

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 26, 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
Terri Collins-Lister, Deputy Clerk**

1. CALL TO ORDER**ROLL CALL**

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**

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

3. PLEDGE OF ALLEGIANCE

Commissioner Tim Zorc

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

Chairman Solari stated that Agenda Items 9.A. and 9.B. were pulled from the Agenda and will be placed on the April 9, 2019 meeting agenda.

A motion was made by Commissioner Flescher, seconded by Commissioner Zorc, to approve the Agenda as amended. 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. 19-0172 Presentation of Proclamation Designating the Day of April 9, 2019, as Equal Pay Day

Recommended Action: Read and Present

Attachments: [Proclamation](#)

Vice Chairman Adams read and presented the Proclamation to Suzanne Jones with the American Association of University Women, Vero Beach Branch, who spoke on Equal Pay for Women.

Read and Presented

5.B. 19-0191 Presentation of Indian River County's first-ever Senior Expo, presented by Linda Barker, Director for Development for American Association of University Women, Vero Beach Branch (AAUW Vero Beach)

Recommended Action: No action required

Attachments: [Poster AAUW](#)
[Sponsor Page AAUW](#)

Linda Barker spoke on the first-ever Senior Expo, sponsored by the American Association of University Women, Vero Beach Branch, to be held on Thursday, March 28th at the Indian River County Intergenerational Center.

Read and Presented

- 5.C. 19-0266** Presentation of Proclamation Designating March 30, 2019 as Indian River Steam Fest Day

Recommended Action: Read and Present

Attachments: [Proclamation](#)

Commissioner Zorc read and presented the Proclamation to Stephanie Watson, Robyn Strok-Hjalmeby, Kelly Brown-Schacht, and Dan Strumas. Ms. Watson announced Science, Technology, Engineering, Art and Math (STEAM) Fest Day would be held on Saturday, March 30th at the Indian River County Intergenerational Center.

Read and Presented

6. APPROVAL OF MINUTES

- 6.A. 19-0247** Regular Meeting of January 22, 2019

Recommended Action: Approve

Attachments: [01222019BCC Draft](#)

Approved

- 6.B. 19-0237** Regular Meeting of February 5, 2019

Recommended Action: Approve

Attachments: [02052019BCC Draft](#)

Approved

- 6.C. 19-0250** Regular Meeting of February 12, 2019

Recommended Action: Approve

Attachments: [02122019BCC_Draft](#)

Approved

6.D. 19-0269 Regular Meeting of February 19, 2019

Recommended Action: Approve

Attachments: [02192019BCC_Draft](#)

Approved

A motion was made by Commissioner Flescher, seconded by Commissioner Zorc, to approve the Regular Meeting Minutes of January 22, 2019, February 5, 2019, February 12, 2019 and February 19, 2019. The motion carried by the following vote:

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

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

7.A. 19-0254 Non-Binding Memorandum of Understanding for Research, Education and Training, Florida Atlantic University Board of Trustees

Recommended Action: For Informational Purposes - No Action Required

Attachments: [Staff Report](#)
[Executive Summary](#)
[Non-Binding Memorandum of Understanding](#)

No Action Taken or Required

7.B. 19-0242 Metropolitan Planning Organization (MPO) Citizen Advisory Committee Vacancy Announcement

Recommended Action: No action required

Attachments: [Staff Report](#)

No Action Taken or Required

7.C. 19-0194 Proclamation Honoring Suzanne C. Masters on Her Retirement From

Indian River County Board of County Commissioners Department of
General Services Library Services Division with Seventeen Years of Service

Attachments: [Proclamation](#)

Chairman Solari recognized Suzanne C. Masters on Seventeen Years of Service with the County.

No Action Taken or Required

- 7.D. 19-0225** Proclamation Honoring Joseph Stephens on His Retirement From Indian River County Board of County Commissioners Department of Public Works Traffic Engineering Division with Twenty-Four Years of Service

Attachments: [Proclamation](#)

Chairman Solari recognized Joseph Stephens on Twenty-Four Years of Service with the County.

No Action Taken or Required

- 7.E. 19-0245** Proclamation Honoring Michael Feathers on His Retirement From Indian River County Board of County Commissioners Department of Public Works Facilities Management Division with Thirty-Five Years of Service

Attachments: [Proclamation](#)

Chairman Solari recognized Michael Feathers on Thirty-Five Years of Service with the County.

No Action Taken or Required

- 7.F. 19-0271** City of Fellsmere Ordinance 2019-03, Notice of Annexation of 12.655 Acres More or Less

Recommended Action: No Action Required

Attachments: [City of Fellsmere Ordinance 2019-03](#)

No Action Taken or Required

8. CONSENT AGENDA

A motion was made by Commissioner Flescher, seconded by Commissioner Zorc, to approve the Consent Agenda as amended, pulling items 8.F. and 8.P. 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. 19-0226** Checks and Electronic Payments March 1, 2019 to March 7, 2019

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's

for the time period of March 1, 2019 to March 7, 2019

Attachments: [Finance Department Staff Report](#)

Approved

8.B. 19-0239 Checks and Electronic Payments March 8, 2019 to March 14, 2019

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

Attachments: [Finance Department Staff Report](#)

Approved

8.C. 19-0231 Disposition of Former Fire Station 7

Recommended Action: Staff recommends the Board declare the property located at 1215 82nd Avenue (parcel 33381100001008000001.0) excess to the County's needs and direct staff to solicit offers for the property, as is, by sealed bid.

Attachments: [Staff Report](#)

Approved staff's recommendation

8.D. 19-0232 Third Amendment to Lease Agreement with Gifford Youth Achievement Center, Inc.

Recommended Action: Staff recommends that the Board authorize the Chairman to sign the Third Amendment to Lease Agreement between Indian River County and Gifford Youth Achievement Center, Inc. to add an additional 0.02 acres of property to the Lease Agreement to provide for the treatment of stormwater as a result of the new classroom building. Staff further recommends the Board authorize the Chairman to execute the resolution approving the lease amendment as required by Florida Statutes §125.38.

Attachments: [Staff Report](#)
[Third Amendment to Lease GYAC](#)
[Resolution](#)

Approved staff's recommendation and Resolution 2019-024, approving a third

amendment to lease agreement with the Gifford Youth Achievement Center, Inc., for County owned property known as the Gifford Youth Achievement Center.

8.E. 19-0234 Award of Bid 2019042 - Jones' Pier Fruit Stand Replica

Recommended Action: Staff recommends that the Board award bid number 2019042 to Indian River Docks, LLC. Staff further recommends that the Board approve the sample agreement and authorize the Chairman to execute it after review and approval by the County Attorney as to form and legal sufficiency, and after approval of the required insurance by the Risk Manager.

Attachments: [Staff Report](#)
[Sample Agreement - Bid 2019042](#)

Approved staff's recommendation

8.F. 19-0235 Release of Demolition Lien

Recommended Action: The County Attorney's Office recommends that the Indian River County Board of County Commissioners waive the interest, so long as the lien of \$6,715.40 is paid. Once paid, the County Attorney's Office recommends that the Board authorize the County Attorney's Office to prepare a release or satisfaction of the lien.

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

Chairman Solari explained that this item was a release involving a demolition lien, and he felt that there should be a reasonable time limit set for the lien to be paid off before the County would waive the accrued interest.

County Attorney Dylan Reingold stated that he had talked with the property owner and that they were agreeable to a 60 day time limit.

A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, to approve waiving the interest on the Demolition Lien as long as the lien of \$6,715.40 is paid within a 60-day timeframe. The motion carried by the following vote:

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

8.G. 19-0236 Ray Sheltra's Request for Affidavit of Exemption Approval with County Acceptance of Limited Access Easements

Recommended Action: Based on the analysis, staff recommends that the Board of County Commissioners accept the dedication of the limited access easement and authorize the chairman to execute the subject Affidavit of Exemption.

Attachments: [Staff Report](#)
[Application](#)
[Location Map](#)
[Affidavit of Exemption Layout](#)

Approved staff's recommendation

- 8.H. 19-0240** Request for the Board of County Commissioners to Approve and to Authorize the Board Chairman to Sign the Impact Fee Update Consultant Services Contract

Recommended Action: Staff recommends that the Board of County Commissioners: 1. Approve the proposed contract between the Board of County Commissioners and Tindale-Oliver and Associates, Inc. for impact fee update consultant services; and 2. Authorize the Chairman to execute the contract.

Attachments: [Staff Report](#)
[Impact Fee Consultant Contract](#)

Approved staff's recommendation

- 8.I. 19-0243** 37th Street and Indian River Boulevard - Acquisition of Right-of-Way 3725 Indian River Boulevard, Vero Beach, FL 32960 Owner: EGV 1, LLC

Recommended Action: Staff recommends the Board approve the Purchase Agreement for the 0.32 acres of property located at 3725 Indian River Boulevard, Vero Beach, FL 32960, and authorize the Chairman to execute the purchase agreement on behalf of the Board.

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

Approved staff's recommendation

- 8.J. 19-0253** Proposal for NexusWorx - Fiber Documentation System - Project Phase-2

Recommended Action: Staff recommends that the IRC Board of County Commissioners review and approve the proposed NexusWorx - Fiber documentation system - Project Phase-2

Attachments: [Staff Report](#)
[Byers Phase 2 Proposal](#)
[Gerelcom Phase 2 Quote](#)
[Fiber Survey Phases Map](#)

Approved staff's recommendation

- 8.K. 19-0255** Work Order No. 1 for Southeastern Surveying 45th Street Improvements Water and Sewer Utility Relocations

Recommended Action: Staff recommends the Board of County Commissioners approve Work Order No. 1 with Southeastern Surveying and Mapping Corporation for a lump sum amount of \$27,073.00

Attachments: [Staff Report](#)
[Work Order No 1](#)
[Southeastern Surveying and Mapping Corporation Proposal](#)

Approved staff's recommendation

- 8.L. 19-0258** Work Order No. 1 with Arcadis for Design, Procurement and Construction Administration to Rehabilitate the RAS/WAS Pumps at the Central Wastewater Treatment Plant

Recommended Action: Staff recommends that the Board of County Commissioners approve Work Order No. 1 with Arcadis, in the amount of \$61,273.00, for Professional Services that include design, specifications/bid documents, and construction observation services to rehabilitate the Return Activated Sludge/Waste Activated Sludge pump system at the Central Wastewater Treatment Facility, and authorize the Chairman to execute said work order on their behalf.

Attachments: [Staff Report](#)
[Work Order No 1 RAS and WAS pump replacement](#)

Approved staff's recommendation

- 8.M. 19-0261** Paymentus Merchant Services Banking Documents

Recommended Action: Staff recommends that the Board of County Commissioners authorize the Chairman to endorse the documents from Paymentus.

Attachments: [Staff Report](#)
[Paymentus Master Services Agreement](#)
[Chase - Additional Company Application](#)
[Paymentus - ACH Origination Addendum](#)
[Chase - Government Owned Addendum](#)
[Chase - Payment Processing Instructions and Guidelines](#)

Approved staff's recommendation

8.N. 19-0262 Children's Services Advisory Committee's Recommendation of Focus Areas of Need, Request for Proposal, and Agency Grant Contract for FY 2019-20

Recommended Action: Staff recommends that the Board accept the Focus Areas of Need and RFP for FY 2019-20 as well as the Agency Grant Contract as submitted and authorize the County Administrator to execute the individual contracts.

Attachments: [Staff Report](#)
[Request For Proposal](#)
[Focus Areas of Need](#)
[RFP Press Release](#)
[Sample Contract - Agency Grant Contract](#)

Approved staff's recommendation

8.O. 19-0276 Miscellaneous Budget Amendment 008

Recommended Action: Staff recommends the Board of County Commissioners approve the budget resolution amending the fiscal year 2018-2019 budget.

Attachments: [Staff Report](#)
[2018 2019 Resolution](#)
[Exhibit "A"](#)

Approved staff's recommendation and Resolution 2019-025 amending the Fiscal Year 2018-2019 Budget.

8.P. 19-0267 Budget Amendment 009 Intergovernmental Coordinator/Public Information Officer Position

Recommended Action: Staff recommends the Board of County Commissioners approve the proposed budget resolution amending the fiscal year 2018/19 budget to add a position in the County Administrator's Office that will support the County's legislative priorities as well as serving as the public information officer.

Attachments: [Staff Report](#)
[2018 2019 Resolution](#)
[Exhibit "A"](#)

Commissioner O'Bryan fully supported and justified the added Intergovernmental Coordinator/Public Information Officer Position.

A motion was made by Commissioner O'Bryan, seconded by Chairman Solari, to add a position in the County Administrator's Office that will support the County's Legislative priorities as well as serving as the public information officer, through approval of the proposed budget Resolution 2019-026, amending the Fiscal Year 2018-2019 budget. The motion carried by the following vote:

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

8.Q. 19-0274 Indian River County Community Needs Assessment Funding Commitment for FY2019/2020

Recommended Action: Staff respectfully requests the Board of County Commissioners approve contributing \$50,000 to the development of the Community Needs Assessment Report and authorize the County Attorney's Office to draft a contract with Indian River Community Foundation which will be brought back to the Board for approval.

Attachments: [Staff Report](#)
[Indian River Community Foundation Letter 03-20-19](#)

Approved staff's recommendation

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

B. PUBLIC DISCUSSION ITEMS

10.B.1. 19-0215 Request to Speak from Pickleball University Regarding Expansion of Courts

Recommended Action: Public Discussion Item - No Action Required

Attachments: [Request to Speak Form](#)

Mari Colacino, President of Pickleball University, Inc. thanked the Board for the opportunity to speak on Pickleball University, described in a brief video, d h

the need for additional Pickleball Courts. She asked for the Board's consideration to move the \$450,000 allocated in the County's FY 2021/2022 Budget to the FY 2020/2021 Budget for the additional Pickleball Courts.

Commissioner O'Bryan inquired on the location and the size of the proposed project for the Pickleball Courts with County Administrator Brown replying that South County Park was the primary location. Ms. Colacino felt that in order to bring in tournaments, South County Park would not be able to accommodate the volume.

Commissioner O'Bryan suggested Pickleball University approach the City of Vero Beach to see if they would consider Pickleball Courts an appropriate use at the former Dodgertown Golf Course property with Chairman Solari not being in support of Commissioner O'Bryan's suggestion.

The Board sought questions from Ms. Colacino on the locations and expressed their concerns for Pickleball Courts at Dodgertown. It was suggested that Pickleball University create a master plan.

Commissioner Solari, with the consensus of the Board, recommended staff take a look at the sport and the availability of space within the County and come back to the Board in the next four to six weeks with a recommendation.

The Chairman called for a recess at 9:59 a.m., and reconvened the meeting at 10:09 a.m., with all members present.

C. PUBLIC NOTICE ITEMS

11. COUNTY ADMINISTRATOR MATTERS

12. DEPARTMENTAL MATTERS

A. Community Development

12.A.1. 19-0230 Final Recommendations from the Development Review and Permit Process Advisory Committee

Recommended Action: Staff recommends that the Board consider the Committee's final recommendations and provide staff direction on any of those recommendations the Board wishes to pursue.

Attachments: [Staff Report](#)[11-6-18 BCC Meeting Minutes](#)[01-16-19 DRPPAC Meeting Minutes](#)[Examples of PD Project Public Benefit Trade-Offs](#)[Proposed LDR Amendment](#)[03-31-18 DRPPAC Littoral Zone Agenda Item](#)[09-19-18 DRPPAC Littoral Zone Agenda Item](#)

Community Development Director Stan Boling gave a brief history of the Development Review and Permit Process Advisory Committee (DRPPAC) and added that prior to the committee sunseting at their last meeting in October 2018, they had determined that there were six items of unfinished business. He indicated that the Board granted the DRPPAC's request to hold several additional meetings with January 2019 being the last of the meetings.

Community Development Director Boling outlined three recommendations out of the six items by the DRPPAC for consideration by the Board.

Recommendation 1 - A general policy for proposed changes affecting the development industry, a cost benefit analysis using quantitative, qualitative or life cycle approaches be presented to decision makers, including the Board of County Commissioners.

Recommendation 2 - Adopt the proposed LDR amendment codifying flexibility on palm tree canopy credits.

Recommendation 3 - The Board amend the Comprehensive Plan and Land Development Regulations to eliminate County Littoral Zone Requirements and follow the requirements and design criteria of the St. Johns River Water Management District (SJRWMD).

Director Boling indicated that staff does not support Recommendation 3, eliminating County Littoral Zone Requirements.

Dr. Richard Baker, Pelican Island Audubon Society, felt the County needed to promote native plants and supported Recommendation 3.

Chuck Mechling, 5271 Trade Winds Drive, spoke on the design of the littoral shelf requirements and suggested the Board look further into cleansing, floating mats for aquatic plants, called Vegetation Mats, as opposed to littoral shelf plantings.

Joseph Paladin, President of Black Swan Consulting, opposed the DRPPAC's

Recommendation 3 regarding littoral zone requirements.

Deb Robinson, Vice President of Laurel Builders and Chairman of the DRPPAC, was in favor of following SJRWMD requirements regarding littoral zones.

Wesley Mills, Mills, Short and Associates, felt that stormwater harvesting gives the highest percentage in the reduction of pollutants.

Each Board member gave their input on littoral zone requirements with the consensus that they were not in favor of getting rid of littoral zones and wanted higher regulation standards for the SJRWMD.

A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, to approve a general policy for proposed changes affecting the development industry, a cost benefit analysis using quantitative, qualitative or life cycle approaches be presented to decision makers, including the Board of County Commissioners. The motion carried by the following vote:

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

A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, to adopt the proposed LDR amendment codifying flexibility on palm tree canopy credits. The motion carried by the following vote:

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

A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, to deny the recommendation by the Development Review and Process Advisory Committee to amend the Comprehensive Plan and Land Development Regulations to eliminate County Littoral Zone Requirements and follow the requirements and design criteria of the St. Johns River Water Management District. The motion carried by the following vote:

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

B. Emergency Services

C. General Services

1. Human Services

2. Sandridge Golf Club**3. Recreation****D. Human Resources****E. Office of Management and Budget****F. Public Works****12.F.1. 19-0252** Egret Marsh Stormwater Park Tours

Recommended Action: Staff recommends the promotion of tours available at Egret Marsh via the website, County Facebook pages, and the Government TV channel.

Attachments: [Staff Report](#)
[Egret Marsh Tour Flyer](#)
[Egret Marsh Presentation for TV](#)

Indian River County Stormwater Educator Alexis Peralta, along with Public Works Director Richard Szyrka, gave a PowerPoint Presentation on the County's Egret Marsh Stormwater Park and Wildlife Sanctuary. IRC Stormwater Educator Peralta pointed out that the Egret Marsh filters approximately 10 million gallons of stormwater a day, as well as protects threatened species of birds that come to the facility to nest and seek shelter. She announced that she was conducting tours of the Egret Marsh Stormwater Park and Wildlife Sanctuary which included a presentation of the algal turf scrubber, stormwater pollution education, and a walkthrough of the facility to view the wildlife living within the man-made wetlands.

No Action Taken or Required

G. Utilities Services**12.G.1. 19-0273** 286 +/- acre Purchase and Sale Agreement

Recommended Action: Staff recommends that the Board of County Commissioners authorize the Chairman to sign the purchase and sale agreement for the Premier Citrus LLC properties for \$4,800,400.00

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

Director of Utility Services Vincent Burke reviewed the information contained in his memorandum and presented a slide with the location of the 286-acre property adjacent to the West Regional Wastewater Treatment Facility Project and the potential uses of the proposed site.

A discussion followed on the funding allocation for the purchase of the 286-acre property with 30% funding from the Optional Sales Tax, 60% from the Utility Impact Fees, and 10% from the Park Impact Fees.

Dr. Richard Baker, Pelican Island Audubon Society, on behalf of the Audubon fully supported the purchase of the 286 acres.

A motion was made by Commissioner Flescher, seconded by Chairman Solari, 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

12.G.2. 19-0259 Due Diligence and Project Review West Regional WWTF Reclaimed Water Storage, Tetra Tech Work Order No. 2

Recommended Action: Staff requests that the Board of County Commissioners authorize the Chairman to sign the Tetra Tech CCNA-2018 Work Order No. 2 for the Due Diligence and Project Review of West Regional WWTF Reclaimed Water Storage.

Attachments: [Staff Report](#)
[Tetra Tech CCNA-2018 Work Order No 2](#)

Director of Utility Services Vincent Burke was present in support of this item.

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

12.G.3. 19-0256 Point Source Facilities Allocations and Canals Reclassification, Tetra Tech Work Order No. 3

Recommended Action: Staff recommends approval of Work Order No. 3 authorizing the mentioned professional services and requests the Board of County Commissioners to authorize the Chairman to execute Work Order No. 3 on their behalf for a total sum amount of \$27,010.00 to Tetra Tech

Attachments: [Staff Report](#)
[Tetra Tech CCNA-2018 Work Order No 3](#)

Director of Utility Services Vincent Burke was present in support of this item.

A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Adams, 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

12.G.4. 19-0257 Reclaimed Water Master Plan

Recommended Action: Staff recommends approval of Work Order No. 2 authorizing the mentioned professional services and requests the Board of County Commissioners to authorize the Chairman to execute Work Order No. 2 on their behalf for a total sum amount of \$174,909.00 to Atkins

Attachments: [Staff Report](#)
[Work Order No 2 and supporting documents](#)

Director of Utility Services Vincent Burke was present in support of this item and pointed out that the last update of the Reclaimed Water Master Plan was in the year 2007.

A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Adams, 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

12.G.5. 19-0263 Collier Creek Estates Subdivision Water Assessment Project: Contractor's Final Pay Request & Change Order #1; Resolution IV: Collier Creek Phases 1, 1A, and 1B; and, Resolution IV: Collier Creek Phase 2 and Harbor Point (Phase 3)

Recommended Action: Staff requests authorization from the Board of County Commissioners for the following: a. Approve application for Payment No. 5 - Final Pay in the amount of \$109,295.03 to Timothy Rose Contracting and Change Order #1; b. Adopt Resolution IV for Collier Creek Phases 1, 1A, and 1B with a per parcel cost of **\$5,940.80** and interest rate of **5.0%** for assessment costs and impact fees; c. Adopt Resolution IV for Collier Creek Phase 2 and Harbor Point Phase 3 with a per parcel cost of **\$5,940.80** and interest rate of **5.0%** for assessment costs and impact fees; and, d. Authorize staff to refund the **\$309.20** difference in per-parcel cost between Resolution III (\$6,250.00) and Resolution IV (\$5,940.80)

Attachments: [Staff Report](#)
[Pay Application #5 - Final Pay](#)
[Change Order #1 - Final](#)
[Resolution IV - Collier Creek Phase 1 1A and 1B](#)
[Resolution IV - Collier Creek Phase 2 and Phase 3 \(Harbor Point\)](#)

Director of Utility Services Vincent Burke gave a brief background of the

Creek Estates Subdivision Water Assessment Project noting that two years ago, the County's interest rate was set at 5.0% and on January 19, 2019, the Board approved an interest rate of 5.5%. He added that the interest rate of 5.0% was communicated to the project's residents and asked for the Board's consideration to approve the Resolution with the original interest rate of 5.0% for both the assessment (per parcel) costs and impact fees.

A motion was made by Commissioner Flescher, seconded by Vice Chairman Adams, to approve: 1) application for Payment No. 5 - Final Pay in the amount of \$109, 295.03 to Timothy Rose Contracting and Change Order #1; 2) Resolution 2019-027, certifying "As-Built" costs in connection with a water main extension from 699 S. Easy Street to and including 774 S. Easy Street; 193 Chello Avenue to and including 209 Chello Avenue; 100 Becker Avenue to and including 109 Becker Avenue; 100 Charles Avenue to and including 108 Charles Avenue; 738 Holden Avenue to and including 786 Holden Avenue; and 800 Holden Court to and including 807 Holden Court, within the Subdivision of Collier Creek Estates, Phases 1, 3, 4, 5 and portions of Phases 2 and 6, located within the City of Sebastian, in Indian River County, Florida; and such other construction necessitated by such project; providing for formal completion date, and date for payment without penalty and interest; 3) Resolution 2019-028, certifying "As-Built" costs in connection with a water main extension from 101 Barbara Court to and including 108 Barbara Court; 101 Arega Street to and including 110 Arega Street; 201 Arega Street to and including 213 Arega Street; 200 Hunt Court to and including 204 Hunt Court; and 201 Banks Court to and including 203 Banks Court, within portions of Phases two and six of the Subdivision of Collier Creek Estates (Utility Phase 2); and providing for a water main extension from 100 Harbor Point Drive to and including 117 Harbor Point Drive; and 900 S. Fleming Street to and including 907 S. Fleming Street within Harbor Point Subdivision (Utility Phase 3), located within the City of Sebastian, in Indian River County, Florida; and such other construction necessitated by such project; providing for formal completion date, and date for payment without penalty and interest; and 4) authorize staff to refund the \$309.20 difference in per parcel cost between Resolution 2017-027 in the amount of \$6,250 and Resolution 2017-028 in the amount of \$5,940.80. The motion carried by the following vote:

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

13. COUNTY ATTORNEY MATTERS

13.A. 19-0260 First Amendment to Water, Wastewater and Reclaimed Water Franchise Agreement Between The City of Fellsmere and Indian River County

Recommended Action: The County Attorney's Office recommends that the Indian River County Board of County Commissioners authorize the Chairman to execute the Amendment.

Attachments: [Staff Report](#)
[Fellsmere Franchise Agreement Amendment](#)
[Exhibit A – Legal Description, 7399-Annexation & Location Boundary](#)

County Attorney Dylan Reingold presented the item and was available to answer any questions by the Board.

A motion was made by Commissioner O'Bryan, seconded by Chairman Solari, 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

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. 19-0241 Request to Paint a Mural at the Main Library

Recommended Action: Consider request from the Learning Alliance/Moonshot Moment to paint an environmental-themed mural at the Main Library.

Attachments: [Commissioner's Memorandum](#)
[Request Letter and Details](#)

Commissioner O'Bryan asked the Board to consider a request from the Learning Alliance for a mural to be painted at the Indian River County Main Library during the Moonshot Moment Community in Action Network Event on May 4th. He referred to Assistant County Administrator Michael Zito who introduced Tracey Wehking, IRC Library Director. Director Wehking expressed her concerns and staff's preference that the mural be painted on an outdoor mobile display at the event, then moved into the Main Library for a temporary/permanent display.

A motion was made by Commissioner O'Bryan, seconded by Chairman Solari, to approve the recommendation by staff for the mural to be painted on an outdoor mobile display at the Moonshot Moment Community in Action Network Event, then moved into the Main Library for a temporary/permanent display. The motion carried by the following vote:

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

E. Commissioner Tim Zorc

14.E.1. 19-0279 Regulatory and Tax Fairness Within the Car Rental and Peer-to-Peer Car Sharing Industries

Recommended Action: Discussion

Attachments: [Commissioner's Memorandum](#)

Commissioner Zorc briefly discussed regulatory and tax fairness as it relates to the car rental and peer-to-peer car sharing industries. He asked that the Clerk of Court and Comptroller Jeffrey Smith monitor this emerging tax issue.

Clerk of Court and Comptroller Jeffrey Smith stated that the Clerk of Court's Internal Auditor stated that there was no applicability for tourist tax; however, there could be a sales tax issue. He added that even though the County does not directly collect sales tax, the Internal Auditor was looking at the Registration Information Sharing and Exchange Program (RISE) Agreement with the State of Florida Department of Revenue (DOR) to see what was the County's responsibility and if applicable, he would inform the DOR of anything that may require sales tax collection.

No Action Taken or Required

15. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District

B. Solid Waste Disposal District

The Board of County Commissioners 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. 19-0213 Approval of Minutes Meeting of December 18, 2018

Recommended Action: Approve

Attachments: [12182018SWDD_Draft](#)

Approved

15.B.2. 19-0208 Approval of Minutes Meeting of January 15, 2019

Recommended Action: Approve

Attachments: [01152019SWDD](#)

Approved

15.B.3. 19-0249 Approval of Minutes Meeting of January 22, 2019

Recommended Action: Approve

Attachments: [01222019SWDD Draft](#)

Approved

15.B.4. 19-0238 Approval of Minutes Meeting February 5, 2019

Recommended Action: Approve

Attachments: [02052019SWDD Draft](#)

Approved

15.B.5. 19-0251 Approval of Minutes Meeting of February 12, 2019

Recommended Action: Approve

Attachments: [02122019SWDD Draft](#)

Approved

15.B.6. 19-0270 Approval of Minutes Meeting of February 19, 2019

Recommended Action: Approve

Attachments: [02192019SWDD Draft](#)

A motion was made by Vice Chairman Adams, seconded by Commissioner O'Byran, to approve the Solid Waste Disposal District Minutes of December 18, 2018, January 15, 2019, January 22, 2019, February 5, 2019, February 12, 2019 and February 19, 2019. The motion carried by the following vote:

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

15.B.7. 19-0272 Change Order No. 3 to Thalle (Bid #2018025)

Recommended Action: Solid Waste Disposal District staff recommends that its Board approve and authorize the Chairman to execute the change order in contract time for Milestone 1, Milestone 2 and Final Completion by 27 days and allow the use of \$12,236.97 from contingency funding to Thalle Construction Company, Inc. for the Segment 3 Cell 2 Expansion, Segment 2 Partial Closure and Landfill Gas System Expansion project

Attachments: [Staff Report](#)
[CDM Smith Letter of Recommendation and Change Order Form](#)

Director of Utility Services Vincent Burke was present in support of this item.

A motion was made by Commissioner Flescher, seconded by Chairman Solari, 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

C. Environmental Control Board**16. ADJOURNMENT**

There being no further business, the meeting adjourned at 11:41 a.m.