

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, February 12, 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

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

Pastor Dave Newhart - St. Elizabeth's Episcopal Church

3. PLEDGE OF ALLEGIANCE

Commissioner Joseph E. Flescher

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

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

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

5. PROCLAMATIONS and PRESENTATIONS

5.A. [19-0124](#) Presentation of Proclamation Honoring Jonnie Mae Perry

Recommended Action: Read and Presented

Attachments: [Proclamation](#)

Chairman Solari read and presented the Proclamation to Jonnie Mae Perry, who was honored for her service to the community

Read and Presented

5.B. [19-0048](#) Presentation of Proclamation Designating the Week of February 11-17, 2019 as 2-1-1 Awareness Week

Recommended Action: Read and Present

Attachments: [Proclamation](#)

Vice Chairman Susan Adams read and presented the Proclamation to Colleen Phillips, 2-1-1 Coordinator, who described the advocacy programs which are available through the helpline.

Read and Presented

- 5.C. [19-0119](#) Presentation of Proclamation Designating February 11 through February 15, 2019, as Economic Development Week in Indian River County

Recommended Action: Read and present

Attachments: [Proclamation](#)

Commissioner O'Bryan read and presented the Proclamation to Helene Caseltine, Economic Development Director, Indian River County Chamber of Commerce (the Chamber), who was accompanied by members of the Chamber, the Economic Development Council, and partner organizations. Ms. Caseltine thanked the Board and spoke to the process and mission of economic development in the County. She also announced that two local businesses, Schacht Groves and Float-On Boat Trailers, will be featured on the television show "How It's Made."

Read and Presented**6. APPROVAL OF MINUTES**

- 6.A. [19-0134](#) Regular Meeting of December 11, 2018

Attachments: [12112018BCCdraft.rtf](#)

A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, to approve the Regular Meeting Minutes of December 11, 2018 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. [19-0128](#) Beach and Shore Preservation Advisory Committee Chairman and Vice Chairman

Recommended Action: Information

Attachments: [Staff Report](#)

No Action Taken or Required

8. CONSENT AGENDA

A motion was made by Commissioner Flescher, seconded by Commissioner O'Bryan, to approve the Consent Agenda as amended, pulling Items 8.F., 8.G., and 8.J. 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. [19-0121](#) Checks and Electronic Payments January 25, 2019 to January 31, 2019

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of January 25, 2019 to January 31, 2019

Attachments: [Finance Department Staff Report](#)

Approved

8.B. [19-0126](#) Resolution Cancelling Taxes on Lands Containing Guywires Reconveyed to Indian River County by Datapath Tower, LLC

Recommended Action: Authorize the Chairman of the Board of County Commissioners to execute the Resolution to cancel certain taxes upon the lands reconveyed by Datapath Tower, LLC to Indian River County which currently contain guywires; and the Clerk to send a certified copy of the Resolution to the Tax Collector and the Property Appraiser so that any delinquent or current taxes can be cancelled.

Attachments: [Staff Report](#)
 [Resolution](#)
 [Attachment to Resolution](#)

Approved Resolution 2019-014, cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes (lands reconveyed by Datapath Tower LLC, area of guywires).

8.C. [19-0120](#) Fourth of July Fireworks Funding

Recommended Action: Staff recommends that the Board of Commissioners approve funding the fireworks displays for the City of Sebastian in the amount of \$2,500 and for the City of Vero Beach in the amount of \$5,000. Staff also recommends that each of the cities (Vero Beach and Sebastian) appropriate and pay an equal amount up to \$2,500 for Sebastian and up to \$5,000 for the City of Vero Beach.

Attachments: [Staff Report](#)
 [Lions Club letter dated February 1, 2019](#)
 [City of Vero Beach letter dated January 28, 2019](#)

Approved staff's recommendation

- 8.D. [19-0129](#) Out of County Travel to Attend the 33rd Annual Florida Chamber Foundation Environmental Conference

Recommended Action: Approval for Commissioners and Staff to attend the 33rd Annual Florida Chamber Foundation Environmental Conference.

Attachments: [Staff Report](#)
[Conference Information](#)

Approved staff's recommendation

- 8.E. [19-0115](#) Ranking of Firms for RFP 2019036 - CDBG Housing Rehabilitation Category Administration Services FFY 2017 (Contract #19DB-ON-10-40-01-H 03)

Recommended Action: Staff recommends the Board of County Commissioners approve the committee's final ranking and authorize staff to begin contract negotiations starting with the top ranked firm (and the subsequent ranked firm, should negotiations with the higher ranked firm fail).

Attachments: [Staff Report](#)
[CDBG Award Letter](#)

Approved staff's recommendation, with the final ranking as follows:

1. Guardian CRM, Inc., Dade City
2. SoFI Corporation, Vero Beach

Approved staff's recommendation

- 8.F. [19-0116](#) Approval of a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) for Intercounty Bus Service to the Indian River State College Main Campus in Fort Pierce

Recommended Action: Staff recommends that the Board of County Commissioners approve the proposed Public Transportation Grant Agreement and adopt the proposed resolution authorizing the Chairman to sign the agreement.

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

Commissioner O'Bryan explained that both Items 8.F. and 8.G. are related to grants

from the Florida Department of Transportation (FDOT) for the enhancement of the County's GoLine Transit Service. He cautioned that the County needs to be prepared to accommodate the costs for maintaining the levels of service which are being established, should the FDOT grants become unavailable.

A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Adams, to approve the Public Transportation Grant Agreement, and Resolution 2019-015, authorizing the execution of a Public Transportation Grant Agreement with the Florida Department of Transportation. The motion carried by the following vote:

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

8.G. [19-0117](#) Approval of a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) for a Service Development Grant

Recommended Action: Staff recommends that the Board of County Commissioners approve the proposed Public Transportation Grant Agreement and adopt the proposed resolution authorizing the Chairman to sign the agreement.

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

(Clerk's Note: Discussion on this item occurred in conjunction with Item 8.F.).

A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Adams, to approve the Public Transportation Grant Agreement and Resolution 2019-016, authorizing the execution of a Public Transportation Grant Agreement with the Florida Department of Transportation. The motion carried by the following vote:

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

8.H. [19-0123](#) Ranking of Firms for RFP 2019032 - Impact Fee Update Consultant Services

Recommended Action: Staff recommends the Board of County Commissioners approve the committee's final ranking and authorize staff to begin contract negotiations starting with the top ranked firm (and the subsequent ranked firm, should negotiations with the higher ranked firm fail).

Attachments: [Staff Report](#)
[Portion of Draft BCC Minutes 11-20-2018](#)

Approved staff's recommendation with the final ranking as follows:

1. Tindale-Oliver & Associates, Inc.

2. Willdan Financial Services

Approved staff's recommendation

8.I. [19-0135](#) Miscellaneous Budget Amendment 006

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 Resolution 2019-017, amending the Fiscal Year 2018-2019 Budget.

8.J. [19-0136](#) Agreement to Purchase and Sell the Dodgertown Golf Course Property

Recommended Action: Staff recommends the Board review the revised terms of the Agreement to Purchase and Sell for the Dodgertown Golf Course Property and authorize the Chairman to execute the Agreement on behalf of the Board.

Attachments: [Staff Report](#)
[Agreement to Purchase and Sell](#)
[Exhibit "A" to Agreement](#)
[Exhibit "B" to Agreement](#)

Commissioner Flescher recalled that on February 5, 2019, the City of Vero Beach Council (the City) approved the County's revised offer to purchase the former Dodgertown Golf Course from the City. He relayed that an adjustment had been made to the initial purchase agreement between the City and County subsequent to the February 5, 2019 meeting, and invited Deputy County Attorney Bill DeBraul to identify the change.

Deputy County Attorney Bill DeBraul stated that the change pertained to the removal from the purchase agreement, of the WHEREAS clause that references the zoning where the property could be developed. He also projected that the closing on the property would occur within 45 days.

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

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

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

10. PUBLIC ITEMS

A. PUBLIC HEARINGS**B. PUBLIC DISCUSSION ITEMS****C. PUBLIC NOTICE ITEMS****10.C.1. [19-0122](#)** Public Notice of Public Hearings Scheduled for March 5, 2019
(Quasi-Judicial and Legislative)

Recommended Action: Public Notice Item Only - No Action Required

Attachments: [Staff Report](#)

County Attorney Dylan Reingold read the following notices of public hearings into the record:

1. Indian River Land Trust, Inc.'s Request to Amend the Comprehensive Plan to Re-designate ± 11.59 Acres From C/I, Commercial/ Industrial to M-1, Medium Density Residential-1 (up to 8 units/acre), and to Rezone Those ± 11.59 Acres From CL, Limited Commercial District, to RM-6, Multi-Family Residential District (up to 6 units/acre), located at the southeast corner of 79th Street and U.S. Highway 1; and Simultaneous Request by Schwerin Asset Advisors, LLC's to Amend the Comprehensive Plan to Re-designate ± 11.44 Acres From M-1, Medium Density Residential-1 (up to 8 units/acre), to C/I, Commercial/ Industrial, and to Rezone ± 0.83 Acres of that Property to OCR, Office, Commercial, Residential District and to Rezone the Remaining ± 10.61 Acres of that Property from RM-6, Multi-Family Residential District (up to 6 units/acre), to CL, Limited Commercial District, located at the northeast corner of 41st Street and U.S. Highway 1; (LUDA 2006090171-81055) [Treat as Quasi-Judicial]
2. Request to Consider an Ordinance to Approve Modifications to Section 1000.13 of Title X Impact Fee Ordinance Regulations for the Unincorporated Indian River County and Municipalities [Legislative]

No Action Taken or Required

11. COUNTY ADMINISTRATOR MATTERS**12. DEPARTMENTAL MATTERS****A. Community Development****B. Emergency Services**

C. General Services

1. Human Services

2. Sandridge Golf Club

3. Recreation

D. Human Resources

E. Office of Management and Budget

12.E.1. [19-0109](#) 2019/2020 Budget Workshop / Hearing Schedule

Recommended Action: Staff recommends that the Board of Commissioners approve the budget workshop dates and the dates for the budget hearings for the 2019/2020 budgets.

Attachments: [Staff Report](#)

Management and Budget Director Kristin Daniels presented the following proposed budget meeting dates for Board input:

Release of the Budget Packet: Friday, July 12, 2019

Scheduled Budget Workshop: Wednesday, July 17, 2019 (July 18, 2019 as needed)

Public Hearing on Tentative Budget and Proposed Millage Rates: Wednesday, September 11, 2019 at 5:01 p.m.

Final Budget Hearing to Adopt Budget and Millage Rates: Wednesday, September 18, 2019 at 5:01 p.m.

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.E.2. [19-0133](#) 1st Quarter FY 2018/2019 Budget Report

Recommended Action: No Action Required

Attachments: [Staff Report](#)
[Qtrly Budget Report Q1 201819 revenue](#)
[Qtrly Budget Report Q1 201819 expense](#)
[12-31-18 Expense Analysis](#)
[Reports at a glance 2018-2019](#)
[Budget Amendment History 1819](#)

Management and Budget Director Kristin Daniels, in her PowerPoint Presentation, provided a comparison of revenues and expenses for the first quarter of Fiscal Year 2018-2019 for the General, Municipal Services Taxing Unit (MSTU), Transportation, Emergency Services District, and Enterprise & Miscellaneous Funds. She also recapped the financial impacts of the Red Tide experienced in October and November 2018, and announced that a grant from the Florida Department of Environmental Protection (FDEP) reimbursed the County's costs for cleaning the shoreline.

Commissioner O'Bryan, referring to the dearth of beachgoers during the Red Tide, stressed how important it is for economic development to improve the water quality. He also spoke to the need for staff to meet with the Indian River County School District and Sheriff to discuss funding for school safety officers.

No Action Taken or Required

F. Public Works

G. Utilities Services

12.G.1. [19-0132](#) Synagro Dewatering and Sewage Sludge Removal Contract Renewal and Price Increase

Recommended Action: The staff of Indian River County Department of Utility Services (IRCDUS) recommends that the Board of County Commissioners (BCC) approve the renewal of the contract with Synagro for one 12-month term and approve the 1.5% price increase effective March 1, 2019, and authorize the Chairman to execute the sample extension after approval by the County Attorney as to form and legal sufficiency. Staff also recommends the BCC authorize the Purchasing Manager to renew the agreement for the final term, upon recommendation by the Director of IRCDUS that the services provided are consistent with contractual requirements and renewal would be in the best interest of the County, and approval of the renewal document by the County Attorney as to form and legal sufficiency

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

Director of Utility Services Vincent Burke provided background on the Bid Award to Synagro South, LLC for the operations of the Biosolids Dewatering Facility and sewage sludge removal. He informed the Board that the contract with Synagro will expire at the end of February 2019, and that they are requesting a 1.5% price increase and a one-year extension. Director Burke relayed staff's recommendation for Board approval of the contract to be effective March 1, 2019.

A motion was made by Commissioner Flescher, 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

13. COUNTY ATTORNEY MATTERS

14. COMMISSIONERS MATTERS

A. Commissioner Bob Solari, Chairman

14.A.1. [19-0137](#) Dodger Golf Course Pedestrian/Jogging Trail

Recommended Action: Discuss Beginning Conceptual Design of the New Dodgertown Park

Attachments: [Commissioner's Memorandum](#)

Chairman Solari recapped that on February 5, 2019, the City of Vero Beach (the City) had accepted the County's offer to purchase the Dodgertown Golf Course Property (the Property). Chairman Solari thanked City Councilmember Tony Young for expressing his faith that the County was acting in the community's best interests and changing his stance to support the sale of the Property. In accordance with a show of good faith, Chairman Solari advocated for the County to begin the process of developing the pedestrian/jogging trail that is called for in the County's contract with the City. He stressed the County's intent to make the parcel a premiere site for all members of the community.

Councilmember Young spoke in support of the City and County working harmoniously with a common goal to develop the Dodgertown complex. He commented, too, that the Property is representative of the culture of our area, notably in the areas of civil rights and athletics.

Commissioner O'Bryan advocated for soliciting input on the pedestrian/jogging trail from Major League Baseball, the City and County Recreation Departments, and local walkers and runners.

Joseph Paladin, President of Black Swan Consulting, commended the Board and

staff on achieving the purchase of the Dodgertown Golf Course Property.

Richard Baker, Pelican Island Audubon Society (PIAS), mentioned that the PIAS was planning to plant 100,000 trees in the County and offered to work with staff on planting some trees around the walking trail.

A motion was made by Commissioner Flescher, seconded by Chairman Solari, to move forward as a primary action, with the design and build of the pedestrian/jogging trail at the Dodgertown Golf Course property, as called for in the County's contract with the City of Vero Beach. The motion carried by the following vote:

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

14.A.2. [19-0138](#) Blue Cypress Lake and Biosolids

Recommended Action: Discuss Further Action Regarding Biosolids

Attachments: [Commissioner's Memorandum](#)

Chairman Solari made mention of the individuals involved with the water quality issues. He reported that along with Director Burke and Mr. Charest, he has attended several of the Florida Department of Environmental Protection's Biosolids Technical Advisory Committee (FDEP's Biosolids TAC) meetings, and that the TAC did not seem to consider the biosolids issue a significant one for water quality in Florida. Chairman Solari spoke on the detrimental impact of biosolids on the Blue Cypress Lake and other water bodies, and outlined steps the County could take to address the impacts of the biosolids.

A discussion followed by the Board, with suggestions made to share information with relevant counties and entities; explore new technologies for separating out the biosolid waste and seek markets for the byproducts; and include testing on ground, as well as surface, waters.

The following speakers addressed the Board:

Captain Mark Yanno, President of the Clean Water Coalition of Indian River County (CWC), read a statement into the record from the CWC and part of a New York Times article about water contamination.

Dan Lamson, Executive Director, Indian River Neighborhood Association (IRNA), read a statement from the IRNA and expressed his hope that the Board's actions would encourage the State to be more active on biosolids pollution.

Dr. Richard Baker, President of the Pelican Island Audubon Society, CWC Board member, and member of the St. John's River Upper Basin Advisory Committee, extended his thanks to the Board for their leadership on this issue.

A motion was made by Commissioner O'Bryan, seconded by Commissioner Zorc, to direct staff to: (1) play an active part in the formation of the Basin Management Action Plan (BMAP) for the upper basin of the St. John's River; (2) during the development of the BMAP, work with the Florida Department of Environmental Protection (FDEP) to have those accountable for the pollution be responsible for the remediation of the pollution; (3) recommend to the FDEP and the St. Johns River Water Management District (SJRWMD) that all testing currently being done continue at least through the BMAP process; (4) work with the County's consultant, the FDEP, and the SJRWMD to develop a testing protocol for FDEP to implement which will clearly address the issue of the source of any nutrients entering the Blue Cypress Lake; (5) make recommendations to the Board as to how the County might further reduce the amount of nutrients which the wastewater package plant might be sending to the waterways; and (6) begin discussions on the issue of biosolids with the Florida Department of Agriculture. The motion carried by the following vote:

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

B. Commissioner Susan Adams, Vice Chairman

C. Commissioner Joseph E. Flescher

D. Commissioner Peter D. O'Bryan

E. Commissioner Tim Zorc

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. [19-0131](#)

Change Order No. 2 to Thalle for Owner Direct Purchase of Materials for the Landfill Construction Project (Bid #2018025)

Recommended Action: Solid Waste Disposal District staff recommends that its Board approve and authorize the Chairman to execute the change order No. 2 for a deductive change order in the amount of \$2,659,127.14 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 and in support of this item.

A motion was made Commissioner Flescher, seconded by Commissioner O'Bryan, 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 Chairman adjourned the meeting at 10:31 a.m.