



Indian River County Florida

Meeting Minutes 3 - Final

Board of County Commissioners

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

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

Tuesday, November 12, 2019

9:00 AM

Commission Chambers

1. CALL TO ORDER

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

2.A. A MOMENT OF SILENT REFLECTION FOR FIRST RESPONDERS

2.B. INVOCATION

Jeff Smith, Clerk of the Circuit Court and Comptroller

3. PLEDGE OF ALLEGIANCE

Dylan Reingold

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

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

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

5. PROCLAMATIONS and PRESENTATIONS

6. APPROVAL OF MINUTES

6.A. [19-1032](#) Special Call Meeting of July 23, 2019

Attachments: [07/23/2019 Special Call Draft](#)

A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, to approve the Special Call Meeting Minutes of July 23, 2019 as written. 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. [19-0932](#) Proclamation Honoring Penelope V. Hurley on Her Retirement From Indian River County Board of County Commissioners Department of General Services Library Services Division with Sixteen Years of Service

Attachments: [Proclamation](#)

Chairman Solari announced Ms. Hurley's retirement and thanked her for her service.

No Action Taken or Required

7.B. [19-1031](#) Notice of Extension to Contract for Construction of Required Roadway Improvements (Re: Right-Of-Way Permit No. 2018010704) - 90th Avenue Roadway Improvements

Attachments: [Informational Report](#)

No Action Taken or Required

8. CONSENT AGENDA

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

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

8.A. [19-1022](#) Checks and Electronic Payments October 25, 2019 to October 31, 2019

Attachments: [Finance Department Staff Report](#)

Approved

- 8.B.** [19-1027](#) TD Bank Banking Services Agreement Renewal
Attachments: [TD Banking Contract Renewal](#)

Approved
- 8.C.** [19-1013](#) Approval of Second Extension and Hourly Rate Increase for Day Labor Services Provided by People Ready of Florida - Bid 2018035
Attachments: [Staff Report](#)
 [Day Labor Second Extension-People Ready](#)
 [Request Letter- People Ready](#)

Approved staff's recommendation
- 8.D.** [19-1014](#) Award of Bid No: 2019074, North County Regional Park Aquatic Facility Roof Replacement (IRC-1826)
Attachments: [Staff Report](#)
 [Sample Agreement](#)

Approved staff's recommendation
- 8.E.** [19-1029](#) Waiver of Requirement for Bids to Procure Jones' Pier Conservation Area Saltmarsh Open Screw Pump
Attachments: [Staff Report](#)
 [Lakeside Screw Pump Quotation](#)

Approved staff's recommendation
- 8.F.** [19-1015](#) Donation of Property Appraiser's Safe to Indian River County Historical Society
Attachments: [Staff Report](#)

Approved staff's recommendation
- 8.G.** [19-1030](#) Approval of Text to/from 911 Contract
Attachments: [Staff Report](#)
 [Quote Inbound-Outbound Textto911](#)

Approved staff's recommendation

- 8.H. [19-0980](#) Approval of a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) for a Public Transportation Block Grant

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

Approved Resolution 2019-099, authorizing the execution of a Public Transportation Grant Agreement with the Florida Department of Transportation.

- 8.I. [19-0979](#) Approval of a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) for a Section 5311 Grant

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

Approved Resolution 2019-100, authorizing the execution of a Public Transportation Grant Agreement with the Florida Department of Transportation.

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

- 9.A. [19-1016](#) Indian River County Clerk of the Circuit Court and Comptroller Jeffrey R. Smith Annual Fiscal Report for the Year Ended September 30, 2019

Attachments: [Clerk Correspondence](#)
[Clerk Annual Report](#)

Clerk of the Circuit Court and Comptroller Jeffrey R. Smith appeared before the Board with an oversize check and announced that he was pleased to return \$201,921.41 in excess fees, the largest amount ever. Mr. Smith gave thanks to the Board and his staff for their support.

A motion was made by Commissioner O'Bryan, seconded by Commissioner Zorc, to accept the Annual Fiscal Report for the Clerk of the Circuit Court for the Year Ended September 30, 2019. The motion carried by the following vote:

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

- 9.B. [19-1018](#) Indian River County Supervisor of Elections Leslie Rossway Swan Annual Fiscal Report for the Year Ended September 30, 2019

Attachments: [Supervisor of Elections Correspondence](#)
[Supervisor of Elections Annual Report](#)

Supervisor of Elections Leslie R. Swan appeared before the Board and discussed the challenges faced by her office, including election result recounts and requirements for bi-lingual materials. She noted that her office was awarded a federal grant to improve cyber security, and was able to return \$35,937.65 to the County.

The Board expressed their appreciation for Ms. Swan and her staff for all their hard work.

A motion was made by Commissioner Flescher, seconded by Commissioner Zorc, to accept the Annual Fiscal Report for the Supervisor of Elections Office for the Year Ended September 30, 2019. The motion carried by the following vote:

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

- 9.C. [19-1017](#) Indian River County Sheriff Deryl Loar Annual Fiscal Report for the Year Ended September 30, 2019

Attachments: [IRCSO Correspondence](#)
[IRCSO Annual Report](#)

Indian River County Sheriff Deryl Loar thanked the Board for their support and announced a return of \$840,361.73 in excess fees, which included retroactive pay that was not given as a result of the Impasse Hearing on September 13, 2019.

Chairman Solari thanked Sheriff Loar and expressed appreciation for the agency's dedication to keeping the citizens of Indian River County safe.

A motion was made by Commissioner Zorc, seconded by Vice Chairman Adams, to accept the Annual Fiscal Report for the Sheriff's Office for the Year Ended September 30, 2019. The motion carried by the following vote:

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

- 9.D. [19-1023](#) Indian River County Sheriff Deryl Loar Regarding State Criminal Alien Assistance Program (SCAAP) Funding

Attachments: [Correspondence from Sheriff Loar re SCAAP](#)

Indian River County Sheriff Deryl Loar described the State Criminal Alien Assistance Program (SCAAP) which provides funding to reimburse jurisdictions for a portion of the costs incurred by incarcerating undocumented criminal aliens. He reported that with the aid of a consulting firm, the Sheriff's Department was able to secure \$37,339.00 in reimbursements from the program.

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

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

10. PUBLIC ITEMS

- A. PUBLIC HEARINGS
- B. PUBLIC DISCUSSION ITEMS
- C. PUBLIC NOTICE ITEMS

11. COUNTY ADMINISTRATOR MATTERS

12. DEPARTMENTAL MATTERS

- A. Community Development
- B. Emergency Services
- C. General Services
- D. Human Resources
- E. Office of Management and Budget
- F. Public Works

12.F.1. [19-1021](#) Stormdrain Awareness: An Educational Art Project

Attachments: [Staff Report](#)

Indian River County Stormwater Educator Alexis Peralta appeared before the Board seeking approval of a new project designed to raise awareness that all stormdrains eventually empty into the Indian River Lagoon. Using a PowerPoint presentation, Ms. Peralta explained that the project would replace the existing storm drain markers with a series of colorful, custom murals created by local artists, and used the tagline "Only Rain Down the Drain". The goal would be to educate people and deter them from pouring substances or throwing trash down the storm drains. The presentation also included a brief video and examples of supporting educational and publicity efforts.

Ms. Peralta then introduced the two local partners in the Stormdrain Awareness effort: Linda Moore, President of the Downtown Vero Beach Mural Project, would coordinate the local artists, and Crystal Ploszay, owner of Unicorn Epoxy, would donate art supplies and labor to prepare and preserve the murals.

The Commissioners each expressed support and excitement for the project.

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

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

G. Utilities Services**13. COUNTY ATTORNEY MATTERS****13.A.** [19-1034](#) Premier Citrus, LLC Purchase and Sale Agreement

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

County Attorney Dylan Reingold referred to staff's memo to provide details of the proposed purchase agreement with Premier Citrus LLC, including the location and size of the property, as well as price negotiations.

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

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

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**
- E. Commissioner Tim Zorc**

14.E.1. [19-1026](#) Requesting Census of Current IRC Parks and Recreation Equipment

Attachments: [Commissioner's Memorandum](#)

Commissioner Zorc addressed the Board with a request to have the Parks and Recreation Department conduct an inventory of all County parks' playground equipment and amenities. The Commissioner sought to ensure that all parks were outfitted with Americans with Disabilities Act (ADA) compliant playground equipment, as well as comparable amenities across all locations. He went on to suggest that any identified deficiencies should be included in the Parks and Recreation Department's budget for the next budget cycle.

Chairman Solari agreed with the need for an accurate inventory, but expressed concern that Commissioner Zorc's request may conflict with the County's five-year fiscal plan, and was wary of attempting to micromanage the Parks and Recreation Department. Vice Chairman Adams echoed the Chairman's concerns, and noted that amenities may vary based on a park's location.

The Chairman opened the discussion to the public.

The following spoke in support of the recommendation and suggested that the Victor Hart Sr. Community Enhancement Complex would be in need of ADA compliant playground equipment:

Wilfred Hart, 617 19th Place SW

Crystal Bujol, 8 Vista Garden Trails

Commissioner Zorc revised his recommendation, stating that the Parks Department should complete the inventory and then use the list to formulate priorities for their budget and five-year plan.

A motion was made by Commissioner Zorc, seconded by Vice Chairman Adams, to conduct an inventory of all County parks' existing playground equipment, covered shelters, park benches, barbecue grills, and other park-related items. The motion carried by the following vote:

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

Commissioners Open Dialogue

14.F. [19-1037](#) Commissioners Open Dialogue

Attachments: [Commissioners Open Dialogue](#)

Updates were provided by individual Commissioners on the following topics:

Commissioner Flescher made mention of the many local Veteran's Day celebrations, and thanked those who served.

Commissioner O'Bryan recounted his airboat tour with Abby Johnson of the St. Johns River Water Management District, and the amount of wildlife they witnessed after launching from the recently-named Headwaters Lake and touring the Stick Marsh.

Vice Chairman Adams had several items to share including her tour of the Osprey Marsh Stormwater Park, attendance at a Treasure Coast Regional Planning Council meeting, a presentation of the septic-to-sewer project in West Wabasso, which was partially funded by the Indian River Lagoon National Estuary Program, and the first Agriculture Advisory Committee meeting where landscape businesses were discussed. In closing, thanks were given to the Parks Department for their work on the County's float in the Vero Beach Centennial Parade.

Commissioner Zorc announced that the Indian River Lagoon had been chosen by Florida Institute of Technology as the subject of a new study. Additionally, the Commissioner participated in a foster care outreach event with Place of Hope which helps match foster families with children who await permanent placement.

No Action Taken or Required

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. Those minutes will be approved under the next Solid Waste Disposal District meeting.

15.B.1. [19-1033](#) Approval of Minutes Special Call Meeting July 23, 2019

Attachments: [07232019SWDDSpecialCall_Draft](#)

A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, to approve the SWDD Special Call Meeting Minutes of July 23, 2019 as written. The motion carried by the following vote:

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

15.B.2. [19-1024](#) Final Pay for Twelfth Amendment to Republic Services for Hurricane Dorian Services

Attachments: [Staff Report](#)

Director of Utility Services Vincent Burke appeared before the Board with a recommendation to approve the invoice from Republic Services for pre-storm clean up preceding Hurricane Dorian. Director Burke recounted the details of the agreement with Republic Services, and the additional labor involved in managing disposal of debris from the County's Convenience Centers.

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

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

- 15.B.3.** [19-1025](#) Interlocal Agreement between the Solid Waste Disposal District and St. Lucie County for Recycling Services

Attachments: [Staff Report](#)
 [Interlocal Agreement with St Lucie County](#)

Utility Services Director Vincent Burke informed the Board that the County's recycling service provider, Tropical Recycling, suffered catastrophic roof damage at their Fort Pierce processing facility on August 12, 2019 and was unable to accept any recyclable materials. Indian River County (IRC) then entered into a temporary, month-by-month agreement with St. Lucie County (SLC) to accept IRC's recyclable materials until Tropical Recycling resumed service.

On October 14, 2019, Tropical Recycling's location was condemned by the City of Fort Pierce. The Solid Waste Disposal District (SWDD) sought to secure permanent recycling services and directed staff to draft an Interlocal Agreement whereby IRC would transport their recyclable material to SLC for processing. Director Burke reviewed the details of the agreement, thanked staff for their hard work, and sought the Board's authorization and approval to proceed.

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

15.B.4. [19-1028](#) Award of Bid 2020004 - Concrete Crushing and Site Work at IRC Landfill

Attachments: [Staff Report](#)
 [Draft Agreement](#)
 [Letter of Protest from BMI](#)
 [Response to BMI Protest](#)

Vincent Burke, Director of Utility Services, provided the Board with the background circumstances which led to the re-bid of concrete crushing services for stockpiled material at the landfill. The County received two (2) proposals, and after one vendor was disqualified, Sitecrafters of Florida, Inc. emerged as the sole responsive vendor. In their bid, Sitecrafters had requested two exceptions to the specs with regard to a larger acceptable size of crushed materials and a cost-saving method for weighing the material. Director Burke requested approval of the agreement, which included the modifications requested by Sitecrafters, for one (1) year with five (5) one-year extensions.

Commissioner Zorc relayed the dismay of local vendors who reported being unaware of the bid solicitation, and the concern that vendors were unfairly omitted because their evaluations were based on the original specifications. The Commissioner suggested it would be a good idea to re-bid the job based on the revised parameters. Commissioner Flescher echoed Commissioner Zorc's concerns, and agreed with the suggestion to re-bid the job.

Himanshu Mehta, Managing Director of the Solid Waste Disposal District, recounted to the Board the urgency of completing the concrete crushing and its necessity for use in pending improvements to the Yard Waste Facility.

Purchasing Manager Jennifer Hyde informed the Board that because Sitecrafters was the sole responsive bidder, the County was permitted to negotiate the specs and terms with them. She went on to detail the bid process that provided email notifications to registered vendors, allowed for vendor questions before bid submittal, and was advertised in the newspaper and online.

Commissioner O'Bryan, while sympathetic to concerns, was satisfied that the bid process offered opportunities for questions, and was pleased that the system allowed for creative solutions by vendors. Vice Chairman Adams expressed frustration that the project was already long delayed and

should not be re-bid. She suggested that any concerns to the bid process should return later as a separate issue.

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

Aye: 3 - Chairman Solari, Vice Chairman Adams, and Commissioner O'Bryan

Nay: 2 - Commissioner Flescher, and Commissioner Zorc

C. Environmental Control Board

16. ADJOURNMENT

There being no further business, the Chairman adjourned the meeting at 10:11 a.m.