Leaps-1](#)

Approved staff's recommendation

- 8.M. 19-0189** Annual HUD Grant Renewals for Homeless Management Information System (HMIS) and Continuum of Care (CoC) Programs

Recommended Action: Staff recommends the Board acknowledge the renewal of grants awarded by HUD in the aggregate amount of \$902,148, and authorize Chairman to execute each individual Scope of Work grant document.

Attachments: [Staff Report](#)
[HUD Letter Award of \\$902,148](#)
[FL0113L4H091806-FY18 Grant Agreement](#)
[FL0114L4H091811-FY18 Grant Agreement](#)
[FL0116L4H091811-FY18 Grant Agreement](#)
[FL0119L4H091811-FY18 Grant Agreement](#)
[FL0338L4H091805-FY18 Grant Agreement](#)
[FL0360L4H091809-FY18 Grant Agreement](#)
[FL0380L4H091804-FY18 Grant Agreement](#)
[FL0440L4H091807-FY18 Grant Agreement](#)

Approved staff's recommendation

- 8.N. 19-0190** Change Order No. 1, IRC Jail Complex Roofing Replacement, Recover and Repair Project (IRC-1735)

Recommended Action: Staff recommends the Board of County Commissioners approve Change Order No. 1 authorizing the replacement of the roof over the Jail's sally port and the additional funding in the amount of \$93,743.00. The new total contract price will be \$1,357,398.00.

Attachments: [Staff Report](#)
[Change Order No. 1](#)

Approved staff's recommendation

8.O. 19-0198 Information Technology Use Policy Update

Recommended Action: Staff recommends that the Board of County Commissioners accept these changes and approve the proposed Administrative Policy to be placed in the Administrative Policy Manual.

Attachments: [Staff Report](#)
[903.1 \(draft\) Information Technology Use Policy](#)

Approved staff's recommendation

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

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

10.A.1. 19-0139 Request for the Board of County Commissioners to Consider an Ordinance Modifying Section 1000.13 of Title X Impact Fee Ordinance Regulations (Legislative)

Recommended Action: Staff recommends that the Board of County Commissioners adopt the proposed modifications to Title X, Impact Fees, to modify the time period for impact fee schedule review, and require impact fee schedule updates every five (5) years, as contained in the ordinance.

Attachments: [Staff Report](#)
[Portion of June 13, 2017 BCC Minutes](#)
[Portion of Nov 20, 2018 BCC Minutes](#)
[Proposed Ordinance](#)

Bill Schutt, Senior Planner, Long Range Planning, recounted the Board's previous direction to revise the Title X Impact Fee Ordinance Regulations. Mr. Schutt explained that while the existing ordinance calls for a review of the County's impact fee schedule once every three years, this revision would require that the fee schedule is reviewed and revised every five (5) years.

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

A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, to adopt Ordinance 2019-007, amending Title X, Impact Fees, of the Code of Indian River County, providing for amendments to Chapter 1000, Purpose and Intent; by amending Section 1000.13(2), Review; and by providing for repeal of conflicting provisions; codification; severability; and effective date. The motion carried by the following vote:

Aye: 5 - Chairman Solari, Vice Chairman Adams, Commissioner Flescher, Commissioner O'Bryan, and Commissioner Zorc

10.A.2. 19-0170

Indian River Land Trust, Inc.'s Request to Amend the Comprehensive Plan to Re-designate ± 11.59 Acres From C/I, Commercial/ Industrial to M-1, Medium Density Residential-1 (up to 8 units/acre), and to Rezone Those ± 11.59 Acres From CL, Limited Commercial District, to RM-6, Multi-Family Residential District (up to 6 units/acre), located at the southeast corner of 79th Street and U.S. Highway 1; and Simultaneous Request by Schwerin Asset Advisors, LLC's to Amend the Comprehensive Plan to Re-designate ± 11.44 Acres From M-1, Medium Density Residential-1 (up to 8 units/acre), to C/I, Commercial/ Industrial, and to Rezone ± 0.83 Acres of that Property to OCR, Office, Commercial, Residential District and to Rezone the Remaining ± 10.61 Acres of that Property from RM-6, Multi-Family Residential District (up to 6 units/acre), to CL, Limited Commercial District, located at the northeast corner of 41st Street and U.S. Highway 1; (LUDA 2006090171-81055) (Legislative and Quasi-Judicial - Treat as Quasi-Judicial)

Recommended Action: Based on the analysis, staff and the Planning and Zoning Commission recommend that the Board of County Commissioners: 1. Open the public hearing for the proposed land use designation swap, take and consider public comment, close the public hearing, discuss, and approve the proposed amendment to change the land use designation of Subject Property 1 from C/I to M-1 and Subject Property 2 from M-1 to C/I by adopting the land use amendment ordinance; and 2. Open the public hearing for the proposed rezoning, take and consider public comment, close the public hearing, discuss, and approve the request to rezone Subject Property 2 from RM-6 to OCR and CL by adopting the rezoning ordinance.

Attachments: [Staff Report](#)
[Summary Pages](#)
[LUDA and Rezoning Applications](#)
[Table of Uses - Commercial Districts](#)
[Table of Uses - Multiple Family Res.](#)
[Comprehensive Plan Amendment Procedures](#)
[Standards of Review](#)
[Approved 10-11-18 PZC Meeting Minutes](#)
[Approved 11-20-18 BCC Meeting Minutes](#)
[LUDA Ordinance](#)
[Rezoning Ordinance](#)
[DEO Review Letter](#)

Chairman Solari read into the record the description of this item, using an overhead projection to illustrate the two subject properties owned by the Indian River Land Trust, Inc, and Schwerin Asset Advisors, LLC., respectively. The Chairman referred to staff's memo which clarified that this item contains two separate public hearings requiring two separate motions. The first hearing, he explained, would amend the Comprehensive Plan with a simultaneous swap of land use designations between the two properties; the second hearing would rezone the two properties.

In advance of the second hearing, which was Quasi-Judicial, Chairman Solari had the Deputy Clerk administer the Oath to all persons who wished to speak at that hearing.

Bill Schutt, Indian River County Senior Planner, Long Range Planning, utilized a PowerPoint presentation which combined details of both hearings, and provided information on past actions, zoning, compatibility, and consistency with the Comprehensive Plan. His presentation concluded with recommendations from staff and the Planning and Zoning Commission.

Chairman Solari noted that the swap would provide the Indian River Land Trust with an uninterrupted stretch of conservation land from U.S. Highway 1 and 79th Street east to the Indian River Lagoon.

The Chairman opened the first public hearing in which the parties were seeking adoption of a land use designation amendment.

Attorney Bruce Barkett, 756 Beachland Boulevard, appeared before the Board as a representative for both parties, and made himself available for questions.

There being no further speakers, the Chairman closed the public hearing.

A motion was made by Commissioner O'Bryan, seconded by Commissioner Zorc, to adopt Ordinance 2019-008, amending the Future Land Use Map by changing the land use designation for ±11.59 acres located at the southeast corner of 79th Street and U.S. Highway 1 from C/I, Commercial Industrial to M-1, Medium Density Residential-1 (up to 8 units per acre); and to simultaneously redesignate ±11.44 acres located at the northeast corner of 41st Street and U.S. Highway 1 from M-1, Medium Density Residential-1 (up to 8 units per acre), to C/I, Commercial Industrial; and providing codification, severability, and effective date. The motion carried by the following vote:

Aye: 5 - Chairman Solari, Vice Chairman Adams, Commissioner Flescher, Commissioner O'Bryan, and Commissioner Zorc

Chairman Solari proceeded to the second hearing, a request to rezone both properties. The Chairman introduced the parties for the proceeding as being Indian River Land Trust, Inc. and Schwerin Asset Advisors, LLC.

Each Commissioner, as requested by the Chairman, disclosed ex parte communications, site visits, or independent investigations. The Commissioners also affirmed that they have an open mind and can base their decisions on the evidence presented and the applicable law. The Chairman confirmed that any and all documents and all tangible evidence had been submitted to the Clerk.

Senior Planner Bill Schutt displayed staff's recommendation from the previously shown PowerPoint presentation.

Chairman Solari opened the Public Hearing. There being no speakers, the Chairman closed the public hearing.

A motion was made by Commissioner Flescher, seconded by Commissioner Zorc, to adopt Ordinance 2019-009, amending the Zoning Ordinance and Zoning Map for ±11.59 acres located at the southeast corner of 79th Street and U.S. Highway 1 from CL, Limited Commercial District, to RM-6, Multi-family Residential District (up to 6 units per acre); and to simultaneously change the zoning designation of ±10.61 acres located at the northeast corner of 41st Street and U.S. Highway 1 from RM-6, Multi-family Residential District (up to 6 units per acre), to CL, Limited Commercial District and to change the zoning designation of ±0.83 acres located adjacent to the northwest corner of that property from RM-6, Multi-family Residential District (up to 6 units per acre), to OCR, Office, Commercial, Residential District; and providing codification, severability, and effective date. The motion carried by the following vote:

Aye: 5 - Chairman Solari, Vice Chairman Adams, Commissioner Flescher, Commissioner O'Bryan, and Commissioner Zorc

B. PUBLIC DISCUSSION ITEMS

10.B.1. 19-0193 Request to Speak from Spencer Simmons and Tim Campbell regarding Zoning District Use Violation

Recommended Action: Request to Speak - No Action Required

Attachments: [Request to Speak Form](#)

Spencer Simmons, 118 43rd Avenue, and Tim Campbell, 7330 37th Street, appeared before the Board to protest a Code Enforcement ruling which allowed a commercial business to operate in their Agriculture-zoned neighborhood. Using a PowerPoint presentation, Mr. Simmons displayed images of the buildings, commercial vehicles, and traffic at the subject property. He went on to explain that the business, Caribbean Lawn and Landscaping, had been cited for violating County code by erecting a building without a permit and violating the zoning use of the property. The Code Enforcement Board ruling, however, allowed the business to continue operation contingent upon the completion of a planned commercial nursery.

Mr. Campbell spoke of his concern regarding the increased traffic, loss of property value, and the precedence this would set to allow for similar businesses to open in the area.

Chairman Solari requested clarification on the County code from Stan Boling, Director of Community Development. Director Boling explained that agricultural operations, such as commercial nurseries, receive protection under the Right-to-Farm Act; this includes a preemption from pulling a building permit, and the ability to run an accessory business on the land. A business could be ruled as accessory, or subordinate, based on the percentage of the lot it uses.

The Chairman expressed concern that this company was gaming the system by using the wholesale nursery business as a gateway for the landscaping operations. The other Commissioners expressed similar views, and cited examples of companies that were in keeping with the intention of the code.

Roland DuBlois, Chief of Code Enforcement, recounted the facts and analysis that led to the Code Enforcement Board's ruling.

The consensus of the Board was that while they could not interfere in this ongoing case, they would like to consider modifications to the code that would prevent misrepresentations or abuses of the zoning rules. The County Administrator and staff were instructed to research modifications to the code that would balance the needs of agriculture and commercial business.

No Action Taken or Required

C. PUBLIC NOTICE ITEMS

The Chairman called a recess at 10:39 a.m., and reconvened the meeting at 10:44 a.m., with all members present.

11. COUNTY ADMINISTRATOR MATTERS

11.A. 19-0197 City of Sebastian Fire Marshal

Recommended Action: Staff recommends the Board authorize an interlocal agreement with the City of Sebastian, and direct negotiation of the final terms of an agreement in which the City manages all Fire Marshal Services in the City within the parameters presented. Staff also recommends the Board authorize termination of the dispute resolution process under the Act upon the City's approval to negotiate an interlocal agreement within the parameters presented. The negotiated interlocal agreement will be brought back to the Board of County Commissioners for final review and approval.

Attachments: [Staff Report](#)
[Fellsmere Draft Interlocal Agreement](#)

County Administrator Jason Brown referred to staff's memo which recounted the history of the conflict between the City of Sebastian (the City) and Indian River County (the County) regarding the City's establishment of an independent Fire Marshal's Office, and the County's opposition to it. Because attempts to reach an agreement between the parties had failed, the Board approved initiating the Florida Governmental Conflict Resolution Act (Act) at their February 5, 2019 meeting.

Following passage of the Act, a conflict assessment meeting was held on February 26, 2019; Administrator Brown summarized the County's position as it was presented at that meeting. In an effort to resolve the issue and avoid litigation, Administrator Brown proposed creating an Interlocal Agreement similar to one previously proposed to the City of Fellsmere, and discussed how it could be modified to address the County's safety and liability concerns. He conceded that though the preferred option was to keep the Emergency Services District intact, he and staff were supportive of this solution; he went on to outline the proposed agreement for the Board's consideration.

Discussion ensued among the Board with each Commissioner stating their views on the issue and the proposed solution. Commissioner Zorc asked and received answers from County Attorney Dylan Reingold and Emergency Services Director Tad Stone regarding the division of responsibilities. Chairman Solari and Commissioner O'Bryan each elaborated on his reasoning for opposing the Interlocal Agreement. Vice Chairman Adams and Commissioner Flescher discussed their rationale for supporting the Interlocal Agreement as a means to end the impasse between the County and the City.

A motion was made by Vice Chairman Adams, seconded by Commissioner Flescher, to approve staff's recommendation. The motion carried by the following vote:

Aye: 3 - Vice Chairman Adams, Commissioner Flescher, and Commissioner Zorc

Nay: 2 - Chairman Solari, and Commissioner O'Bryan

12. DEPARTMENTAL MATTERS

A. Community Development

B. Emergency Services

C. General Services

12.C.1. 19-0155 Sebastian Harbor Preserve Update & Approval of Work Order #2 to Carter Associates, Inc. for Site Planning, Design & Engineering

Recommended Action: Staff respectfully recommends that the Board of County Commissioners approve Work Order #2 to Carter Associates, Inc. and authorize the Chairman to sign.

Attachments: [Staff Report](#)

[Work Order #2 with Exhibit A](#)

[Figure 2: Wetland Boardwalk Plan](#)

Beth Powell, Assistant Director, Parks and Conservation Resources, used a PowerPoint presentation to provide an update on the Sebastian Harbor Preserve (SHP) which had received grant funding for public access improvements. Photos of the installed hiking paths were shown, as well as details for planned future projects. Ms. Powell was seeking the Board's approval on a work order for engineering services needed to plan the next phase of improvements at SHP.

Ms. Powell's presentation continued with updates on work-in-progress projects at the following conservation areas: South Oslo Riverfront, Ansin Riverfront, Round Island South, and the Archie Smith Fish House.

A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, to approve staff's recommendation. The motion carried by the following vote:

Aye: 5 - Chairman Solari, Vice Chairman Adams, Commissioner Flescher, Commissioner O'Bryan, and Commissioner Zorc

1. Human Services

2. Sandridge Golf Club

3. Recreation

D. Human Resources

E. Office of Management and Budget

12.E.1. 19-0200 Deferred Capital/Maintenance

Recommended Action: No Action Required

Attachments: [Staff Report](#)
[History of Deferred Capital/Maintenance Expenditures](#)
[Outstanding Deferred Capital/Maintenance](#)

Management and Budget Director Kristin Daniels presented an update on the County's deferred capital and maintenance expenditures. Using a PowerPoint presentation, Ms. Daniels reviewed the projects which had been deferred during the economic downturn as well as the strides the County has made in catching up on those projects.

Commissioner O'Bryan highlighted the planned expenditures for roadway improvements in response to concerns from the community.

No Action Taken or Required

The Chairman called a recess at 11:46 a.m., and reconvened the meeting at 11:51 a.m., with all members present.

F. Public Works

12.F.1. 19-0176 Developer's Agreement with Grace Baptist Church - Drainage for 43rd Avenue

Recommended Action: Staff recommends that the Board approve the Developer's Agreement between the County and Grace Baptist Church and authorize the Chairman to execute the Developers Agreement on behalf of the Board

Attachments: [Staff Report](#)
[Developer's Agreement](#)

Public Works Director Richard Szyrka appeared before the Board to answer questions related to this item. There being none, the Board took the following action:

A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, to approve staff's recommendation. The motion carried by the following vote:

Aye: 5 - Chairman Solari, Vice Chairman Adams, Commissioner Flescher, Commissioner O'Bryan, and Commissioner Zorc

G. Utilities Services**13. COUNTY ATTORNEY MATTERS****14. COMMISSIONERS MATTERS****A. Commissioner Bob Solari, Chairman****B. Commissioner Susan Adams, Vice Chairman****C. Commissioner Joseph E. Flescher****D. Commissioner Peter D. O'Bryan****14.D.1. 19-0199** John's Island Water District Re-use Line Action

Recommended Action: Discussion to consider tabling any action on the John's Island Water District Re-use Line until the A1A study is completed and presented to the Board.

Attachments: [Commissioner's Memorandum](#)
[Staff Report Item 12.G.1 from 12/11/18](#)

Commissioner O'Bryan recounted that in December 2018, the County commissioned a study to analyze the feasibility of installing a pressurized re-use water line along the A1A corridor. Because the results of this study were not expected until April 2019, Commissioner O'Bryan suggested pulling the March 12, 2019 agenda item regarding John's Island Water Management's (JIWM) plan to install a re-use pipeline in an alternate location, beneath the Indian River Lagoon.

Chairman Solari agreed it would be in the County's best interest to consider the results of the A1A study before moving forward with the JIWM project. County Administrator Jason Brown advised that the study would most likely be available for the April 23, 2019 Board meeting, though this was subject to change. The consensus of the Board was to table the March 12, 2019 agenda item until the County's contracted study could be reviewed.

Ruth Stanbridge, Indian River County Historical Society, appeared before the Board to request a public hearing before allowing construction of the JIWM pipeline. Chairman Solari advised that the issue would return on the agenda of a regular Board meeting.

Commissioner O'Bryan raised the question of whether the County had the legal right to grant an easement allowing JIWM access to the Indian River Lagoon. The Chairman agreed to discuss the matter further with County Attorney Dylan Reingold.

Approved

E. Commissioner Tim Zorc**14.E.1. 19-0196** Request to Use Commission Chambers to Host Community Awareness Forum on Human Trafficking

Recommended Action: Commissioner Matter for Discussion

Attachments: [Commissioner's Memorandum](#)

Commissioner Zorc referred to staff's memo which listed the details for the planned March 13, 2019 forum. The Commissioner highlighted statistics regarding human trafficking and relayed that his goal was to shed light on this issue given the recent publicity.

A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Adams, to approve Commissioner Zorc's request to use the Commission Chambers on March 13, 2019 to host a community awareness forum on human trafficking. The motion carried by the following vote:

Aye: 5 - Chairman Solari, Vice Chairman Adams, Commissioner Flescher, Commissioner O'Bryan, and Commissioner Zorc

15. SPECIAL DISTRICTS AND BOARDS**A. Emergency Services District****B. Solid Waste Disposal District****C. Environmental Control Board****16. ADJOURNMENT**

There being no further business, the Chairman adjourned the meeting at 12:06 p.m.