



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

Board of County Commissioners

Peter O'Bryan, Chairman, District 4
Joseph H. Earman, Vice Chairman, District 3
Susan Adams, District 1
Joseph Flescher, District 2
Laura Moss, District 5

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

Tuesday, September 13, 2022

9:00 AM

Commission Chambers

1. CALL TO ORDER

Present: 5 - Chairman Peter O'Bryan
Vice Chairman Joe Earman
Commissioner Susan Adams
Commissioner Joseph Flescher
Commissioner Laura Moss

2.A. A MOMENT OF SILENT REFLECTION FOR FIRST RESPONDERS AND MEMBERS OF THE ARMED FORCES

2.B. INVOCATION

Rev. Kaaren Anderson, Unitarian Universalist Fellowship of Vero Beach

3. PLEDGE OF ALLEGIANCE

Commissioner Laura Moss

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

Deleted: Item 12.F.1 -- 211's Request to be Categorized as a Quasi-Nonprofit Agency

Moved: Item 14.E. to be heard following Item 5.D.

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

Aye: 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

5. PROCLAMATIONS and PRESENTATIONS

- 5.A. [22-0730](#) Presentation of Proclamation Honoring Lieutenant Fire Inspector Sandra Seeley Upon Her Retirement From Indian River County Department Of Emergency Services Fire Prevention Bureau

Recommended Action: Read and Present

Attachments: [Proclamation](#)

Lieutenant Fire Inspector Sandra "Sandy" Seeley spoke fondly of her fire family and her connection to the community during her 35-year career; she told of her plans to devote time to teaching art. Vice Chairman Earman commended Ms. Seeley on being the first female Fire Inspector and Firefighter in Indian River County and Fire Chief Johnson praised Ms. Seeley's career contributions.

Read and Presented by Vice Chairman Earman

- 5.B. [22-0631](#) Proclamation Designating the Month of September 2022 As "Hunger Action Month"

Recommended Action: Recommend Read and Repeat

Attachments: [Proclamation](#)

Kayla DiSimone, Volunteer Engagement Coordinator, Treasure Coast Food Bank, shared events leading up to Hunger Action Day on September 23, 2022, and urged the public to visit their website, stophunger.org, for more information and volunteer opportunities.

Read and Presented by Commissioner Adams

- 5.C. [22-0689](#) Presentation of Proclamation Designating September, 2022 As National Suicide Prevention Awareness Month

Recommended Action: Recommend Read and Present

Attachments: [Proclamation](#)

The following people appeared before the Board to accept the Proclamation: Milo Thornton, New Horizons of the Treasure Coast Board member; Wes Samons, Suncoast Mental Health Center Program Manager; and Chad Adcock, 211 Community Outreach Representative. Each discussed programs to raise awareness of suicide prevention and to provide mental health resources.

Read and Presented by Commissioner Moss

- 5.D. [22-0760](#) Presentation of the 2022 Outstanding Coordinating Board of the Year Award

Attachments: [Staff Report](#)

Community Development Director Phil Matson informed the Board that the Florida Commission for the Transportation Disadvantaged had recognized the Indian River County Transportation Disadvantaged Local Coordinating Board (TDLCB) as “2022 Outstanding Coordinating Board of the Year.”

Metropolitan Planning Organization Director Brian Freeman accepted the Board's congratulations on the award as he and Director Matson discussed staff's appreciation for recognition of their hard work.

Presented by Community Development Director Phil Matson

6. APPROVAL OF MINUTES

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

- 7.A. [22-0725](#) Children Services Advisory Committee Appointment

Attachments: [Staff Report](#)

[Email](#)

Ann Marie Suriano was designated as the Indian River County Hospital District's representative to the Children Services Advisory Committee (CSAC).

No Action Taken or Required

- 7.B. [22-0745](#) Indian River County Venue Event Calendar Review

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

Attachments: [Staff Report](#)

The following County events were highlighted: Swimming Special Olympics, International Coastal Cleanup Day, and Operation Green Light for Veterans. Beth Powell, Director of Parks and Recreation, informed of the Jones Pier Conservation Area Volunteer Day and Sneak Peek event.

No Action Taken or Required

7.C. [22-0765](#) College Gameday - September 20, 2022

Recommended Action: Informational Item

Attachments: [Flyer for College Gameday - September 20, 2022](#)

Chairman O'Bryan announced a new event, College GameDay, to celebrate local high school athletes who have committed to play at college. Students and staff were encouraged to wear their favorite team's jersey as the Board recognized the student athletes at the September 20, 2022 BCC meeting.

No Action Taken or Required

8. CONSENT AGENDA

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

Aye: 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

8.A. [22-0652](#) Checks and Electronic Payments July 29, 2022 to August 4, 2022

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of July 29, 2022 to August 4, 2022

Attachments: [Finance Department Staff Report](#)

Approved

8.B. [22-0695](#) Checks and Electronic Payments August 5, 2022 to August 11, 2022

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of August 5, 2022 to August 11, 2022

Attachments: [Finance Department Staff Report](#)

Approved

8.C. [22-0694](#) Checks and Electronic Payments August 12, 2022 to August 18, 2022

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of August 12, 2022 to August 18, 2022

Attachments: [Finance Department Staff Report](#)

Approved

- 8.D.** [22-0721](#) Checks and Electronic Payments August 19, 2022 to August 25, 2022
Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of August 19, 2022 to August 25, 2022

Attachments: [Finance Department Staff Report](#)

Approved
- 8.E.** [22-0739](#) Checks and Electronic Payments August 26, 2022 to September 1, 2022
Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of August 26, 2022 to September 1, 2022

Attachments: [Finance Department Staff Report](#)

Approved
- 8.F.** [22-0653](#) Quarterly Investment Report for the Quarter Ending 06/30/22
Recommended Action: Accept the report

Attachments: [Investment Committee Report](#)

Accepted
- 8.G.** [22-0654](#) Quarterly OPEB Trust Report for the Quarter Ending 06/30/22
Recommended Action: Accept the report

Attachments: [Investment Committee OPEB Report](#)

Accepted
- 8.H.** [22-0656](#) Dori Slosberg Driver Education Safety Act - Indian River County Traffic Education Program Trust Fund Report - Cumulative Reporting Through 06/30/22
Recommended Action: Accept the report

Attachments: [Traffic Education Fund Report](#)

Accepted

8.I. [22-0732](#) Subrecipient Award Contracts

Recommended Action: Approve the Indian River County Grant Subrecipient Award agreements with SRA and TCHSC and execute any related documents.

Attachments: [Finance Department Staff Report](#)
 [SRA SubRecipient Grant Agreement 2022 - FINAL](#)
 [TCHSC Subrecipient Agreement 2022 - FINAL](#)

Approved staff's recommendation

8.J. [22-0757](#) County Capital Asset Inventories and Reactivation of Asset #25663

Recommended Action: Approve the removal of the list of assets from the inventory system as well as reactivate asset #25663

Attachments: [Finance Department Staff Report](#)

Approved staff's recommendation

8.K. [22-0759](#) Quarterly Tourist Development Tax Report for the Quarter Ending 06/30/22

Recommended Action: Accept the report

Attachments: [Tourist Development Tax Report](#)

Clerk of the Circuit Court and Comptroller Jeffrey R. Smith reported that the County had a 23 percent increase in tourist tax collections for the quarter which ended June 30, 2022. He cautioned that July and August would not be as robust, likely due to inflation and fewer vacations planned.

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

Aye: 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

- 8.L. [22-0623](#) Mutual Termination of Memorandum of Agreement with the Indian River County Health Department for Human Services Restructuring

Recommended Action: Staff respectfully request that the Board of County Commissioners authorize the termination of the Memorandum of Agreement with the Indian River County Health Department for Human Services Restructuring and authorize the Chairman to execute the Agreement.

Attachments: [Staff Report](#)
[Termination Agreement](#)
[Original MOA](#)
[Ordinance 2022-007](#)

Approved staff's recommendation

- 8.M. [22-0742](#) Additional Service No. 2, Additional Civil Engineering Services Sandridge Golf Club - New Clubhouse

Recommended Action: Staff recommends approving Additional Service No. 2 authorizing the \$17,820.00 increase to the contract with Sparedesign and authorizing the Chairman to sign Additional Service #2 on behalf of the Board. The new total contract price will be \$478,070.00.

Attachments: [Staff Report](#)
[Executed Agreement](#)
[Additional Service #1](#)
[Additional Service #2](#)

Approved staff's recommendation

- 8.N. [22-0746](#) Approval of a License Agreement with Miss B's Learning Bees, Inc. for use of the Intergenerational Recreation Center for an Afterschool Program

Recommended Action: Staff recommends the Indian River County Board of County Commissioners accept the License Agreement with Miss B's Learning Bees, Inc., and authorize the Chairman to execute the agreement after review by the County Attorney for legal sufficiency.

Attachments: [Staff Report](#)
[Miss B's 22-23 SY License Agreement](#)

Approved staff's recommendation

8.O. [22-0690](#) Miscellaneous Budget Amendment 009

Recommended Action: Staff recommends the Board of County Commissioners approve the budget resolution amending the fiscal year 2021/2022 budget

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

Approved Resolution 2022-052, delegating authority to the County Administrator, the Assistant County Administrator or the Director of the Office of Management & Budget or their designee to execute all documents necessary to amend the fiscal year 2021-2022 budget during the period commencing November 16, 2022, through and including November 29, 2022.

8.P. [22-0715](#) Award of Bid 2022050 for West Wabasso Septic to Sewer Phase 3B

Recommended Action: Staff recommends the Board award bid 2022050 to Centerline, Inc., approve the sample agreement, and authorize the Chairman to sign the sample agreement after the County Attorney has reviewed and approved it as to form and legal sufficiency, and after receipt and approval of the public construction bond.

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

Approved staff's recommendation

8.Q. [22-0716](#) First Extension and Second Amendment to Agreement for As Needed Motor and Pump Repair (Bid 2019056)

Recommended Action: Staff recommends the Board approve the first extension and second amendment to the agreement with Florida Armature Works, Inc., and authorize the Chairman to execute it after the County Attorney has approved it as to form and legal sufficiency.

Attachments: [Staff Report](#)
[First Renewal and Amendment](#)

Approved staff's recommendation

- 8.R.** [22-0717](#) Declaration of Excess Equipment as Surplus and Reinstatement of Asset 23933
- Recommended Action:** Staff recommends the Board reactivate asset 23933, declare the items on the Excess List for 091322 Agenda as surplus, and authorize their disposal, and declare the listed EDAC assets surplus and authorize Communications International to dispose of them.
- Attachments:** [Staff Report - Surplus](#)
 [Excess List for 091322](#)
- Approved staff's recommendation**
- 8.S.** [22-0718](#) Award of Bid 2022061 for Fire Station 11 Remodel
- Recommended Action:** Staff recommends the Board award Bid 2022061 to Intertech Construction Corporation of America, Inc., approve the sample agreement, and authorize the Chairman to execute the agreement after approval by the County Attorney as to form and legal sufficiency, receipt and approval of the public construction bond, receipt and approval of the required insurance by the Risk Manager, and the contractor's active registration with the Building Division.
- Attachments:** [Staff Report](#)
 [Sample Agreement](#)
- Approved staff's recommendation**
- 8.T.** [22-0719](#) Second Extension and Modification to Bid 2020051 - Annual Bid to Furnish and Deliver Polymer
- Recommended Action:** Staff recommends the Board approve the modification to the bid price and authorize the Purchasing Manager to extend the award, both effective October 1, 2022.
- Attachments:** [Staff Report](#)
- Approved staff's recommendation**
- 8.U.** [22-0720](#) Authorization to Increase Blanket Purchase Order 91587
- Recommended Action:** Staff recommends the Board of County Commissioners authorize the increase of PO 91587 to \$85,000.
- Attachments:** [Staff Report](#)
- Chairman O'Bryan brought the item forward in the interest of public disclosure; there was no discussion.
- A motion was made by Commissioner Adams, seconded by Vice Chairman Earman, to approve staff's recommendation. The motion carried by the following vote:**

Aye: 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

8.V. [22-0722](#) Award of RFP 2022039 for Custom Address Point Editing Tool for ArcGIS

Recommended Action: Staff recommends the Board award RFP 2022039 to Digital Data Services, Inc., approve the agreement, and authorize the Chairman to execute it, after the County Attorney has reviewed it as to form and legal sufficiency.

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

Approved staff's recommendation

8.W. [22-0727](#) Final Ranking of Firms and Authorization to Negotiate for RFQ 2022064 for Professional Surveying and Mapping Services

Recommended Action: Staff recommends the Board approve the Committee's final ranking and authorize negotiations with the eight top ranked firms, in accordance with FS 287.055.

Attachments: [Staff Report](#)

Approved staff's recommendation

8.X. [22-0738](#) Award of RFP 2022071 - Annual Maintenance of Spoonbill Marsh Constructed Wetland System

Recommended Action: Staff recommends the Board award RFP 2022071 to Southern Management LLC, approve the agreement, and authorize the Chairman to sign after the County Attorney has approved it as to form and legal sufficiency.

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

Approved staff's recommendation

8.Y. [22-0723](#) Request for Release of an Easement Located at 3156 62nd Court

Recommended Action: Staff recommends that the Board, through adoption of the proposed Resolution, approve release of the drainage and utility easement described in the proposed Resolution.

Attachments: [Staff Report](#)
[Map depicting easement proposed for release](#)
[Proposed County Resolution Releasing Easement](#)

Approved Resolution 2022-053, releasing an easement (or portion thereof) on Lots 15 & 16, Cherry Lane Manor subdivision (Dean).

- 8.Z.** [22-0735](#) Work Order No. 3 - CivilSurv Design Group, Inc. IRC Project Number 2214 - Vero Lake Estates Master Drainage

Attachments: [Staff Report](#)
 [CivilSurv Design Group, Inc., Work Order No. 3](#)

Approved staff's recommendation

- 8.AA.** [22-0736](#) Indian River County Courthouse Roof Replacement (IRC-1764) Release of Retainage and Change Order No. 1

Recommended Action: Staff recommends approval of Change Order No. 1 and payment of Contractor's Application for Payment No. 11 in the amount of \$69,021.74 for release of retainage.

Attachments: [Staff Report](#)
 [Change Order No. 1](#)

Approved staff's recommendation

- 8.AB.** [22-0741](#) Work Order No. 54 - Kimley and Horn and Associates, Inc. 90th Avenue & Oslo Road Corridor Improvements (IRC-2215)

Recommended Action: Staff recommends approval of Work Order No. 54 to Kimley-Horn and Associates, Inc., authorizing the professional services as outlined in the Scope of Services and requests the Board authorize the Chairman to execute Work Order No. 54 on their behalf for a lump sum amount of \$309,300.

Attachments: [Staff Report](#)
 [Kimley-Horn Work Order 54](#)

Approved staff's recommendation

8.AC. [22-0749](#) Shoreline Performance Modeling, APTIM Work Order No. 2018008-04.

Recommended Action: Staff recommends the Board of County Commissioners approve APTIM Work Order No. 2018008-4 in the amount of \$41,940.00 for shoreline performance modeling efforts associated with the support of the County's participation in the Sebastian Inlet District Technical Advisory Committee. In addition, staff recommends that the BCC authorize the Chairman to execute Work Order No. 2018008-4.

Attachments: [Staff Report](#)
[APTIM Work Order No. 2018008-4](#)
[Work Order No. 2018008-4 execution form](#)

Commissioner Adams raised concerns regarding the work order from County Consultant Aptim, noting the County had already compiled shoreline modeling information; she also expressed the cost was too high. The Commissioner further explained her objection with their involvement with the Sebastian Inlet Technical Advisory Committee (TAC), which she felt could expose the County to litigation. She suggested presenting the item to the Beach and Shore Preservation Advisory Committee to get their input on the work order and involvement with the TAC.

Public Works Director Richard Szyrka defended the Aptim work order, stating the shoreline modeling information was important to better understand the County's need for supplemental sand to maintain its beaches, some of which would be provided by the TAC.

Chairman O'Bryan entered into discussion with Director Szyrka regarding the amount of sand the County had received, and any deficit.

County Administrator Jason Brown stressed the County sought to remain neutral regarding the TAC, and only wanted to gather facts regarding coastline erosion. He also agreed to have staff negotiate a better price from the County's consultant.

A motion was made by Commissioner Adams, seconded by Commissioner Moss, to postpone/continue the Agenda item so that it may go before the Beach and Shore Preservation Advisory Committee for review and then return to the Board for consideration at the September 20, 2022 BCC meeting. The motion carried by the following vote:

Aye: 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

8.AD. [22-0748](#) Approval of FY 2022/2023 and FY 2023/2024 Radiological Emergency Preparedness Agreement (REP Grant)

Recommended Action: Staff recommends that the Board approve the FY 2022/2023 and FY 2023/2024 Radiological Emergency Preparedness Agreement as noted above and authorize the Chairman to execute the necessary documents.

Attachments: [Staff Report](#)
[FPL Agreement FY 2022-2024](#)
[IRC Grant Form](#)

Approved staff's recommendation

8.AE. [22-0753](#) Carryover of Unexpended Funds- FPL Agreement (REP Grant)

Recommended Action: Staff recommends approval of the carryover of unexpended FPL funds for the period of September 30, 2022 through March 30, 2023.

Attachments: [Staff Report](#)
[Supporting Email Correspondence](#)
[Current FPL Agreement](#)

Approved staff's recommendation

8.AF. [22-0755](#) IRCDUS Standard Construction Details & Specifications Update

Recommended Action: Staff recommends that the Board of County Commissioners authorize the work order to Bowman Consulting Group, LTD., to perform the revision of the Utility Standards for the amount of \$52,745.00, and authorize the Chairman to sign on their behalf

Attachments: [Agenda-Bowman WO 8](#)
[Work Order No 8 Bowman Consulting Group LTD](#)

Approved staff's recommendation

8.AG. [22-0758](#) Change Order to Purchase Order 92166 for Environmental Equipment Services

Recommended Action: Staff recommends that the Board of County Commissioners direct the Purchasing Manager to issue a change order to Purchase Order 92166, increasing it by \$14,850, to cover the piping and wiring, and to allow the use of operating fund balance to cover the expense

Attachments: [Staff Report](#)
[EES Proposal Quote #081022CP1](#)

Approved staff's recommendation

8.AH. [22-0762](#) Corrective County Deed for Right-Of-Way to Christine L. Ford for Phase II of 66th Avenue Improvements - 7825 66th Avenue, Parcel 126

Recommended Action: Staff recommends the Board approve the Corrective County Deed for Mrs. Ford's property and authorize the Chairman to execute the document on behalf of the Board.

Attachments: [Staff Memo](#)
[Corrective County Deed](#)

Approved staff's recommendation

8.AI. [22-0763](#) Approval of Resolution Establishing Fair Market Rental Rates for Housing Choice Voucher Program

Recommended Action: Staff recommends the Board approve the resolution setting the Fair Market Rental Rates for Fiscal Year 2023 and authorize the Chairman to execute the resolution on behalf of the Board.

Attachments: [Staff Report](#)
[Resolution setting FY 2023 Fair Market Rent](#)

Approved Resolution 2022-054, approving payment standards for beginning Fiscal Year 2023 for the Housing Choice Voucher Program.

8.AJ. [22-0696](#) Request from Tax Collector for Tax Roll Extension

Recommended Action: Approve

Attachments: [Memorandum - Tax Collector](#)

Approved

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

- 9.A. [22-0731](#) Supervisor of Elections Leslie R. Swan re: Request to Roll Back Revenue Received into the FY 2021/2022 Budget

Recommended Action: Discussion

Attachments: [Memorandum from Supervisor of Elections](#)
[Invoice Spreadsheet](#)

Supervisor of Elections Leslie R. Swan detailed the fees her office collected for candidate and initiative petition verification which totaled \$6,243.35. Ms. Swan requested that this revenue be rolled back into the fiscal year 2021-2022 budget for the purchase of replacement ballot-on-demand ballot printers.

Chairman O'Bryan and Ms. Swan entered into discussion regarding a controversial ballot initiative in the City of Vero Beach. The Chairman then praised Ms. Swan and her staff for the way they managed the County's elections.

A motion was made by Commissioner Flescher, seconded by Vice Chairman Earman, to approve the Supervisor of Elections' request to roll back revenue received into the FY 2021/2022 budget. The motion carried by the following vote:

Aye: 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

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

10.A.1 [22-0743](#)

Public Hearing to Consider an Ordinance Establishing the LP Community Development District- LEGISLATIVE

Recommended Action: The County Attorney's Office recommends that the Board open the public hearing, take any comments and continue the public hearing until October 18, 2022 and take no action on the Petition.

Attachments: [Staff Report](#)
[Petition to Establish LP CDD](#)
[Letter requesting postponement- LP CDD](#)
[Affidavit of Publication - Liberty Park CDD](#)

County Attorney Dylan Reingold introduced the item and informed that the developer-applicant had requested a continuance on the public hearing until the October 18, 2022 Commission Meeting.

Chairman O'Bryan opened the public hearing to receive comments.

Bill Rigby, West Wabasso Progressive Civic Club (WWPCC), expressed frustration that the developers had not included his organization during the planning of the neighborhood.

Chairman O'Bryan informed that the LP Community Development District (CDD) was a financing mechanism only, and that the Liberty Park planned development had been approved in 2008. He relayed the developer's planned improvements, and also noted that CDD approval would depend on an additional "wow" factor. He requested that the developer's representative, Andrew Kennedy, contact Mr. Rigby's organization.

Andrew Kennedy, representative for the LP CDD and the Liberty Park planned development, agreed to reach out to the WWPCC, and thanked staff for their assistance.

There being no further speakers, the Chairman continued the hearing until October 18, 2022.

A motion was made by Commissioner Adams, seconded by Commissioner Flescher, to approve continuing the public hearing at the October 18, 2022 Board of County Commissioners meeting. The motion carried by the following vote:

Aye: 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

B. PUBLIC DISCUSSION ITEMS

C. PUBLIC NOTICE ITEMS

- 10.C.1** [22-0724](#) Public Notice of Public Hearing for September 20, 2022, to Consider a Resolution Adopting a Non-Ad Valorem Special Assessment Roll on Hospitals for the Local Provider Participation Fund

Attachments: [Staff Report](#)
[Affidavit of Publicaiton - LPPF Notice of Hearing for 9.20.22](#)

County Attorney Dylan Reingold read the notice into the record.

No Action Taken or Required

11. COUNTY ADMINISTRATOR MATTERS

11.A. [22-0734](#) Update Regarding the Pending Sebastian Annexation

Recommended Action: Discussion

Attachments: [Staff Report - Annexation](#)
[Annexation Agreement Comments](#)

County Administrator Jason Brown provided an update to the Board regarding communications related to the City of Sebastian's (City) 1,984 acre annexation agreement with the Graves Brothers. Administrator Brown referred to staff's letter, dated August 31, 2021, which provided a comprehensive summary of County staff's concerns. He mentioned topics such as infrastructure planning and provision of utilities services, and a list of suggested items the City should consider including in their developer's agreement with the Graves Brothers. Administrator Brown acknowledged that these were only suggestions, and acknowledged the City's authority to plan their future.

Chairman O'Bryan reiterated the County's interest in ensuring the City's annexation agreement contained all the future-planning items before moving forward. He suggested limiting the density to two-units-per-acre rather than three, and used the Liberty Park PD as an example for scale. The Chairman also sought to clarify that the County's use of the word "shall" was intended as recommendation for a legal document, and not instructions for the City. He closed his comments by noting that the City had the rare opportunity to ensure future projects such as affordable housing and an industrial park, but cautioned that they needed to get these provisions written into the developer's agreement before annexation.

Commissioner Adams thanked the City for their continued communication with the County. She relayed her experience with annexations in Fellsmere, and noted that many of the development plans would take years to realize. She stressed the importance of putting these plans in writing so they can be honored by future decision makers.

Sebastian City Manager Paul Carlisle confirmed his staff had always planned to put constraints in their annexation agreement with the landowner. He stated negotiations were going well, and thanked the Board for their consideration and open communication.

No Action Taken or Required

- 11.B. [22-0770](#) Ratification of Collective Bargaining Agreement Between Indian River County and Teamsters, Local Union No. 769 Effective October 1, 2022 through September 30, 2024

Recommended Action: Staff respectfully recommends approval of the Agreement and requests that the Board of County Commissioners authorize its Chairman to sign the full Agreement.

Attachments: [Staff Report](#)
[Proposed Teamsters Contract 2022-2024](#)

County Administrator Jason Brown provided details of the negotiations and costs associated with the agreed-upon six percent raise for all Teamsters Local Union No. 769 employees. He continued on to provide other details of the two-year agreement, and noted all non-Union County employees would also receive a six percent raise.

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

Aye: 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

The Chairman called for a recess at 10:30 a.m., and reconvened the meeting at 10:45 a.m. with all members present.

12. DEPARTMENTAL MATTERS

A. Community Development

B. Emergency Services

C. General Services

12.C.1 [22-0622](#)

Children's Services Advisory Committee Recommended Program Funding Allocations for Fiscal Year 2022/23

Recommended Action: Staff respectfully requests that the Board of County Commissioners approve the CSAC's funding recommendations for children's programs for FY 2022/23

Attachments: [Staff Report](#)
[Recommended CSAC Funding FY23](#)
[Funding Allocation FY23](#)

Assistant County Administrator Michael Zito introduced Leigh Ann Uribe, Human Services Director, who was the newly appointed Program Coordinator for Children's Services. Mr. Zito described the review process the Children's Services Advisory Committee (CSAC) and the CSAC's Grant Review Subcommittee utilized to determine award amounts, and requested approval of the CSAC's funding recommendations for the full FY 2022/23 budget of \$2,443,606.

Under discussion, Commissioner Flescher brought forward the Young Journalist program, one of the approved funding recipients, and raised concerns that the program's content was politicized and inappropriate. The Commissioner proposed creating a workshop, to be held before the Board, where all the recommended CSAC organizations would present information regarding their curriculum. Vice Chairman Earman agreed with Commissioner Flescher regarding content, and suggested returning the program to CSAC to re-vet it for controversial content.

Discussion ensued among the Commissioners and staff with Commissioner Moss, who agreed with the suggestion for a CSAC workshop, but questioned the nature of the controversy. Commissioner Flescher mentioned global warming and social situations that he and some constituents felt were inappropriate for a school-administered elective.

Commissioner Adams received confirmation that the CSAC already had several mechanisms in place to vet programs including a Grant Review Subcommittee, personal interviews, required measurable outcomes, and a final review and vote for funding. She was disinclined to withhold funding for all recipients based on content concerns, and suggested the Board could add content approval moving forward. Chairman O'Bryan also supported the existing Grant Review Subcommittee's workshop for vetting, and favorably described the students' work.

The Chairman opened the item for public comment.

Jim Sullivan, Sebastian, took issue with the program administrator's personal ideology, and requested that the Board decline funding for the Young Journalist program.

Scott Bass, Deputy Superintendent, School District of Indian River County, recalled direction given to keep topics neutral and promised to monitor the content. He also defended the reading and public speaking skills the students gained from the program.

Bob McPartlan, Sebastian City Council, discussed his involvement in CSAC and the politicization of some content. He thanked the Board for their support, and urged Commissioners to visit the programs personally.

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

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

Nay: 2 - Vice Chairman Earman, and Commissioner Flescher

D. Human Resources

12.D.1 [22-0728](#) Employee Benefits Consultant/Broker/Actuary Services - Approval of Service Agreement with Lockton Companies LLC Effective October 1, 2022 (RFP2022043)

Recommended Action: Staff recommends and respectfully requests the Board of County Commissioners award RFP 2022043 to Lockton Companies, LLC, approve the Services Agreement with Lockton Companies LLC effective October 1, 2022 through September 30, 2027, and authorize the chair to execute the agreement upon review and approval by the County Attorney as to form and legal sufficiency.

Attachments: [Staff Report](#)
[Svcs Agreement & Compensation Disclosure](#)

Human Resources Director Suzanne Boyll described the solicitation for competitive proposals for healthcare consulting/broker/actuary services. She reported that the Selection Review Committee unanimously recommended continuing business with Lockton Companies, LLC for those services.

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

Aye: 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

12.D.2 [22-0729](#) Approval of Optum Agreement for the County's Stop Loss Policy

Recommended Action: Staff recommends and respectfully requests that the Board approve the recommendation to select Optum as our stop loss carrier for the 2022/2023 plan year and authorize the Chairman to execute the agreement after review and approval by the County Attorney as to form and legal sufficiency.

Attachments: [Staff Report](#)
[Optum Stop Loss Application](#)

Human Resources Director Suzanne Boyll presented the recommendation, as advised by Lockton, to change the County's Stop Loss policy insurer from Florida Blue Highmark to Optum in order to realize premium savings while maintaining the same level of coverage.

Vice Chairman Earman was pleasantly surprised by the savings realized from changing providers.

Susan Cugno, Lockton Companies, confirmed for Chairman O'Bryan that Optum had an A- or better rating.

Ms. Boyll also complimented Lockton's Complex Claims Specialty Practice for uncovering a \$250,000 mispaid claim which was returned to the County's plan.

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

Aye: 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

E. Information Technology**F. Office of Management and Budget****12.F.1.** [22-0699](#) Delete Item 12.F.1 -- 211's Request to be Categorized as a Quasi-Nonprofit Agency

Recommended Action: Staff recommends that the Board of County Commissioners continue funding 211 as a Nonprofit Agency.

Attachments: [Staff Report](#)
[Outside Agency Funding Policy](#)
[Email from 211 Board Member](#)

Deleted

G. Public Works**H. Utilities Services****12.H.1 [22-0761](#)** Water Quality Study and Potable Water Treatment Facility Evaluation

Recommended Action: Staff recommends that the Board of County Commissioners authorize Work Order Number 9 to Tetra Tech, Inc., to complete the study for the amount of \$84,002.00, and authorize the Chairman to sign on their behalf

Attachments: [Staff Report](#)
[Work Order No. 9 Tetra Tech, Inc.](#)

Director of Utility Services, Sean Lieske, referred to staff's memo dated August 31, 2022, as he detailed the context and rationale for the water quality survey. He explained that in light of continued customer complaints related to the deterioration of their residential pipes, staff was seeking a second opinion from Tetra Tech, Inc. regarding the County's water quality and how it may affect customers' plumbing systems.

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

Aye: 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

13. COUNTY ATTORNEY MATTERS

13.A. [22-0698](#) Commercial PACE Program - 5380 US Highway 1 - Florida Green Finance Authority

Recommended Action: The County Attorney's Office recommends that the Board approve the resolution and the Florida Green Finance Authority Interlocal Agreement and authorize the chair to execute these documents and any other documents necessary to effectuate the transaction.

Attachments: [Staff Report](#)
[Project Specific \(C-PACE\) Resolution- Certus](#)

County Attorney Dylan Reingold presented the Resolution and Interlocal agreement for the Commercial Property Assessed Clean Energy (C-PACE) program for the subject property at 5380 US Highway 1, which would be financed using the Florida Green Finance Authority. Attorney Reingold noted that the agreement contained the language changes the Board had requested at the August 16, 2022 BCC meeting.

A motion was made by Commissioner Adams, seconded by Chairman O'Bryan, to approve staff's recommendation and Resolution 2022-055, permitting the Commercial Property Assessed Clean Energy ("C-PACE") Program within the County for specific property referenced by 5380 US Highway 1, Certus at Vero Beach; approving an agreement with the Florida Green Finance Authority; authorizing the chair to execute said agreement; and providing for, scrivener's errors, conflicts, severability, and an effective date. The motion carried by the following vote:

Aye: 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

14. COMMISSIONERS MATTERS

A. Commissioner Peter D. O'Bryan, Chairman

14.A.1 [22-0751](#) Canvassing Board Member and Alternate

Recommended Action: Discussion

Attachments: [Commissioner's Memorandum](#)

Chairman O'Bryan recommended Vice Chairman Earman to assume the role of Canvassing Board Member in light of the Chairman's term expiration prior to upcoming Canvassing Board activities. Chairman O'Bryan also recommended Commissioner Adams be appointed as the alternate member.

A motion was made by Commissioner Moss, seconded by Commissioner Flescher, to appoint Vice Chairman Earman to be the Canvassing Board Member, and Commissioner Adams to be the alternate member, effective immediately. The motion carried by the following vote:

Aye: 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

B. Commissioner Joseph H. Earman, Vice Chairman

C. Commissioner Susan Adams

D. Commissioner Joseph E. Flescher

E. Commissioner Laura Moss

14.E.1 [22-0752](#) Expression of Gratitude to IRC Fire Rescue and Vero Beach Police Department by Commissioner Laura Moss

[Clerk's note: This Item was moved to be heard following Item 5.D.]

Commissioner Laura Moss thanked Vero Beach Police Chief David Currey, Officer David Farquharson, Sergeant Bill Offutt, and Officer Richard Chimenti of the Vero Beach Police Department, along with the Indian River County Fire Department, for their assistance after she was involved in an accident. Indian River County Fire Chief David Johnson and Police Chief Currey praised their staff's hard work and contributions to the community.

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 [22-0737](#) Award of Bid 2022074 for Transportation of Recyclables to St. Lucie County

Recommended Action: Staff recommends the Board award bid 2022074 to Bulk Express Transport, Inc., approve the sample agreement, and authorize the Chairman to execute the agreement after approval by the County Attorney as to form and legal sufficiency, and receipt and approval of the required insurance by the Risk Manager.

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

Solid Waste Disposal District (SWDD) Director Himanshu Mehta advised the Board that Republic Services (RS) had notified the County that they would no longer be able to transport the County's recyclables to St. Lucie County for processing. Director Mehta presented the Board with an agreement from Bulk Transport to assume the job of hauling materials. He advised that though the costs were higher than with RS, staff felt it worthwhile to maintain the County's recycling program.

In response to comment from Chairman O'Bryan, Director Mehta confirmed that the County had just been notified that St. Lucie County was no longer accepting recyclable material for processing. He added that his department still sought approval of the agreement with Bulk Transport which would be implemented only if processing resumed in St. Lucie.

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

Aye: 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

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

There being no further business, the Chairman adjourned the meeting at 11:57 a.m.