

# Indian River County Florida

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



## Meeting Minutes - Final

**Tuesday, May 16, 2017**

**9:00 AM**

**Commission Chambers**

### **Board of County Commissioners**

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

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

**1. CALL TO ORDER**

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

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

Reverend Steve Jones, Vero Christian Church

**3. PLEDGE OF ALLEGIANCE**

Commissioner Joseph E. Flescher, Chairman

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

Move Item 13.D. Resolution of Support for the Sale of the City of Vero Beach Electric Utility by the City of Vero Beach to Florida Power & Light to follow Item 5.A.

Delete Item 9.A. Indian River County Clerk of the Circuit Court and Comptroller, Jeffrey R. Smith: Continuation of the Consolidation of Deferred Compensation Plans, with the intention to defer this item to the June 6, 2017 County Commission meeting.

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

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

**5. PROCLAMATIONS and PRESENTATIONS**

**5.A.**     [17-0487](#)     Presentation by Bart Gaetjens, Florida Power and Light External Affairs Manager, Regarding Florida Power and Light Offer for City of Vero Beach Electric

**Recommended Action:** No Action Required

Florida Power & Light's External Affairs Manager Bart Gaetjens, 9001 Ellis Road, Melbourne, used a PowerPoint Presentation to outline Florida Power & Light's (FPL) updated offer to purchase the City of Vero Beach (the City) Electric System. He reviewed the timeline and financial aspects for each step of the acquisition process, and disclosed that the projected closing date would be October 2018, if all necessary

approvals are secured. Mr. Gaetjens also discussed the benefits of having FPL as the City's electric provider and conveyed that FPL plans to locate two solar energy centers in the County between 2017 and 2023.

A brief discussion ensued about the tax benefits of the sale to the City and the County.

*Please refer to Item 13.D. for Board discussion and action regarding this item. To allow for execution of the Resolution, the Chairman called a recess at 9:14 a.m., and reconvened the meeting at 9:20 a.m., with all members present.*

**Read and Presented**

- 5.B.**     [17-0279](#)     Presentation of Proclamation Recognizing May 14 through 20, 2017 as National Police Week

**Recommended Action:** Read and Presented.

**Attachments:** [Proclamation](#)

*(Clerk's Note: This item was heard following Item 13.D. and is placed here for continuity).*

Chairman Flescher read and presented the Proclamation to Indian River County Sheriff Deryl Loar, who accepted on behalf of the law enforcement officers of the Indian River County Sheriff's Office. Also in attendance was Undersheriff James Harpring.

**Read and Presented**

- 5.C.**     [17-0472](#)     Presentation of Proclamation Designating the Week of May 20 through May 26, 2017, as National Safe Boating Week

**Recommended Action:** Read and Presented.

**Attachments:** [Proclamation](#)

Before reading the Proclamation, Vice Chairman O'Bryan spoke to the advisability of using luminiscent or fluorescent colors for clothing and boating equipment to enhance visibility, should an ocean rescue become necessary.

Vice Chairman O'Bryan read and presented the Proclamation to United States Coast Guard Commander Mark Cannon, and Vice Commander Paul Harmon, Flotilla 56.

**Read and Presented**

- 5.D.**     [17-0416](#)     Presentation of Proclamation Designating May 29, 2017 as Memorial Day

**Recommended Action:** Read and Presented.

**Attachments:** [Proclamation](#)

Commissioner Susan Adams read and presented the Proclamation to Veterans Council Secretary Major Kim Pilger; Program Manager Captain Doy Demsick; and Veterans Council Board Members.

Major Pilger discussed the upcoming Memorial Day Observance that will be held on Monday, May 29, 2017 at Veteran's Memorial Island. She conveyed that there will be a new display entitled "Boots on the Ground" honoring veterans who have been killed in combat since the events of September 11, 2001 (9/11).

**Read and Presented**

- 5.E.**     [17-0524](#)     Presentation by Curtis Paulisin and Colonel Marty Zickert, Veterans Council of Indian River County, on 3rd Annual Veterans Outreach Golf Tournament, Saturday, June 17th, 2017

**Recommended Action:**

**Attachments:** [Golf Tournament Flyer](#)  
[Invitation to Participate](#)  
[Sponsorship and Entry Form](#)

Colonel Marty Zickert, Retired United States Air Force, provided details on the Veterans Council of Indian River County's Outreach Golf Tournament scheduled for June 17, 2017 at the Sandridge Golf Club.

Sergeant James added that the tournament would commence at 8:00 a.m., and requested that the Board allow event flyers to be posted at the County pools and Fairgrounds.

Veteran's Council Vice President Curtis Paulisin relayed that several veteran's homes have been rehabilitated with grant money donated by Grand Harbor, and that the work was done by other veterans.

**No Action Taken or Required**

**6. APPROVAL OF MINUTES**

- 6.A.**     [17-0513](#)     Regular Meeting of April 4, 2017

**Recommended Action:** Approve

**Attachments:** [04042017BCC](#)

**Approved**

**6.B.**     [17-0505](#)     Regular Meeting of April 11, 2017

**Recommended Action:** Approve

**Attachments:** [04112017BCC](#)

**Approved**

**6.C.**     [17-0508](#)     Regular Meeting of April 18, 2017

**Recommended Action:** Approve

**Attachments:** [04182017BCC](#)

**A motion was made by Commissioner Adams, seconded by Vice Chairman O'Bryan, to approve the Regular Meeting Minutes of April 4, 2017; April 11, 2017; and April 18, 2017, as written. The motion carried by the following vote:**

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

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

**7.A.**     [17-0525](#)     Appointment of Member and Alternate to the Indian River Lagoon National Estuary Program Board of Directors

**Recommended Action:** Informational Item

**Attachments:** [Commissioners Memorandum](#)

Noted for the record was the appointment of Commissioner Susan Adams as the County's representative on the Indian River Lagoon Council (IRLC) Board of Directors for the Indian River Lagoon National Estuary Program (IRLNEP), and the appointment of Chairman Joseph E. Flescher as the alternate member.

A brief discussion ensued regarding the alternate appointee, after which County Attorney Dylan Reingold outlined the steps that will need to be taken to secure the County's membership on the IRLNEP.

**No Action Taken or Required**

## **8. CONSENT AGENDA**

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

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

- 8.A. [17-0515](#) Checks and Electronic Payments April 28, 2017 to May 4, 2017

**Recommended Action:** Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of April 28, 2017 to May 4, 2017

**Attachments:** [Finance Department Staff Report](#)

**Approved**

- 8.B. [17-0449](#) Approval of Work Authorization No. 2017-003 to Replace Water Services in Park Place Mobile Home Park - Phase I, UCP #4133

**Recommended Action:** Staff recommends that the Board of County Commissioners approve replacement of the service lines identified in Park Place Mobile Home Park - Phase I totaling \$116,641.42 by approving Work Authorization No. 2017-003 with Blue Goose Construction for \$76,234.54 and by authorizing staff to directly purchase materials totaling \$40,406.88.

**Attachments:** [Staff Report](#)  
[Work Authorization No. 2017-003](#)  
[Cost Estimate - Labor and Material](#)  
[Blue Goose Quotation](#)  
[Park Place Map](#)

**Approved**

- 8.C. [17-0501](#) Moorings Landscape Maintenance Commitment

**Recommended Action:** Staff recommends approval of the Amended Commitment of Landscape Maintenance Agreement and Authorize the Chairman to execute the Agreement.

**Attachments:** [Staff Report](#)  
[Moorings Revised Landscape Agreement](#)  
[Moorings Proposed landscape plan](#)

**Approved**

- 8.D. [17-0516](#) Work Order No. 6, MBV Engineering, Inc., Atlantic Boulevard Parking Area Project (SR 60 & 43rd Ave.)

**Recommended Action:** Staff recommends approval of Work Order No. 6 to MBV Engineering, Inc. authorizing the - professional services as outlined in the Scope of Services and

requests the Board to authorize the Chairman to execute the Work Order No. 6 on their behalf for a total lump sum amount of \$78,000.00.

**Attachments:** [Staff Report](#)  
[MBV Work Order No. 6](#)

**Approved**

- 8.E.**     [17-0517](#)     Board Approval of Resolution Authorizing Grant Application to the Florida Inland Navigation District for Public Access Improvements at the Oyster Bar Marsh Conservation Area

**Recommended Action:** Staff recommends that the Board of County Commissioners approve the proposed resolution (FIND grant application “Attachment E-7”) for the Oyster Bar Marsh Trail Improvements and authorize the Board Chairman to sign the resolution on behalf of the County.

**Attachments:** [Staff report](#)  
[Attachment 1: maps](#)  
[Attachment 2: project cost estimate](#)  
[Attachment 3: proposed resolution](#)  
[Attachment 4: County grant form](#)

**Approved Resolution 2017-047, Attachment E-7, Resolution for Assistance 2017 Under the Florida Inland Navigation District Waterways Assistance Program, and authorized the Chairman to execute the resolution on behalf of the County.**

**Approved**

- 8.F.**     [17-0519](#)     Rejection of Bids for Annual Telecommunication Systems Equipment, Material, Supplies, Maintenance, and Installation (Bid 2017025)

**Recommended Action:** Staff recommends the Board reject the responses received for Bid 2017025 and authorize the Public Works Department to revise the specifications and the Purchasing Division to release a new invitation to bid for the subject work.

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

**Approved**

- 8.G.**     [17-0523](#)     West Regional Wastewater Treatment Facility Filter Replacement

**Recommended Action:** The staff of IRCDUS recommends that the Board of County Commissioners waive the requirement for bids and authorize the Purchasing Division to issue a purchase order to Aqua-Aerobic Systems Inc. for \$132,185.00.

**Attachments:** [Staff Report](#)  
[Aqua-Aerobics System Proposal Number 140380](#)  
[Sole Source Letter, Aqua-Aerobics System Inc. OEM](#)

Vice Chairman O'Bryan explained that staff was requesting to waive the requirement for bids for the filter, because the equipment is manufactured exclusively by Aqua-Aerobic Systems, Inc.

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

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

**8.H.** [17-0531](#) Approval of Smoke Free Workplace Policy

**Recommended Action:** Staff recommends the Board approve the Smoke Free Workplace Policy.

**Attachments:** [Staff Report](#)  
[Smoke Free Workplace Policy](#)

**Approved**

**9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

**9.A.1.** [17-0536](#) Indian River County Clerk of the Circuit Court and Comptroller, Jeffrey R. Smith: Continuation of the Consolidation of Deferred Compensation Plans

**Recommended Action:** Award the deferred compensation contract to Nationwide with a term of five years with two optional two-year extensions and approve to revise Section 104.5 Deferred Compensation of the Indian River County Code of Ordinances

**Attachments:** [Finance Department Staff Report](#)

This item was deferred to the June 6, 2017 Board of County Commission meeting.

**No Action Taken or Required**

**10. PUBLIC ITEMS**

**A. PUBLIC HEARINGS**

**10.A.1.** [17-0512](#) Request for Authorization to Submit an FY 2017 Grant Application for 49 USC Ch. 53, Section 5307 Mass Transit Capital and Operating Assistance



**(Administrative)**

**Recommended Action:** Staff recommends that the Board of County Commissioners adopt the resolution authorizing the filing of the FY 2017 Section 5307 grant application.

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

[Attachment 1: Grant Application](#)

[Attachment 2: Resolution](#)

[Attachment 3: Budget Form](#)

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

Metropolitan Planning Director Phil Matson provided background on the United States Department of Transportation's Federal Transit Administration Grant, which is used to support the GoLine and Community Coach transit systems. He also provided an update on the new bus hub on 17th Street, and noted that there will be a route servicing the Vero Beach Regional Airport once the road in that area re-opens.

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

**A motion was made by Commissioner Solari, seconded by Commissioner Zorc, to approve Resolution 2017-048, authorizing the filing of the Fiscal Year 2017 Grant Application for 49 USC Ch. 53, Section 5307 Mass Transit Capital and Operating Assistance. The motion carried by the following vote:**

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

**B. PUBLIC DISCUSSION ITEMS****C. PUBLIC NOTICE ITEMS****Read and Presented****10.C.1. [17-0518](#)**

Notice of Public Hearing for May 23, 2017: Robert Pritchett's Request for Abandonment of a Right-of-Way for a 16 Foot Wide Alley Running from 129th Court to 129th Street and Lying Immediately Adjacent and Contiguous to Lots 1-10, Block 18 of the Townsite Plat of Roseland Subdivision [ROWA-17-06-03 / 2017030030-78850] **(Legislative)**

**Recommended Action:** This notice of public hearing is provided for the Board's information. No action is needed at this time.

County Attorney Dylan Reingold read the notice into the record.

**No Action Taken or Required**

**11. COUNTY ADMINISTRATOR MATTERS**

**11.A. [17-0520](#) Indian River Shores Property Right of First Refusal**

**Recommended Action:** Staff recommends the Board of County Commission waive the right-of-first refusal for this transaction, and allow the Town Council to complete the sale to Lutgent Companies as specified in the attached Real Estate Purchase and Sale Contract.

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

[Indian River Shores Letter Dated May 8, 2017](#)

[Real Estate Purchase and Sale Contract](#)

[County Deed Dated March 16th, 1991](#)

County Administrator Jason Brown gave background on the 5.38 acre vacant parcel of land at 5110 State Road A1A, adjacent to the County's Tracking Station Oceanfront Park, which was offered for sale at an auction held by the Town of Indian River Shores (the Town) on May 6, 2017. He explained that the deed to that property grants the County the right-of-first refusal, and that staff is recommending that the Board NOT exercise the County's right to purchase the property.

Commissioner Zorc sought and received information about the reserve amounts in the County's General Fund. He also expressed concerns about proposed legislation (Senate Bill 1774/House Bill 7105), which would increase homestead exemptions for certain homeowners.

Administrator Brown acknowledged that the County's revenues would decrease annually by approximately \$3 million if the legislation passes. He also conveyed that there was not an extra \$4 million in the reserve funds to purchase the subject property. Administrator Brown thereafter addressed the Board's questions and observations on the County's funding priorities and commitments.

Joseph Paladin, President of Black Swan Consulting and Atlantic Coast Building, stated that he supported the sale of the Town's property to the winning bidder, Lutgent Companies, which he affirmed is a very reputable firm.

Bob Soos, 905 Surf Lane, spoke in support of land conservation, and requested that the Board delay its decision for 90 days to see if there are other funding sources to purchase the subject property. He also advised that the neighbors had discussed purchasing the parcel as a group; however, this did not transpire.

Chairman Flescher acknowledged points made by Mr. Soos about leaving the land

untouched, but stressed that funding avenues were not available. He also recalled the Board's commitment to let Town Manager Robert Stabe know, in a timely manner, whether or not the County would want to purchase the parcel.

Further discussion ensued about the County's funding priorities and obligations.

**A motion was made by Commission Solari, seconded by Vice Chairman O'Bryan, to waive the right-of-first refusal for purchase of the 5.38 acre vacant parcel of land located at 5110 State Road A1A, adjacent to the County's Tracking Station Oceanfront Park, and allow the Town of Indian River Shores to complete the sale to Lutgent Companies, as specified in the Real Estate Purchase and Sale Contract between the Town of Indian River Shores and Lutgent Companies. The motion carried by the following vote:**

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

**11.B. [17-0532](#)** Collective Bargaining Agreement Between Indian River County and the International Association of Firefighter's, Local 2201

**Recommended Action:** Staff respectfully recommends approval of the collective bargaining agreement between Indian River County and the International Association of Firefighter's, Local 2201 and requests the Board authorize its Chairman to sign.

**Attachments:** [Staff Report](#)  
[Proposed Amendments to Agreement IAFF](#)  
[IAFF Local 2201 Letter of Ratification](#)

County Administrator Jason Brown reported that the proposed Collective Bargaining Agreement with the International Association of Firefighters, Local 2201, was ratified by the Union membership on May 10, 2017. He presented a summary of the amendments to the Agreement, which included a change to the Solo Paramedic incentive program, which is being replaced with an Advanced Life Support (ALS) Lead incentive. Administrator Brown advised that the Agreement will be effective retroactively from October 1, 2016 through September 30, 2019.

Discussion followed as Administrator Brown responded to the Board's questions and comments.

Vice Chairman O'Bryan explained why the Agreement was structured to be retroactive from October 1, 2016. He also commended the Union leadership, Union members, and the County's management team for their work on the contract.

John O'Connor, President, International Association of Firefighters, Local 2201, thanked the Board and the County's negotiating team, and said he was looking forward to future positive negotiations.

Bob Johnson, Coral Wind Subdivision, asked whether the proposed Agreement

would prompt a tax increase; his question was addressed by Administrator Brown.

**A motion was made by Vice Chairman O'Bryan, seconded by Chairman Flescher, to approve the Collective Bargaining Agreement between Indian River County and the International Association of Firefighter's, Local 2201 and authorized the Chairman to execute same. The motion carried by the following vote:**

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

The Chairman called a recess at 10:46 a.m., and reconvened the meeting at 10:59 a.m., with all members present.

## **12. DEPARTMENTAL MATTERS**

### **A. Community Development**

### **B. Emergency Services**

### **C. General Services**

#### **1. Human Services**

#### **3. Recreation**

### **D. Human Resources**

### **E. Office of Management and Budget**

#### **12.E.1. [17-0535](#)** Outside Agency Funding Policy Revision and Requirement for Grant Sub-Recipient Agreements

**Recommended Action:** Staff requests the Board of County Commissioners approve the following staff recommendations: (1) amend the Outside Agency Funding Policy as outlined in Attachment A; (2) waive the 4 year funding limitation in FY2017-18 for one year for Nonprofit agencies and fund agencies at FY17 levels (Senior Services at FY16 level); (3) approve the elimination of funding for Nonprofit Agencies beginning in FY2018-19; (4) authorize the execution of standard grant agreements for approved FY2017-18 funding requests with the following recipients of County funds (Nonprofit Agencies, Quasi Nonprofit Agencies, Tourist Development Agencies, and Children's Service Agencies); (5) require the execution of sub-recipient grant agreements retroactive to 2017 funding, and for all future grant awards.

**Attachments:** [Staff Report Outside Agency Funding Policy](#)

[Attachment 1 Option 1](#)

[Attachment 2 Option 2](#)

[Attachment 3 Standard Grant Agreement](#)

[Attachment 4 Sub Recipient Grant Agreement](#)

Management and Budget Director Michael Smykowski used a PowerPoint Presentation to give a synopsis of the Outside Agency Funding Policy Revisions and the requirement for Grant Sub-Recipient Agreements. The revisions pertain to the requirement to have grant agreements for agencies (except State Agencies) receiving County funding; a change to the audit submittal deadline from 120 days to 180 days of the agencies' respective fiscal years; the four-year funding limitation in the current Policy; and the issue of funding availability.

Clerk of Circuit Court and Comptroller Jeffrey R. Smith, in response to Board questions, affirmed that the audit must be performed by an accredited Certified Public Accountant.

**A motion was made by Commissioner Solari, seconded by Chairman Flescher, to: (1) authorize the execution of standard grant agreements for approved Fiscal Year 2017-2018 funding requests with the following recipients of County funds (Nonprofit Agencies, Quasi Nonprofit Agencies, Tourist Development Agencies, and Children's Services Agencies); and (2) amend the Outside Agency Funding Policy audit submittal deadline to require agencies to submit their audit to the County within 180 days prior to the end of the agency's fiscal year, unless the County Budget Office grants an extension. The motion carried by the following vote:**

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

Director Smykowski provided background on the four-year funding limitation in the current Policy, and noted that the majority of non-profit organizations have received County funding for over four years. He then presented staff's recommendation for the Board to approve Option 1 for funding non-profit agencies: (1) waive the four-year funding limitation and provide funding in Fiscal Year 2017-2018 for currently funded organizations at Fiscal Year 2017 funding levels; (2) eliminate funding for any new agencies for Fiscal Year 2017-2018 and totally eliminate non-profit agency funding beginning in Fiscal Year 2018-2019, and thereafter. He advised that the agencies currently receiving funding are the Mental Health Walk-In Clinic; Harvest Food Outreach Center (n/k/a United Against Poverty); 211 Palm Beach/Treasure Coast, Inc.; and Senior Services. He noted that a new request for funding was submitted by For the Love of Paws; however, funding will not be provided.

Director Smykowski also provided a synopsis of Option 2 for funding non-profit

agencies. The existing non-profit agencies would continue to receive funding at the current Fiscal Year 2017 levels (Senior Services is based on Fiscal Year 2016 levels), with funding capped at this level in future years, and no new agencies would be considered unless they qualified for the Quasi-Nonprofit category.

Commissioner Solari voiced support for the four non-profit agencies mentioned by Director Smykowski, and for Option 2.

A brief discussion followed, as individual Board Members expressed support for continued funding of the non-profits mentioned by Director Smykowski.

**A motion was made by Commissioner Solari, seconded by Commissioner Adams, to: (1) waive the four-year funding limitation in Fiscal Year 2017-2018 for one year for Nonprofit agencies and to fund agencies at Fiscal Year 2017 levels (Senior Services at Fiscal Year 2016 level); and (2) amend the Outside Agency Funding Policy as outlined in Attachment 2 (Option 2), with the dollar amounts listed in staff's report adjusted annually for the standard rate of inflation. The motion carried by the following vote:**

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

The following individuals addressed the Board with remarks of appreciation for the continued funding of their respective agencies:

Sharon L'Herrou, President/CEO, 211 Palm Beach/Treasure Coast  
Robert Brugnoli, Ph.D., CEO, Mental Health Association  
Karen Deigl, CEO, Senior Resource Association, who also acknowledged the contributions of For the Love of Paws to the seniors

Sergio Mota, 365 Joy Haven Drive, Volunteer at For the Love of Paws, discussed the mission of the organization, and urged the Board to reconsider funding.

Chairman Flescher commented on the work done by For the Love of Paws. He suggested that Mr. Mota return to the Board with more information on the agency.

Director Smykowski continued his PowerPoint with regards to the requirements of the Code of Federal Regulation, Part 200 (Administrative requirements, Cost Principles, and Audit Requirements for Federal Awards), for the County to execute agreements with all federal grant sub-reipients (currently the Senior Resource Association, Inc., and the Treasure Coast Homeless Services Council). He gave staff's recommendation for the agreements to be executed retroactive to October 1, 2016 (for Fiscal Year 2016-2017), and for all federal grant sub-recipients moving forward.

Clerk of Circuit Court and Comptroller Jeffrey Smith, in response to questioning, confirmed that there would be no additional charge to the sub-recipients of the grants.

Commissioner Solari sought and received confirmation from Mr. Smith that the grant agreement process would be simplified as much as possible for the sub-recipients.

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Adams, to require the execution of sub-recipient grant agreements retroactive to October 1, 2016 (for Fiscal Year 2016-2017), and for all future grant awards. The motion carried by the following vote:**

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

#### **F. Public Works**

#### **G. Utilities Services**

##### **12.G.1. [17-0530](#)**

North Sebastian Septic to Sewer (S2S) Phase 1 - Bid Status of Bid No. 2017-046

**Recommended Action:** Staff recommends the following: a. The project be awarded to Timothy Rose Contracting, Inc., in the amount of \$2,977,931.58 as the lowest, responsive, responsible bid. Please note that notice to proceed will only be issued once Resolution III has been adopted by the BCC. b. Approve the County's revised funding mechanism to be based on Option III. Allocate the necessary dollars to help defray assessment costs for property owners. c. Begin implementation of a Phase 1 septic to sewer assessment project for the construction costs for all properties both inside the City of Sebastian and unincorporated county. o Direct staff to follow assessment procedures for notifying benefitting property owners, preparation of assessment roll and the necessary resolutions. o Hold necessary public meetings for property owners and interested parties. d. Approve the sample agreement.

**Attachments:** [Staff Report \(Revised\)](#)  
[Sample Agreement](#)  
[M&M Septic to Sewer Bid Review and Recommendation Letter](#)

Director of Utilities Vincent Burke recalled the Board's direction at the December 20, 2016 County Commission meeting for staff to seek competitive bids for the North Sebastian Septic to Sewer Phase 1 Project (the North Sebastian Sewer Project). He used a PowerPoint Presentation to provide background on the project and to outline financing options and construction costs. Director Burke

disclosed that of the three bidders submitting proposals, Timothy Rose Contracting, Inc. was the lowest responsible bidder. He also noted that there had been an error in Blue Goose Construction's bid, but a replacement page with corrected data had been provided for the agenda package. Director Burke reviewed the tentative schedule for the project moving forward (if approved), and conveyed that the anticipated completion date is Summer 2018. Capital Projects Manager Arjuna Weragoda, and Project Engineer Earl Masteller, Masteller & Moler, were also present.

Commissioner Zorc commented that the costs for this project and the West Wabasso Sewer Project had turned out to be greater than anticipated. He inquired about the possibility of carving out a portion of the project, and trying to get another grant for that segment of the construction.

Director Burke discussed the time constraints for the North Sebastian Sewer Project and communicated that project costs in all areas seem to be escalating.

Commissioner Zorc, with support from Chairman Flescher, suggested that staff explore maximizing the grants for future projects. He also suggested that staff consider adding an "unforeseen circumstance" type of factor, which may provide more of an actual cost.

County Administrator Jason Brown noted that the North Sebastian Sewer Project was developed and priced out in December 2016. He assured the Board that staff will be taking into consideration the higher costs of labor and materials in future project estimates.

Commissioner Adams voiced support for the North Sebastian Sewer Project, and agreed that staff should begin increasing its project estimates.

Vice Chairman O'Bryan mentioned that certain entities already have a working sewage disposal system and they are now being asked to pay for a new system; thus, he was in favor of keeping costs as low as possible for the property owners.

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Adams, to: (1) award the project to Timothy Rose Contracting, Inc., in the amount of \$2,977,931.58 as the lowest, responsive, responsible bid; notice to proceed will only be issued once Resolution III has been adopted by the BCC; (2) approve the County's revised funding mechanism based on Option II, to keep the funding allocation percentages the same; (3) allocate the necessary dollars to help defray assessment costs for property owners; (4) authorize staff to begin implementation of a Phase 1 septic to sewer assessment project for the construction costs for all properties both inside the City of Sebastian and unincorporated County; (5) direct staff to follow assessment procedures for notifying benefitting property owners, preparation of assessment roll and the necessary resolutions; (6) direct staff to hold the necessary public meetings for property owners and interested parties; and (7) approve the sample**



agreement. The motion carried by the following vote:

**Aye:** 4 - Chairman Flescher, Vice Chairman O'Bryan, Commissioner Adams, and Commissioner Zorc

**Nay:** 1 - Commissioner Solari

### **13. COUNTY ATTORNEY MATTERS**

#### **13.A. [17-0488](#) Demolition Liens**

**Recommended Action:** The County Attorney's Office recommends the Chairman allow each party in interest for the property 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](#)  
[Demario / Yorker lien and itemization](#)  
[Williams lien and itemization](#)  
[Cooper lien and itemization](#)

Deputy County Attorney Bill DeBral was present to answer any questions from the Board, and supported staff's recommendation to file a lien against the properties located at 4795 32nd Avenue, 529 20th Street SW, and 2385 11th Court SW.

Vice Chairman O'Bryan asked if there were any citizens in the audience who wished to speak; there were none.

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Solari, to approve the lien amounts as follows: (1) for Lots 12 and 13, Block 9, Smith Plaza Subdivision, \$5,701.42; (2) for property at 529 20th Street SW, Lot 26, Block 28, Vero Beach Highlands Unit 2, \$5,755.80; and (3) for property at 2385 11th Court S.W., Lot 23, Block 118, Unit 5 of The Vero Beach Highlands, \$6,270.13; and authorized the Chairman to execute each lien for recordation in the public records. The motion carried by the following vote:**

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

#### **13.B. [17-0511](#) Agreement for On-The-Job Training with the Arc of Indian River County, Inc.**

**Recommended Action:** The County Attorney recommends that the Board approve and authorize the Chairman to sign the Agreement for On-The-Job Training Between Indian River County and The Arc of Indian River County, Inc.

**Attachments:** [Staff Report](#)  
[Agreement for On-The Job Training](#)

County Attorney Dylan Reingold recalled the Board's direction in August 2016 to

develop a jobs training program to offer opportunities for young adults with intellectual and developmental disabilities. He provided the details of the On-The-Job Training program with the Arc of Indian River County, and said that the proposed agreement was a result of communications between the County, The Arc, and the Florida Division of Vocational Rehabilitation.

Chairman Flescher spoke in support of the program, and invited public comment.

Chuck Bradley, Executive Director of The Arc, attested that this program would make a tremendous impact on the lives of these young adults.

**A motion was made by Commissioner Solari, seconded by Chairman Flescher, to approve and authorize the Chairman to execute the Agreement for On-The-Job Training between Indian River County and The Arc of Indian River County, Inc. The motion carried by the following vote:**

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

**13.C.** [17-0529](#) 2017-2018 State Legislative Final Report

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

[Indian River County's 2017-2018 State Legislative Final Report](#)

This item was deferred to a future meeting, due to Assistant County Attorney Kate Pingolt-Cotner being dispatched earlier during this Board Meeting to deliver to the City of Vero Beach, the Board's Resolution of Support for the sale of the City of Vero Beach Electric System to Florida Power & Light.

**No Action Taken or Required**

**13.D.** [17-0528](#) Resolution of Support for the Sale of the City of Vero Beach Electric Utility by the City of Vero Beach to Florida Power & Light

**Recommended Action:** The County Attorney's Office recommends that the Chair allow for public comment on this matter and then have the Board vote to approve the resolution.

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

[Resolution of Support for the Sale of the City of Vero Beach Electric Utility](#)

*(Clerk's Note: This item was discussed following Item 5.A. and is placed here for continuity).*

County Attorney Dylan Reingold reported that at 9:30 a.m. on this date (May 16, 2017), the City of Vero Beach Council will be considering Florida Power and Light's (FPL) Letter of Intent to purchase the City's Electric System. He discussed the

Board's history of support for the sale of the City's Electric System to FPL and stated that if approved by the Board, the proposed resolution of support would be presented to the City at its meeting.

Chairman Flescher invited public comment; there was none.

**A motion was made by Commissioner O'Bryan, seconded by Chairman Flescher, to approve Resolution 2017-046, urging the City Council of the City of Vero Beach, Florida to vote in favor of the full sale of the Vero Beach Electric System to Florida Power & Light Company; directing copies of this resolution to be provided to appropriate parties. The motion carried by the following vote:**

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

#### **14. COMMISSIONERS MATTERS**

**A. Commissioner Joseph E. Flescher, Chairman**

**B. Commissioner Peter D. O'Bryan, Vice Chairman**

**C. Commissioner Susan Adams**

**D. Commissioner Bob Solari**

**E. Commissioner Tim Zorc**

#### **15. SPECIAL DISTRICTS AND BOARDS**

**A. Emergency Services District**

**B. Solid Waste Disposal District**

The Board 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. [17-0398](#)** Approval of Minutes Meeting of February 21, 2017

**Recommended Action:** Approve

**Attachments:** [02212017SWDD](#)

**Approved**

**15.B.2. [17-0410](#)** Approval of Minutes Meeting of March 7, 2017

**Recommended Action:** Approve

**Attachments:** [03072017SWDD](#)

**Approved**

**15.B.3. [17-0423](#)** Approval of Minutes Meeting of March 21, 2017

**Recommended Action:** Approve

**Attachments:** [03212017SWDD](#)

**A motion was made to approve the Meeting Minutes of February 21, 2017; March 7, 2017; and March 21, 2017, as written. The motion carried by the following vote:**

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

**15.B.4. [17-0526](#)** WO No. 5 to Geosyntec for One Year of Groundwater Monitoring/Reporting and Related Consulting Services at the Former South Gifford Road Landfill

**Recommended Action:** Staff recommends that the SWDD Board approves and authorizes the Chairman to sign CCNA-2014 WO No. 5 authorizing Geosyntec to provide groundwater monitoring/reporting and related consulting services for the Former Gifford Road Landfill in compliance with FDEP requirements for a period of one year not to exceed fee of \$71,456.

**Attachments:** [Staff Report](#)  
[Geosyntec CCNA-2014 WO No. 5](#)

Director of Utilities Vincent Burke was available for the Board's questions on the proposed Work Order No. 5 to Geosyntec Consultants, Inc.; there were no queries.

Vice Chairman O'Bryan pointed out that the Florida Department of Environmental Protection (FDEP) has reduced the frequency of the groundwater monitoring at the former South Gifford Road Landfill site.

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

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

### **C. Environmental Control Board**

## **16. ADJOURNMENT**

There being no further business, the Chairman adjourned the meeting at 12:16 p.m.

