

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, August 14, 2018

9:00 AM

Commission Chambers

Board of County Commissioners

Peter D. O'Bryan, Chairman, District 4

Bob Solari, Vice Chairman, District 5

Susan Adams, District 1

Joseph E. Flescher, District 2

Tim Zorc, District 3

Jason E. Brown, County Administrator

Dylan Reingold, County Attorney

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

Maureen Gelfo, Deputy Clerk

1. CALL TO ORDER**ROLL CALL**

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

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

Father Robert Stull, Christ Church Vero Beach

3. PLEDGE OF ALLEGIANCE

Commissioner Peter D. O'Bryan, Chairman

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

Added: Additional Backup Landscape Resolution Item 8.II. Amendment Number One to the FDOT Landscape Maintenance Memorandum of Agreement with The Moorings for Additional Landscaping on A1A

Added: Replacement Page Limited Mechanical Warranty Policy Item 12.G.1. Emergency Repair of the South County Wastewater Treatment Facility Self Cleaning Bar Filter Screen

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

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

5. PROCLAMATIONS and PRESENTATIONS

- 5.A. 18-2095** Presentation of Proclamation Honoring James D. DeGraffenreid on His Retirement From Indian River County Board of County Commissioners Department of Utility Services Wastewater Treatment Division With Thirty Years of Service

Attachments: [Proclamation](#)

At this time, Chairman O'Bryan introduced and welcomed Dori Stone, new president of the Indian River County Chamber of Commerce. He then read and presented the Proclamation to James D. DeGraffenreid, thanking him for his thirty years of service.

Read and Presented

- 5.B. 18-2125** Presentation on City of Vero Beach Centennial Celebration by City Councilmember Tony Young and City Clerk Tammy Bursick

Recommended Action: Presented. No Action Required

City of Vero Beach Clerk Tammy Bursick and City of Vero Beach Councilmember Tony Young, assisted by a video presentation, outlined the events that are being planned for the City of Vero Beach's Centennial Celebration.

No Action Taken or Required

6. APPROVAL OF MINUTES

- 6.A. 18-2080** Regular Meeting of June 12, 2018

Recommended Action: Approve

Attachments: [06122018BCCdraft](#)

Approved

- 6.B. 18-2091** Regular Meeting of June 19, 2018

Recommended Action: Approve

Attachments: [06192018BCC](#)

Approved

- 6.C. 18-2083** Regular Meeting of July 3, 2018

Recommended Action: Approve

Attachments: [07032018BCC](#)

Approved

- 6.D. 18-2139** Regular Meeting of July 10, 2018

Recommended Action: Approve

Attachments: [07102018BCCdraft](#)

A motion was made by Commissioner Adams, seconded by Commissioner Zorc, to approve the Regular Meeting Minutes of June 12, 2018; June 19, 2018; July 3,

2018; and July 10, 2018, as written. The motion carried by the following vote:

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

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

7.A. 18-2074 Florida Public Service Commission In re: Petition for approval of renewable energy tariff and standard offer contract, by Florida Power & Light Company is on file in the Office of the Clerk to the Board.

Recommended Action: Information Only

No Action Taken or Required

7.B. 18-2078 Florida Public Service Commission In re: Request for approval of change in rate used to capitalize allowance for funds used during construction (AFUDC) from 6.16% to 5.97%, effective January 1, 2018, by Florida Power & Light Company, is on file in the Office of the Clerk to the Board

Recommended Action: Information Only

No Action Taken or Required

7.C. 18-2084 Florida Public Service Commission In re: Petition for approval of amended standard offer contract (Schedule COG-2) based on a combustion turbine avoided unit, by Duke Energy Florida, LLC, is on file in the Office of the Clerk to the Board.

Recommended Action: Information Only

No Action Taken or Required

7.D. 18-2094 Florida Public Service Commission In re: Petition for limited proceeding for approval to include in base rates the revenue requirement for the Citrus combined cycle project, by Duke Energy Florida, LLC, is on file in the Office of the Clerk to the Board

Recommended Action: Information Only

No Action Taken or Required

- 7.E. 18-2100** Florida Public Service Commission In re: Petition for approval of modifications to Section No. IV, general rules and regulations governing electric service, Part VIII billing, residential and non-residential budget billing, by Duke Energy Florida, LLC, is on file in the Office of the Clerk to the Board. (File ID 18-2099)

Recommended Action: Information Only

No Action Taken or Required

- 7.F. 18-2150** Proclamation Honoring Katherine R Bray on Her Retirement From Indian River County Board of County Commissioners Department of Utility Services Customer Service Division with Eighteen Years of Service

Attachments: [Proclamation](#)

Chairman O'Bryan congratulated Katherine R. Bray on her retirement.

No Action Taken or Required

- 7.G. 18-2151** Update on All Aboard FL/Vero Electric Expenses

Recommended Action: No Action Required

Attachments: [Staff Report](#)

[All Aboard FL Expenses](#)

[FP&L-Vero Beach-FMPA expenses](#)

No Action Taken or Required

- 7.H. 18-2114** Indian River County Venue Event Calendar Review

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

Attachments: [Staff Report](#)

No Action Taken or Required

- 7.I. 18-2152** Tunnel to Towers 5K Run & Walk Saturday, September 8, 2018

Recommended Action: No Action Required

Attachments: [Informational Brochure](#)

Chairman O'Bryan noted that the firefighters who responded to events at the World Trade Center on September 11, 2001 (a/k/a 9/11) will be honored at the Tunnel to Towers 5K Event.

No Action Taken or Required

7.J. 18-2155 John's Island Club Regarding Public Safety Day 2018

Recommended Action: Informational Only - No Action Required

Attachments: [Letter from Johns Island Club Dated August 1, 2018](#)

No Action Taken or Required

7.K. 18-2168 Letter to Public Service Commission re: Sale of City of Vero Beach (COVB) Electric

Recommended Action: No action required; for information only

Attachments: [Commissioner's Memorandum](#)
[Letter to PSC re COVB-FPL sale](#)

No Action Taken or Required

7.L. 18-2169 Inclusion within the Service Area of Foreign Trade Zone #218

Recommended Action: No action required; for information only

Attachments: [Commissioner's Memorandum](#)
[Letter Treasure Coast Foreign Trade Zone #218](#)

Commissioner Zorc thanked St. Lucie County Commissioners and County staff for working on the endeavor to include Indian River County within the Service Area of Foreign Trade Zone #218.

No Action Taken or Required

8. CONSENT AGENDA

A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to approve the Consent Agenda as amended, pulling Items 8.H. and 8.G.G. for discussion. The motion carried by the following vote:

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

8.A. 18-2072 Checks and Electronic Payments July 6, 2018 to July 12, 2018

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of July 6, 2018 to July 12, 2018

Attachments: [Finance Department Staff Report](#)

Approved

8.B. 18-2088 Checks and Electronic Payments July 13, 2018 to July 19, 2018

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of July 13, 2018 to July 19, 2018

Attachments: [Finance Department Staff Report](#)

Approved

8.C. 18-2098 Checks and Electronic Payments July 20, 2018 to July 26, 2018

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of July 20, 2018 to July 26, 2018

Attachments: [Finance Department Staff Report](#)

Approved

8.D. 18-2129 Checks and Electronic Payments July 27, 2018 to August 2, 2018

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of July 27, 2018 to August 2, 2018

Attachments: [Finance Department Staff Report](#)

Approved

8.E. 18-2068 Dori Slosberg Driver Education Safety Act - Indian River County Traffic Education Program Trust Fund Report - Cumulative Reporting Through 06/30/18

Recommended Action: Accept the report

Attachments: [Traffic Education Program Trust Fund Report](#)

Accepted

8.F. 18-2107 Quarterly Investment Report for the Quarter Ending 06/30/18

Recommended Action: Accept the report

Attachments: [Quarterly Investment Report](#)

Accepted

8.G. 18-2108 Quarterly OPEB Trust Report for the Quarter Ending 06/30/18

Recommended Action: Accept the report

Attachments: [Quarterly OPEB Trust Report](#)

Accepted

8.H. 18-2140 Quarterly Tourist Development Tax Report for the Quarter Ending 06/30/18

Recommended Action: Accept the report

Attachments: [Quarterly Tourist Development Tax Report](#)

Chairman O'Bryan requested clarification on why the quarterly Tourist Development Tax Report indicates a decrease in revenues from hotels and motels.

Clerk and Comptroller Smith explained why there was a discrepancy, and affirmed that there has been an increase in Hotel/Motel Tourist Tax for the quarter ending June 30, 2018.

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

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

8.I. 18-2101 Auditing Agreement Renewal Option

Recommended Action: Approve the two-year renewal option

Attachments: [Finance Department Staff Report](#)

Approved staff's recommendation

8.J. 18-2109 Change in Investment Policy

Recommended Action: Accept the Investment Policy changes

Attachments: [Finance Department Staff Report](#)

Accepted

8.K. 18-2115 Indian River County Grant Contract Subrecipient Awards

Recommended Action: Approve the subrecipient award agreement with Treasure Coast Homeless Services Council and execute any related documents

Attachments: [SubRecipient Grant Agreement](#)

Approved staff's recommendation

8.L. 18-2057 Consideration of the Indian River County SHIP Program 2018 Annual Report

Recommended Action: Staff recommends that the Board of County Commissioners approve the SHIP 2018 annual reports and authorize the Chairman to sign the Certification form.

Attachments: [Staff Report](#)
[SHIP Program Information](#)
[SHIP Annual Report for FY 2015-2016](#)
[SHIP Annual Report for FY 2016-2017](#)
[SHIP Annual Report for FY 2017-2018 \(Interim report\)](#)
[SHIP Annual Report Certification Form](#)

Approved staff's recommendation

8.M. 18-2073 74th Avenue and 1st Street SW Culvert Replacement - Release of Retainage and Change Order No. 1 - IRC-1737

Recommended Action: Staff recommends approval of Change Order No. 1 and payment of Application for Payment No. 3 to Johnson-Davis, Inc. in the amount of \$8,315.00 for release of retainage.

Attachments: [Staff Report](#)
[Contractor's Application for Payment No. 3](#)
[Change Order No. 1](#)

Approved staff's recommendation

- 8.N. 18-2081** Right-of-Way Acquisition - 66th Avenue Widening Project Owner: Elbert Izquierdo - 66th Avenue, Vero Beach, FL 32967

Recommended Action: Staff recommends the Board approve the Purchase Agreement of \$17,500.00 for the 0.45 acres of property located at 66th Avenue, Vero Beach, FL 32967, approve \$3,630.00 for attorney's fees, and authorize the Chairman to execute the purchase agreement on behalf of the Board.

Attachments: [Staff Report](#)
[Purchase Agreement](#)

Approved staff's recommendation

- 8.O. 18-2085** Right-of-Way Acquisition - 66th Avenue Widening Project Owner: Alexandra Van Der Rest - 6830 69th Street, Vero Beach, FL 32967

Recommended Action: Staff recommends the Board approve the Purchase Agreement of \$60,000.00 for the 0.53 acres of property located at 6830 69th Street, Vero Beach, FL 32967, approve \$8,000.00 for attorney's fees, and authorize the Chairman to execute the purchase agreement on behalf of the Board.

Attachments: [Staff Report](#)
[Purchase Agreement](#)

Approved staff's recommendation

- 8.P. 18-2089** 26th Street - Advance Acquisition of Right-of-Way 5836 26th Street, Vero Beach, FL 32966 Owner: Faye Knight Coffman

Recommended Action: Staff recommends the Board approve the Purchase Agreement for the 0.53 acres of property located at 5836 26th Street, Vero Beach, FL 32966, and authorize the Chairman to execute the purchase agreement on behalf of the Board.

Attachments: [Staff Report](#)
[Purchase Agreement](#)

Approved staff's recommendation

8.Q. 18-2090 Resolutions Cancelling Taxes on Properties Acquired by Indian River County for Public Purposes

Recommended Action: Authorize the Chairman of the Board of County Commissioners to execute the seven Resolutions to cancel certain taxes upon publicly owned lands, and the Clerk to send a certified copy of each Resolution to the Tax Collector and the Property Appraiser so that any delinquent or current taxes can be cancelled.

Attachments: [Staff Report](#)
[Resolution \(Fischer Family Partnership\)](#)
[Resolution \(Beck\)](#)
[Resolution \(Lambert/Stenroos\)](#)
[Resolution \(Taig\)](#)
[Resolution \(Harrington Group II\)](#)
[Resolution \(Reno\)](#)
[Resolution \(Clerk of Circuit Court\)](#)

Approved: 1) Resolution 2018-068, Resolution 2018-069, Resolution 2018-070, Resolution 2018-071, Resolution 2018-072, Resolution 2018-073, and Resolution 2018-074 cancelling certain taxes upon publicly owned lands, pursuant to section 196.28, Florida Statutes; and 2) directed the Clerk to send a certified copy of each Resolution to the Tax Collector and the Property Appraiser so that any delinquent or current taxes can be cancelled.

8.R. 18-2096 Gifford Youth Achievement Center - Right Turn Lane Cost Share

Recommended Action: Staff recommends the Board approve funding in the amount of \$8,749 for 50% of the cost to construct the right-turn lane at Gifford Park for the Gifford Youth Achievement Center.

Attachments: [Staff Report](#)
[GYAC Right Turn Lane Opinion of Cost](#)

Approved staff's recommendation

8.S. 18-2097 Dedication of Utility Easement

Recommended Action: Staff requests the Board of County Commissioners approve the granting of a perpetual utility easement and authorize the Chairman to sign the Easement dedicating a utility easement to Justin J. Lefebure and Sharon M. Lefebure for recordation.

Attachments: [Staff Report](#)
[Easement](#)

Approved staff's recommendation

- 8.T. 18-2102** Work Order No. 4, Jay Ammon Architect, Inc. North County Regional Park Aquatic Facility Roof Replacement

Recommended Action: Staff recommends that the Board of County Commission approve Work Order No. 4 for Jay Ammon Architect, Inc. for the design, assistance in bidding, and construction administration for replacement of the existing roof at the North County Regional Park Aquatic Facility, and authorize the Chairman to execute Work Order #4 in the lump sum amount of \$26,637.00.

Attachments: [Staff Report](#)
[Work Order No. 4](#)

Approved staff's recommendation

- 8.U. 18-2103** Recommendation of Final Payment and Release of Retainage for the Reinforced Concrete Wall Sawing and Duperon FlexRake Rehabilitation Project at PC Main Screening System

Recommended Action: Staff recommends the Board approve Application for Payment No. 3 (Final), which includes release of retainage.

Attachments: [Staff Report](#)
[Attachment 1- Application for Payment 3 \(Final\)](#)

Approved staff's recommendation

- 8.V. 18-2105** GRBK GHO Serenoa LLC's Request for Final Plat Approval for a Subdivision to be Known as Serenoa Phase 5 [98110046-81384/SD-13-11-04]

Recommended Action: Based on the provided analysis, staff recommends that the Board of County Commissioners grant final plat approval for Serenoa Phase 5.

Attachments: [Staff Report](#)
[Application](#)
[Location Map](#)
[Plat Layout](#)
[Contract for Required Improvements](#)
[Escrow Agreement](#)

Approved staff's recommendation

- 8.W. 18-2111** Release of Retainage - Work Order No. 7 Morgan & Eklund, Inc., 2018 Beach Profile Monitoring Surveys (SUMMER)

Recommended Action: Staff recommends the Board approve the release of all withheld retainage under Work Order No. 7 in the amount of \$5,775

Attachments: [Staff Report](#)
[M&E Invoice No. Ret 2028, 2032](#)

Approved staff's recommendation

- 8.X. 18-2112** Approval of Blue Goose Construction Work Authorization 2018-004: "12th Avenue SW Water Service Replacement"

Recommended Action: Staff recommends that the Board of County Commissioners authorize final payment to Blue Goose Construction in the amount of \$2,309.75.

Attachments: [Staff Report](#)
[Final Application for Payment](#)

Approved staff's recommendation

- 8.Y. 18-2113** Award of Bid No. 2018062 Sebastian Corners Roof Replacement Project

Recommended Action: Staff recommends that the project be awarded to The Roof Authority, Inc. in the amount of \$382,000.00 and requests that the Board of County Commissioners approve the sample agreement and authorize the Chairman to execute said agreement after receipt and approval of the required Public Construction Bond and Certificate of Insurance, and after the County Attorney has approved the agreement as to form and legal sufficiency.

Attachments: [Staff Report](#)
[Sample Agreement](#)

Approved staff's recommendation

- 8.Z. 18-2116** Ratification of Document Executed by County Administrator's Designee, on Behalf of the Board of County Commissioners, Under Authority of Resolution No. 2018-060, Between July 18 and August 13, 2018

Recommended Action: Approve and ratify the Cash Deposit and Escrow Agreement with regard to the posting of additional monies for Phases 2D and 2E restoration for North Cypress

Reserve Sand Mine.

Attachments: [Staff Report](#)
[Cash Deposit and Escrow Agreement](#)
[Memorandum of Authorization dated July 16, 2018](#)

Approved staff's recommendation

8.AA. 18-2123 Results for Bid 2018069 US Highway 1 Landscaping - South County Line to Oslo Road

Recommended Action: This is an informational item only, no formal action from the Board of County Commissioners is required at this time.

Attachments: [Staff Report](#)

Information Only

8.BB. 18-2127 Fee Schedule Update for Campground Rates at Donald MacDonald Campground & Indian River County Fairgrounds

Recommended Action: Staff respectfully recommends approval of the proposed rate schedule presented herein

Attachments: [Staff Report](#)
[2018 Campground Rates Study](#)

Approved staff's recommendation

8.CC. 18-2130 Request to Waive Bid Process for Supplemental Building Inspection Services for Fiscal Year 2018/2019

Recommended Action: Staff recommends that the Board waive the bid process requirement for supplemental building inspection services for the 2018/2019 fiscal year; approve the 2018/2019 agreement and amendments with MT Causley; and authorize the Purchasing Manager, after approval by the Budget Office, to approve purchase orders and Change Orders for authorized firms up to the available budgeted amount.

Attachments: [Staff Report](#)
[MT Causley 2018/2019 Agreement](#)

Approved staff's recommendation

8.DD. 18-2134 2018-047: US 1 Air Release Valve and 24" Force Main Replacement, Change Order #1: Add Second Air Release Valve

Recommended Action: Staff recommends that the Board of County Commissioners approve Change Order No. 1 to authorize Johnson Davis, Inc. to increase the temporary by-pass force mains from 8-inches diameter to 12-inches diameter, to replace a second air release valve located at 10205 US Highway 1 and authorize staff to direct-purchase a 24" diameter gate valve. The total project cost will increase to \$267,634.60.

Attachments: [Staff Report](#)
[Change Order No 1](#)
[Johnson Davis, Inc Proposal](#)

Approved staff's recommendation

8.EE. 18-2136 Agreement: Installation of Stand-by Generator at Indian River County Department of Utility Services Lift Station 303, Certus Adult Congregate Living Facility

Recommended Action: Staff recommends that the Board of County Commissioners approve the Agreement with Certus VRO Owner, LLC, and authorize the Purchasing Division to issue a purchase order on October 1, 2018, to Tradewinds Power Corp. for \$87,574.00, with 50% of the funding paid for by the Indian River County Department of Utility Services and 50% paid from Certus VRO Owner, LLC (\$43,787.00).

Attachments: [Staff Report](#)
[Tradewinds Power Corp Quote](#)
[Agreement](#)

Approved staff's recommendation

8.FF. 18-2138 Approval of Blue Goose Construction Work Authorization 2018-003: "61st Drive Water Main Replacement"

Recommended Action: Staff recommends that the Board of County Commissioners authorize final payment to Blue Goose Construction in the amount of \$25,875.00.

Attachments: [Staff Report](#)
[Final Application for Payment](#)

Approved staff's recommendation**8.GG. 18-2141** Award of Bid No. 2018072 Gifford Neighborhood 45th Street Beautification 'Concrete Pipe' (IRC-1748)

Recommended Action: Staff recommends the Board of County Commissioners award bid 2018072 to Hydro Conduit LLC d/b/a Rinker Materials, as the lowest responsive and responsible bidder and authorize the Purchasing Division to issue a Purchase Order for the materials.

Attachments: [Staff Report](#)

Chairman O'Bryan recalled that this item had to be deferred due to excessive costs, and that staff is now moving forward with the acquisition of concrete pipe for the project. He stressed the Board's commitment to the 45th Street Beautification Project.

Freddie Woolfork, 4590 57th Avenue, expressed appreciation for the Board's support.

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

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

8.HH. 18-2143 Public Works Engineering Division Project Management Software

Recommended Action: Staff requests the Board authorize the Chairman to execute the agreement for \$150,493.32 for the software suite implementation and initial year license fee and recurring annual software license fee of \$44,459.49/year.

Attachments: [Staff Report](#)
[E-Builder GSA Task Order](#)
[E-Builder GSA Contract](#)

Approved staff's recommendation**8.II. 18-2144** Amendment Number One to the FDOT Landscape Maintenance Memorandum of Agreement with The Moorings for Additional Landscaping on A1A

Recommended Action: Staff recommends approval of Amendment One to the State of Florida Department of Transportation Landscape Maintenance Memorandum of Agreement and Resolution and Authorize the Chairman to execute the agreement after the agreement has been reviewed and approved by the County Attorney as to form and legal sufficiency.

Attachments: [Staff Report](#)
[FDOT Moorings Landscape MMOA with Exhibits](#)
[May 26, 2017 executed Commitment of Landscaping Maintenance](#)
[Additional Back-up: Landscape Resolution](#)

Approved: (1) staff's recommendation; and (2) **Resolution 2018-075**, authorizing the execution of an amendment to District Four Landscape Maintenance Memorandum of Agreement for SR A1A along the Moorings Corridor to add additional landscape on SR A1A.

8.JJ. 18-2145 Work Order No. 1, Ardaman & Associates, Inc., 45th Street Improvements - 43rd Avenue to 58th Avenue, IRC-1722, FDOT FM

Recommended Action: Staff recommends approval of Work Order No. 1 to Ardaman & Associates, Inc. authorizing the above-mentioned professional services as outlined in Exhibit A and requests the Board to authorize the Chairman to execute the attached Work Order No. 1 on their behalf for a not-to-exceed amount of \$15,280.00.

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

Approved staff's recommendation

8.KK. 18-2158 Miscellaneous Budget Amendment 13

Recommended Action: Staff recommends the Board of County Commissioners approve the budget resolution amending the fiscal year 2017/2018 budget.

Attachments: [Staff Report](#)
[Resolution](#)
[Exhibit "A"](#)

Approved: (1) staff's recommendation; and (2) **Resolution 2018-076**, amending the Fiscal Year 2017-2018 Budget.

8.LL. 18-2147 Miscellaneous Budget Amendment 014

Recommended Action: Staff recommends that the Board of County Commissioners approve the attached budget resolution amending the fiscal year 2018/2018 budget

Attachments: [Staff Report](#)
[Final Budget Resolution BA 014 year ending](#)
[Exhibit "A"](#)

Approved **Resolution 2018-077**, delegating authority to the County Administrator, the Assistant County Administrator or the director of the Office of Management & Budget or their designee to execute all documents necessary to amend the Fiscal Year 2017-2018 budget during the period commencing November 14, 2018,

through and including November 29, 2018.

- 8.MM. 18-2154** Notice of Grant Award from the Division of Historical Resources for the Jones' Pier Fruit Stand and Educational Kiosks at Significant Sites along Historic Jungle Trail

Recommended Action: Staff respectfully recommends that the Board accept the Division of Historical Resources Small Matching Grant for 2018-19 and authorize the Chairman to execute the Agreement between the State of Florida, Department of State and Indian River County Parks Division, grant number 19.h.m.100.020

Attachments: [Staff Report](#)
[Grant Form](#)
[Grant Agreement](#)

Approved staff's recommendation

- 8.NN. 18-2157** Jones' Pier Conservation Area Public Use Improvements - Fruit Stand Replica - MBV Work Order #3

Recommended Action: Staff recommends approval of Work Order No. 3 to MBV Engineering, Inc. in the amount of \$7,100.00 for architectural design services and civil coordination for the design, permitting and construction administration services for the Fruit Stand replica.

Attachments: [Staff Report](#)
[Work Order Number 3](#)

Approved staff's recommendation

- 8.OO. 18-2172** Request from Carole Jean Jordan, Tax Collector, that the Indian River County Board of County Commissioners order the tax roll to be extended prior to the completion of the Value Adjustment Board hearings

Recommended Action: Carole Jean Jordan, Tax Collector, recommends that the Board of County Commissioners order the tax roll to be extended prior to the completion of the Value Adjustment Board hearings

Attachments: [Tax Collector Memorandum](#)
[FSS 197.323 Extension of Tax Roll](#)

Approved staff's recommendation

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

- 9.A.1. 18-2122** Indian River County Sheriff Deryl Loar Request for authorization to utilize proceeds from auction of surplus property to acquire new like-kind property within current fiscal year

Recommended Action: Request Board of County Commission authorize proceeds in the amount of \$58,674.00 from public auction of surplus property be used to acquire new like-kind property within the current fiscal year.

Attachments: [Letter Sheriff Deryl Loar July 19, 2018](#)

[Sheriff Auction Proceeds](#)

[Auction Settlements](#)

A motion was made by Commissioner Flescher, seconded by Vice Chairman Solari, to authorize the Indian River County Sheriff's Office to use the proceeds from the December 2, 2017 public auction of surplus property and vehicles, to acquire new like-kind property within the current Fiscal Year, pursuant to Chapter 274, Florida Statutes. The motion carried by the following vote:

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

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

- 10.A.1. 18-2104** John Chamberlain's Request for Abandonment of the West 20 Feet of Seminole Trail (a.k.a. 10th Avenue) Adjacent to Lot 21 of the Riverside Estates Subdivision [ROWA-17-12-06 / 96120005-80165] (Legislative)

Recommended Action: Based on the analysis provided in staff's report, staff recommends that the Board of County Commissioners: 1. Abandon its rights to the subject 20' right-of-way area and retain a drainage and utility easement across the northern 10' of the area to be abandoned, and 2. Authorize the chairman to execute the corresponding abandonment resolution.

Attachments: [Staff Report](#)

[Application](#)

[Location Map](#)

[Abandonment Resolution](#)

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

Community Development Director Stan Boling, through a PowerPoint Presentation, provided background and analysis on John Chamberlain's request for the County to abandon the west 20 feet of Seminole Trail (a.k.a. 10th Avenue) of the 70 total feet of County-owned right-of-way located at the east end of Morningside Drive, east of Jungle Trail. He explained that the County

would retain the east 50 feet for access to the Jones Pier property, and a 10 foot drainage easement along the north end. He recommended that the Board approve the proposed Resolution providing for the abandonment.

The Chairman opened the public hearing; there were no speakers and the Chairman closed the public hearing.

A motion was made by Vice Chairman Solari, seconded by Commissioner Flescher, to approve: (1) staff's recommendation; and (2) Resolution 2018-078, providing for the closing, abandonment, vacation and discontinuance of the west 20 feet of Seminole Trail (a.k.a. 10th Avenue) adjacent to Lot 21 of the Riverside Estates Subdivision, per Indian River County Plat Book 5, Page 50, of the public records of Indian River County, Florida. The motion carried by the following vote:

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

B. PUBLIC DISCUSSION ITEMS

10.B.1. 18-2156 Request to Speak from Evan Esposito, E. E. Solar, Regarding Request that the County Propose and Support Legislation on Solar and Green Energy for construction and buses.

Recommended Action: No Action Required

Attachments: [Request to Speak Form](#)

Not Present

No Action Taken or Required

C. PUBLIC NOTICE ITEMS

10.C.1. 18-2133 Public Notice of Tax Equity and Fiscal Responsibility (TEFRA) Public Hearing Scheduled for September 11, 2018 Pursuant to Section 147 of the Internal Revenue Code of 1986, as Amended, To Accept Public Comment and Thereafter Consider a Plan of Finance and the Issuance of Revenue Bonds by the Escambia County Housing Finance Authority (Legislative)

Attachments: [Staff Report](#)

County Attorney Dylan Reingold read the notice into the record.

No Action Taken or Required

11. COUNTY ADMINISTRATOR MATTERS

12. DEPARTMENTAL MATTERS

A. Community Development**B. Emergency Services****C. General Services****1. Human Services****2. Sandridge Golf Club****3. Recreation****D. Human Resources****12.D.1. 18-2160** Collective Bargaining Agreement between Indian River County and Teamsters, Local Union No. 769 - FY2018/19 General Wage Increase

Recommended Action: Staff respectfully recommends approval of a 2.75% general wage increase for employees represented by the Teamsters, Local Union No. 769 effective the first full pay period in October 2018 and requests the Board authorize its Chairman to sign the amendment to Article 33 - Wages of the collective bargaining agreement providing for the general wage increase.

Attachments: [Staff Report](#)
[Second Amendment - Article 33](#)
[Exhibit A](#)

County Administrator Jason Brown informed the Board that a tentative agreement had been reached to provide a 2.75% general wage increase for employees represented by the Teamsters, Local Union 769. Staff recommended Board approval of the adjustment.

A motion was made by Commissioner Flescher, seconded by Commissioner Zorc, that staff's recommendation be approved. The motion carried by the following vote:

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

E. Office of Management and Budget**F. Public Works****12.F.1. 18-2142** Award of Bid No: 2018059 North County Offices at Sebastian Corners

Recommended Action: Staff recommends that the project be awarded to W&J Construction Corp. in the amount of \$1,775,911.00 and requests that the Board of County Commissioners approve the sample agreement and authorize the Chairman to execute said agreement after receipt and approval of the required

Public Construction Bond and Certificate of Insurance, and after the County Attorney has approved the agreement as to form and legal sufficiency.

Attachments: [Staff Report](#)
[Sample Agreement](#)

Public Works Director Rich Szpyrka recalled that the County had purchased a commercial plaza located at 1919 US 1, known as Sebastian Corners, to relocate the County's North County offices. He provided background on the design for the new office, discussed safety features, and mentioned the addition of certain building upgrades. Director Szpyrka stated that of the two bids received for the project, staff's recommendation was to award the project to W&J Construction Corporation.

Tax Collector Carole Jean Jordan discussed her concerns about the current Tax Collector's North County offices, and expressed appreciation for the opportunity to relocate to a healthy building.

Clerk of Court and Comptroller Jeffrey R. Smith thanked the Board and County staff, and commended the Tax Collector's Office for checking out the renovations that W&J Construction Corporation did in Brevard County.

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

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

12.F.2. 18-2117 Update on Unmaintained County Roadways

Recommended Action: Staff recommends Option #3 - Continue existing roadway maintenance as currently funded by the Transportation Fund: add new maintainable unpaved roadway segments by extending the petition paving/milling process to unpaved roadways with construction costs funded by assessment of 75% of the cost to the benefited property owners and 25% contributed from the Transportation fund. After construction is completed, the maintenance is to be funded by the Transportation Fund.

Attachments: [Staff Report](#)

Director of Public Works Rich Szpyrka provided background and analysis regarding the maintenance, improvement, and/or construction of unpaved County roadways within the unmaintained County rights-of-way. He recalled the Board's directive from the June 12, 2018 County Commission meeting, to

discuss with the St. John's River Water Management District (SJRWMD) possible stormwater permit exemptions for the improvement of unmaintained roadways within the County. Director Szpyrka reviewed four options to address the unmaintained roadways.

Discussion ensued between the Board and staff about ensuring that those residents whose properties would be affected by run-off would hold the County harmless, and the methodology for assessing the property owners who petition for roadway improvements.

County Administrator Jason Brown advocated for flexibility in determining how improvements to individual streets are assessed.

Director Szpyrka assured the Board that staff would present all the assessment strategies to the petitioners so they could select the best option.

Chairman O'Bryan asked that staff ensure that the per-parcel assessment is included in the petitioners' options.

The following citizens spoke in support of the County improving the currently unmaintained roadways:

Joseph Paladin, President Black Swan Consulting and Atlantic Coast Building
John Orcutt
Henry Cantorski 12760 103rd Street

Bob Johnson, Coral Wind Subdivision, commented on developer's practices.

Commissioner Zorc sought and received information on what can be done for South County residents whose east/west roadway segment is not a public right-of-way.

A motion was made by Commissioner Adams, seconded by Commissioner Flescher, to approve Option 3: Continue existing roadway maintenance as currently funded by the Transportation Fund, and add new maintainable unpaved roadway segments by extending the petition paving/milling process to unpaved roadways with construction costs funded by assessment of 75% of the cost to the benefited property owners and 25% contributed from the Transportation fund. After construction is completed, the maintenance is to be funded by the Transportation Fund. The motion carried by the following vote:

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

G. Utilities Services

12.G.1. 18-2119 Emergency Repair of the South County Wastewater Treatment Facility Self Cleaning Bar Filter Screen

Recommended Action: The staff of Indian River County Department of Utility Services (IRCDUS) recommends that the Board of County Commissioners (BCC): Approve Parkson Corporation as the sole source vendor for Aqua Guard Self Cleaning Bar Filter Screen equipment for this purchase and any future needs for repair of the county's bar filter screen equipment; authorize the Purchasing Division to increase purchase order 81153 to Parkson Corporation to a total of \$69,202.00 to cover the full cost of the project; authorize the Chairman to execute the Standard Conditions of Sale included in Parkson's quote, after review and approval by the County Attorney as to form and legal sufficiency; and, approve the rollover of funds allocated in the 2017-2018 Renewal and Replacement (R&R) Operating budget to the 2018-2019 R&R Operating budget to complete the project as described in the Parkson Quote No. B02011086.

Attachments: [Staff Report](#)

[Quote](#)

[Sole Source Letter, Parkson Corporation](#)

[Additional Back-up - Limited Mechanical Warranty Policy](#)

Director of Utility Services Vincent Burke stated that an emergency repair needs to be made to the Aqua Guard Self Cleaning Bar Filter Screen equipment at the South County Wastewater Treatment Facility. He explained that initially an emergency purchase order was issued for parts; staff is now requesting funding to cover both the parts and installation. Director Burke requested that the Board approve Parkson Corporation as the sole source vendor for the equipment, and noted that the Board has been provided with a copy of a Limited Mechanical Warranty Policy between the County and Parkson Corporation.

Bob Johnson, Coral Wind Subdivision, addressed the Board.

Director Burke, assisted by a video display, elaborated on the reasons for the emergency repair.

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

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

12.G.2. 18-2120 Lakeside Raptor Unit #1 and #2 Rehabilitation and Request for Sole Source

Recommended Action: The staff of Indian River County Department of Utility Services (IRCDUS) recommends that the Board of County Commissioners (BCC): Approve

Lakeside Equipment Corporation as the sole source vendor for Lakeside Equipment for this purchase and any future needs for repair of the county's Lakeside equipment; approve the rollover of the \$250,000 allocated in the 2017-2018 Renewal and Replacement (R&R) Operating budget to the 2018-2019 R&R Operating budget, if approved as presented, to complete the project as described in the Lakeside Quote dated 6-20-18 for a total amount of \$427,889; authorize the Purchasing Division to issue purchase order(s) as needed; and, authorize the Purchasing Manager to sign the quotation acceptance form only after County attorney review and approval.

Attachments: [Staff Report](#)

[Lakeside Equipment Corporation Quote](#)

[Sole Source Letter, Lakeside Equipment Corporation](#)

[Lakeside Quote Extension Letter](#)

Director of Utilities Vincent Burke provided details on the Lakeside Raptor Complete Plant Septage Receiving Units, which treat septage and grease at the Residuals Dewatering Facility (RDF). He observed that staff is trying to be proactive in maintaining/refurbishing the equipment, and that it is critical that good operating units are in place for the daily demand and emergency events. He relayed staff's recommendation to approve Lakeside Equipment Corporation as the sole source vendor and authorize the funding for rehabilitation of the receiving units.

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

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

12.G.3. 18-2121 Sole Source for West Regional Wastewater Treatment Facility HACH NITRATAX Meters

Recommended Action: The staff of Indian River County Department of Utility Services recommends that the Board of County Commissioners approve the purchase of three NITRATAX PLUS SC 2MM meter systems and authorize the Purchasing Division to issue a purchase order to HACH Company for \$64,299.78.

Attachments: [Staff Report](#)

[HACH Company Quote No 100327052v3](#)

[Sole Source Letter, HACH Company](#)

Director of Utilities Vincent Burke reported that the West Regional Wastewater Treatment Facility (WRWWTF) is currently in compliance with the Department of Environmental Protection Consent Order 17-0072. He disclosed that the NITRATAX meters which were used to monitor nitrate levels were on loan and

set to be removed. Staff is requesting that the Board approve the purchase of three NITRATAX meters from HACH Company to allow staff to continue monitoring nutrient levels and be alerted to any potential noncompliance event at the treatment facility.

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

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

12.G.4. 18-2132 Blue Cypress Lake Water Quality Analysis

Recommended Action: Staff recommends approval of Work Order No. 1 authorizing the professional services and requests the Board of County Commissioners (BCC) to: Authorize the Chairman to execute Work Order No. 1 on their behalf for a lump sum amount of \$48,490.00 to Jones Edmunds and Associates, Inc. (JEA); and, approve the total of \$63,485.00 to JEA to be funded from the stormwater account.

Attachments: [Staff Report](#)
[Work Order No. 1 and supporting documents](#)

Director of Utilities Vincent Burke recalled the Board's adoption on July 17, 2018 of Ordinance 2018-016 authorizing a temporary moratorium on the land application of Class B Biosolids for 180 days. He stated that staff had contracted with Jones Edmunds and Associates Inc. (JEA) to help assess whether the biosolids, and/or other man-made influences, are a significant cause in the water quality issues at Blue Cypress Lake. Director Burke explained staff was requesting Board approval of work Order No. 1 to have JEA undertake an additional three (3) tasks.

Director Burke discussed the commitment and plans of the Florida Department of Environmental Protection (FDEP), St. Johns River Water Management District (SJRWMD), and other agencies to conduct multiple tests at various locations to help determine if the biosolids are a significant contributor to the water pollution. He stated that once the data has been compiled, staff would do a gap analysis to determine if additional testing needs to be done.

Bob Johnson, Coral Wind Subdivision, addressed the Board.

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

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

12.G.5. 18-2161 Final Ranking of Firms for RFP 2018014 and Authorization to Enter Negotiations and Issue Work Authorization for Consultant Assistance for Next Phase of Project

Recommended Action: Staff recommends the Board of County Commissioners (BCC) approve the committee's final ranking of firms and authorize the department to begin negotiations with the top-ranked firm, and the subsequently ranked firms, should negotiations with the top-ranked firm fail. Staff also recommends the BCC authorize the Purchasing Manager to issue a purchase order to Langham Consulting Services for Task 5 of Request for Proposal 2014043 for a not-to-exceed amount of \$31,980.00.

Attachments: [Staff Report](#)

Director of Utilities Vincent Burke reported that pursuant to the Board's direction at the October 24, 2017 County Commission meeting, staff revised its Request for Proposal for an Advanced Meter Infrastructure (AMI) and Meter Data Management System (MDM) solution, adding an alternate for an Automatic Meter reading (AMR) Solution. The Selection Committee scored the bid submittals in both the AMI and AMR categories (AMI is not financially feasible at this time). Director Burke asked the Board to approve the Selection Committee's final ranking of firms, and authorize staff to contract with Langham Consulting Services, Inc. to assist with negotiations with a selected firm. He informed the Board that staff would return with a proposed contract for review and approval.

The Chairman called a recess at 10:37 a.m., and reconvened the meeting at 10:56 a.m., with all members present.

A motion was made by Commissioner Flescher, seconded by Chairman O'Bryan, to approve the committee's final ranking of firms and authorize the department to begin negotiations with the top-ranked firm, National Metering Services, and the subsequently ranked firms, Professional Meters, Inc.; Core & Main LP; Ferguson Waterworks Meter & Automation Group; IBT Construction; and Itron, should negotiations with the top-ranked firm fail. Staff also recommends the BCC authorize the Purchasing Manager to issue a purchase order to Langham Consulting Services for Task 5 of Request for Proposal 2014043 for a not-to-exceed amount of \$31,980.00. The motion carried by the following vote:

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

13. COUNTY ATTORNEY MATTERS

13.A. 18-2106 Demolition Liens

Recommended Action: The County Attorney's Office recommends the Chairman allow each party in interest for the two properties to address the Commission and be heard on the amount of the proposed lien concerning the property.

Following any comments, staff recommends approval of the lien amounts and authorization for the Chairman to sign each lien for recordation in the public records.

Attachments: [Staff Report](#)
[2 Liens \(Weber and Liddi\)](#)
[Itemization of costs for demolition \(3\)](#)

County Attorney Dylan Reingold announced the locations of the dilapidated structures that the County had demolished, as well as the costs to undertake the process. He stated that the next step is to record the dollar amounts of the liens, noting that the property at 1041 10th Court SW has escheated to the County and needs no lien recorded.

Chairman O'Bryan invited public comment on the demolition liens; there was none.

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

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

13.B. 18-2135 Community Development Block Grant Citizen Advisory Task Force Appointment

Recommended Action: The County Attorney recommends that the Board review the applicants' résumés/applications, and determine whether to appoint one of the applicants to fill the vacancy for the "Citizen of Indian River County" to the Community Development Block Grant Citizen Advisory Task Force.

Attachments: [Staff Report](#)
[Evan Esposito Application-Resume](#)
[Glenda Swanson-Massa Application-Resume](#)
[Gary Randall Application-Resume](#)
[Ardra Rigby Application-Resume](#)

County Attorney Dylan Reingold requested that the Board appoint to the vacant position of "Citizen of Indian River County" on the Community Development Block Grant Citizen Advisory Task Force, one of the following qualified applicants: Evan Esposito; Glenda Swanson-Massa; Gary Randall; and Ardra Rigby.

Ardra Rigby, President, West Wabasso Progressive Civic League, expressed his interest in the position.

A motion was made by Commissioner Flescher, seconded by Vice Chairman Solari, to approve the appointment of Ardra Rigby to fill the vacant position of "Citizen of Indian River County" on the Community Development Block Grant Citizen Advisory Task Force. The motion carried by the following vote:

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

13.C. 18-2162 Florida Institute of Technology Marine Laboratory Property

Recommended Action: The County Attorney's Office recommends that Indian River County Board of County Commissioners (Board) vote to approve the Agreement Concerning Access and Other Rights Under 1980 Agreement (Access Agreement) and the Resolution designating certain County property for use as right-of-way. The County Attorney's Office also recommends that the Board authorize the Chair to sign any and all documents necessary to effectuate the Access Agreement, including the County's acceptance of the Beach Easement, the dedication of the easternmost 15 feet of FIT Property adjacent to Tracking Station Park, and the right-of-way for the extension of 46th Place.

Attachments: [Staff Report](#)
[Access Agreement](#)
[Resolution](#)
[Map of Dedications](#)

County Attorney Dylan Reingold explained that it was unclear whether the County had legal access to the property located 805 46th Place East, adjacent to the Tracking Station Park (the Park) and owned by the Florida Institute of Technology (FIT). He advised the Board that the document included in the agenda package regarding the vegetative buffer area would be updated to reflect the type of buffer required in the County's landscape code. Attorney Reingold recommended that the Board approve the Access Agreement and Right-of-Way Resolution, and authorize the Chairman to sign the documents after review by the County Attorney.

Frank Kinney, Vice Provost for Research, was present on behalf of FIT.

A motion was made by Commissioner Adams, seconded by Commissioner Zorc, to: (1) approve the Agreement Concerning Access and Other Rights Under 1980 Agreement (Access Agreement); (2) **Resolution 2018-079** formally designating certain County property for use as right-of-way, and to request that the Indian River County Property Appraiser earmark any maps within the Property Appraiser's Office to reflect this designation; and (3) authorize the Chairman to execute any and all documents necessary to effectuate the Access Agreement, including the County's acceptance of the Beach Easement, the dedication of the easternmost 15 feet of FIT Property adjacent to Tracking Station Park, and the right-of-way for the extension of 46th Place. The motion carried by the following vote:

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

13.D. 18-2163 Florida Public Service Commission Hearing

Recommended Action: The County Attorney's Office recommends that the Board vote to approve the filing to intervene in the matter and authorize the County Attorney's Office to work with outside counsel Floyd Self throughout the process.

Attachments: [Staff Report](#)
[PSC Order Establishing Procedure](#)

County Attorney Dylan Reingold recalled the Florida Public Service Commission's approval on July 2, 2018 to authorize Florida Power & Light (FPL) to charge FPL rates to City of Vero Beach (COVB) utility customers. Subsequently, four petitions were filed challenging that action, and the PSC nullified its order and set a de novo hearing for October 9 and October 10, 2018. Attorney Reingold recommended that the Board authorize filing the necessary paperwork to intervene in the matter. He also recommended that the Board cancel the October 9 BCC meeting so that Commissioners and staff can attend the PSC meeting without conflict.

A motion was made by Commissioner Zorc, seconded by Commissioner Adams, to: (1) approve the filing to intervene in the matter and authorize the County Attorney's Office to work with outside counsel Floyd Self throughout the process; and (2) to cancel the October 9, 2018 Board of County Commission meeting, to allow the County Attorney, Commissioners, and staff to attend the Florida Public Service Commission hearing on October 9, 2018 and October 10, 2018. The motion carried by the following vote:

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

14. COMMISSIONERS MATTERS

A. Commissioner Peter D. O'Bryan, Chairman

B. Commissioner Bob Solari, Vice Chairman

14.B.1. 18-2164 FDEP Resilience Planning Grant

Recommended Action: Discussion

Attachments: [Commissioner's Memorandum](#)

Vice Chairman Solari reported that grants are available through the Florida Department of Environmental Protection's Florida Resilient Coastlines Program, with applications due September 9, 2018. He advocated to begin formulating a planning document related to the possibility of a one-foot sea

level rise in Indian River County.

Chairman O'Bryan supported the County making plans for sea level rise, and suggested checking with the Treasure Coast Regional Planning Council (TCRPC).

Vice Chairman Solari wanted to learn whether the Federal Emergency Management Agency (FEMA) would be requiring communities to develop plans for sea level rise.

The Board consensus was to direct the County Administrator to begin consulting department heads about developing plans regarding the possibility of a one-foot rise in sea level. Staff was also asked to begin developing the strongest possible application package for submittal to the 2019 Florida Department of Environmental Protection's Florida Resilient Coastlines Program Grant.

Referred to Staff

C. Commissioner Susan Adams

14.C.1. 18-2170 Continuing Discussions regarding the Indian River Lagoon Master Plan

Recommended Action: For consideration and discussion.

Attachments: [Commissioner's Memorandum](#)

Commissioner Adams advised that this item follows a discussion held at the June 19, 2018 Board of County Commission meeting. At that time, the Board discussed adding an employee to work on an Indian River Lagoon Master Plan (the Plan). Administrator Brown spoke to possible funding sources, and confirmed that the new staff position would be approved at the September Budget Hearings and added in October 2018.

Commissioner Adams suggested that the County contract with Engineering Consultant Tetra Tech, who developed Brevard County's Save Our Lagoon Master Plan, to begin an initial outline of what the Plan might entail.

Chairman O'Bryan asked Commissioner Adams to return to the Board if the cost allotted at this time is not sufficient.

A motion was made by Commissioner Adams, seconded by Vice Chairman Solari, to authorize staff to contract with Tetra Tech to begin an initial outline on the scope of the Indian River Lagoon Master Plan, with funding in an amount up to \$15,000. The motion carried by the following vote:

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

D. Commissioner Joseph E. Flescher

E. Commissioner Tim Zorc

14.E.1. 18-2166 Update on information related to the Public Service Commission hearings in Tallahassee on sale of Vero Beach Electric

Recommended Action: Discussion

Attachments: [Commissioner's Memorandum](#)

Commissioner Zorc made mention that there is a grass roots petition effort to stop the Florida Industrial Power Users Group challenge to the sale of the City of Vero Beach Electric Utility to Florida Power & Light. He requested placing a link to their petition on the County's website, with any necessary disclaimers, and hoped the County could help disseminate information to supporters of the sale to FPL.

The Board consensus was to provide an information-only link on the County's website to the petition.

15. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District

The Board of County Commissioners reconvened as the Board of Commissioners of the Emergency Services District. The minutes will be approved at an upcoming Emergency Services District meeting.

15.A.1. 18-2079 Approval of Minutes Meeting of June 12, 2018

Recommended Action: Approve

Attachments: [06122018ESDdraft](#)

Approved

15.A.2. 18-2092 Approval of Minutes Meeting of June 19, 2018

Recommended Action: Approve

Attachments: [06192018ESDdraft](#)

A motion was made by Vice Chairman Solari, seconded by Chairman O'Bryan, to approve the Emergency Services District Meeting Minutes of June 12, 2018 and June 19, 2018. The motion carried by the following vote:

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

15.A.3. 18-2086 Affiliation Agreement between First Response Training Group and Indian River County Emergency Services District

Recommended Action: Staff recommends approval of the Affiliation Agreement between First Response Training Group and Indian River County Emergency Services District

Attachments: [Staff Report](#)
[Affiliation Agreement-FRTG](#)

Director of Emergency Services Fire Chief Tad Stone informed the Board that Items 15.A.3. through 15.A.6 are affiliation agreements between the Indian River County Emergency Services District and the First Response Training Group, LLC; Medical Center Academy, Inc.; Treasure Coast Medical Institute, Inc.; and Orlando Medical Institute, Inc. to allow their Emergency Medical Technician (EMT) and Paramedic students to obtain on-the-job training.

Bob Johnson, Coral Wind Subdivision, sought and received assurance that communications between Emergency Services vehicles and the Indian River Medical Center will remain intact when Cleveland Clinic takes over the operations of the hospital.

Approved

15.A.4. 18-2110 Approval of Affiliation Agreement Extension between Medical Career Academy and Indian River County Emergency Services District

Recommended Action: Staff recommends approval of the first one (1) year extension of the Affiliation Agreement between Medical Career Academy and Indian River County Emergency Services District.

Attachments: [Staff Report](#)
[Affiliation Agreement Extension-MCA](#)

Approved

15.A.5. 18-2131 Approval of Affiliation Agreement Extension between Treasure Coast Medical Institute and Indian River County Emergency Services District

Recommended Action: Staff recommends approval of the first one (1) year extension of the Affiliation

Agreement between Treasure Coast Medical Institute and Indian River County Emergency Services District.

Attachments: [Staff Report](#)
[Affiliation Agreement Extension-TCMI](#)

Approved

15.A.6. 18-2159 Affiliation Agreement between Orlando Medical Institute, Inc. and Indian River County Emergency Services District

Recommended Action: Staff recommends approval of the Affiliation Agreement between Orlando Medical Institute, Inc. and Indian River County Emergency Services District.

Attachments: [Staff Report](#)
[Affiliation Agreement-OMI](#)

A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to approve: (1) the first one (1) year extension of the Affiliation Agreement between the Indian River County Emergency Services District and Medical Career Academy, Inc., and Treasure Coast Medical Institute, Inc.; and (2) the Affiliation Agreement between Indian River County Emergency Services District and First Response Training Group, LLC; and Orlando Medical Institute, Inc. The motion carried by the following vote:

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

B. Solid Waste Disposal District

The Board of Commissioners of the Emergency Services District adjourned its meeting and reconvened as the Board of Commissioners of the Solid Waste Disposal District. The minutes will be approved at an upcoming Solid Waste Disposal District meeting.

15.B.1. 18-2149 Approval of Minutes Meeting of June 5, 2018

Recommended Action: Approve

Attachments: [06052018SWDD](#)

Approved

15.B.2. 18-2082 Approval of Minutes Meeting of July 3, 2018

Recommended Action: Approve

Attachments: [07032018SWDD](#)

A motion was made by Vice Chairman Solari, seconded by Commissioner Flescher, to approve the Solid Waste Disposal District Minutes of June 5, 2018 and July 3, 2018, as written. The motion carried by the following vote:

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

15.B.3. 18-2093 Approval of 2018 CPI Adjustment Request by Waste Management

Recommended Action: Solid Waste Disposal District staff recommends that the Board approve the request for a 1.88% rate adjustment by Waste Management, Inc. of Florida and authorize the County Administrator or his designee to send a letter of approval.

Attachments: [Staff Report](#)
[Rate Adjustment Letter from Waste Management](#)

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

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

15.B.4. 18-2137 Approval of Interlocal Agreement and a Memorandum of Understanding with the Town of Indian River Shores for Recycling Services

Recommended Action: Solid Waste Disposal District (SWDD) staff recommends the following for Board review and approval: 1. The Board approve the Interlocal Agreement and Memorandum of Understanding between SWDD and the Town of Indian River Shores (the Town); 2. The Board approve the purchase of 3,000 standard 64-gallon blue recycling carts from Waste Management, Inc. (WM) of Florida via a purchase order in the total amount of \$112,093.20; 3. Authorize the Office of Management and Budget (OMB) to prepare a budget amendment for Fiscal Year 2017/2018 in the amount of \$121,093.20 to cover the payment to the Town for recycling services and the purchase of the carts from WM; and, 4. Authorize OMB to prepare a budget amendment for Fiscal Year 2018/19 in the amount of \$72,000 to cover the payment to the Town for recycling services.

Attachments: [Staff Report](#)
[Interlocal Agreement](#)
[Memorandum of Understanding](#)

Chairman O'Bryan explained that as part of the Interlocal Agreement between the Solid Waste Disposal District (SWDD) and the Town of Indian River Shores (the Town), the Town would be receiving some funding from the SWDD to

compensate its franchised collector for base recycling services. He voiced concerns about how the SWDD would monitor the recycling tonnages, since the County's recycling is provided by Waste Management Inc. of Florida. Vice Chairman Solari requested that staff monitor the Town's recycling.

Director of Utility Services Vincent Burke stated that staff could evaluate the material coming into the County's collection facility, and/or perform a waste composition study. Managing Director of the SWDD Himanshu Mehta mentioned that the SWDD's provision of single-stream recycling carts to the Town's residents would be a significant step forward.

Additional discussion ensued between the Board and County Attorney Dylan Reingold about ensuring that the Town's recycling efforts are consistent with the State's 75% recycling goal. Attorney Reingold noted that staff's focus had been to make sure that the Town would be providing long-term recycling services.

County Administrator Jason Brown informed the Board that both the Interlocal Agreement and the MOU contemplate that the Town will participate in the County's next rebid for recycling services in 2022, and that may be the point at which this issue is re-examined.

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

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

C. Environmental Control Board

16. ADJOURNMENT

There being no further business, the Chairman adjourned the meeting at 11:37 a.m.