

Indian River County Florida

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



Meeting Minutes - Draft

Tuesday, December 5, 2017

9:00 AM

Commission Chambers

Board of County Commissioners

Peter D. O'Bryan, Chairman, District 4

Bob Solari, Vice Chairman, District 5

Susan Adams, District 1

Joseph E. Flescher, District 2

Tim Zorc, District 3

Jason E. Brown, County Administrator

Dylan Reingold, County Attorney

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

Shellie Kasper, Deputy Clerk

1. CALL TO ORDER

ROLLCALL

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

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

2.B. INVOCATION

Pastor D. Derrick West, Genesis Church

Community Development Director Stan Boling gave the Invocation in Pastor D. Derrick West's absence.

3. PLEDGE OF ALLEGIANCE

Dylan Reingold, County Attorney

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

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

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

5. PROCLAMATIONS and PRESENTATIONS

6. APPROVAL OF MINUTES

6.A. 17-1210 Regular Meeting of October 17, 2017

Recommended Action: Approve

Attachments: [10172017BCC](#)

A motion was made by Vice Chairman Solari, seconded by Commissioner Adams, to approve the Regular Meeting Minutes of October 17, 2017, as written. The motion carried by the following vote:

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

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

- 7.A. 17-1229** Proclamation Honoring Cynthia Carter on Her Retirement From Indian River County Board of County Commissioners Department of General Services, Library Services Division with Twenty-Four Years of Service

Attachments: [Proclamation](#)

Chairman O'Bryan congratulated Cynthia Carter on her retirement.

No Action Taken or Required

- 7.B. 17-1227** Proclamation Honoring Rebecca Mitchell on Her Retirement From Indian River County Board of County Commissioners Department of Veteran Services with Thirteen Years of Service

Attachments: [Proclamation](#)

Chairman O'Bryan congratulated Rebecca Mitchell on her retirement.

No Action Taken or Required

- 7.C. 17-1240** 2018 Treasure Coast Regional Planning Council Comprehensive Economic Development Strategy Committee District Appointment

Recommended Action: Informational

Attachments: [Staff Report](#)
[Appointment Letter](#)

No Action Taken or Required

- 7.D. 17-1242** 2018 Board of County Commissioners Committee Assignments

Recommended Action: No action required

Attachments: [Commissioner's Memorandum](#)
[Committee Assignments](#)

Commissioner Flescher commented on the Committee Assignments for 2018, and noted that the listed assignments are for public information, and not necessarily committee appointments.

Chairman O'Bryan mentioned that he wished to keep Vice Chairman Solari's committee assignments light, allowing him to devote more time to the Constitution Revision Commission.

No Action Taken or Required

7.E. 17-1245 Indian River County Hospital District Meeting Schedule Change

Recommended Action: No Action Required

Attachments: [Notification Letter](#)

No Action Taken or Required

7.F. 17-1238 Update On All Aboard Florida/Vero Electric Expenses

Recommended Action: No Action Required

Attachments: [Staff Report](#)
[All Aboard FL Expenses](#)
[FP&L-Vero Beach-FMPA expenses](#)

No Action Taken or Required

7.G. 17-1225 2017-2018 City of Vero Beach Council Information

Recommended Action: Informational Item

Attachments: [Staff Report](#)
[City of Vero Beach Appointments 11212017](#)

No Action Taken or Required

7.H. 17-1253 2017-2018 City of Sebastian Council Committee Information

Recommended Action: Informational

Attachments: [Staff Report](#)
[City of Sebastian council members appointments](#)

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 presented. The motion carried by the following vote:

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

8.A. 17-1209 Checks and Electronic Payments November 10, 2017 to November 16, 2017

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of November 10, 2017 to November 16, 2017

Attachments: [Finance Department Staff Report](#)

Approved

8.B. 17-1233 Checks and Electronic Payments November 17, 2017 to November 23, 2017

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of November 17, 2017 to November 23, 2017

Attachments: [Finance Department Staff Report](#)

Approved

8.C. 17-1230 FY 2016-2017 Records Disposition Compliance Statement and Records Management Liaison Officer Form, Board of County Commission

Recommended Action: It is recommended that the Chairman be authorized to sign the Records Management Compliance Statement for Fiscal Year 2016-2017 for the Indian River County Board of County Commission

Attachments: [Staff Report](#)
[2016-2017 State BCC Records Compliance Letter](#)
[2016-2017 Board of County Commission Compliance Statement](#)

Approved

8.D. 17-1208 Harmony Reserve LLC's Request for Final Plat Approval for Harmony Reserve PD Phase 2 [PD-14-10-12 / 97080101-79738]

Recommended Action: Staff recommends that the Board of County Commissioners grant final plat approval for Harmony Reserve PD Phase 2.

Attachments: [Staff Report](#)
[Application](#)
[Location Map](#)
[Plat Layout](#)
[Contract for Construction of Required Improvements](#)

Approved

8.E. 17-1212 Consideration of the Affordable Housing Advisory Committee (AHAC) 2017 Incentives Review and Recommendation Report

Recommended Action: Staff and the Affordable Housing Advisory Committee recommend that the Board of County Commissioners approve the proposed 2017 AHAC report by adopting the resolution, and direct staff to submit a copy of the report to the FHFC for review.

Attachments: [Staff Report](#)
[2017 AHAC Report](#)
[Resolution for 2017 AHAC Report](#)
[AHAC Unapproved Minutes](#)

Approved Resolution 2017-117, approving the Indian River County Affordable Housing Advisory Committee (AHAC) 2017 Report, and directed staff to submit a copy of the report to the FHFC for review.

8.F. 17-1216 Consideration of Revised Indian River County Local Housing Assistance Plan for Fiscal Years 2018-2019, 2019-2020, and 2020-2021

Recommended Action: Staff and the Affordable Housing Advisory Committee recommend that the Board of County Commissioners approve the new Indian River County Local Housing Assistance Plan by adopting the resolution and authorizing the Chairman to sign the certification page.

Attachments: [Staff Report](#)
[2018-2021 LHAP](#)
[Resolution](#)
[LHAP Certification Form](#)
[AHAC Unapproved Minutes](#)

Approved Resolution 2017-118, approving the Local Housing Assistance Plan as required by the State Housing Initiatives Partnership Program Act, Subsections

420.907-420.9079, Florida Statutes; and Rule Chapter 67-37, Florida Administrative Code; authorizing and directing the Community Development Director to execute any necessary documents and certifications needed by the State; authorizing the submission of the Local Housing Assistance Plan for review and approval by the Florida Housing Finance Corporation; and providing for an effective date; and authorized the Chairman to execute the certification page.

8.G. 17-1206 Lease Extension - CR510 Widening and Improvements Project Acquired Property Kevin Harwood - 5220 85th Street, Vero Beach, FL 32967

Recommended Action: Staff recommends the Board approve the Lease Extension for the property located at 5220 85th Street to Kevin Harwood, and authorize the Chairman to execute the extension on behalf of the Board.

Attachments: [Staff Report](#)
[Renewal of Lease Agreement](#)

Approved staff's recommendation

8.H. 17-1234 Request for Authorization for County Administrator or his Designee to execute a Maintenance Memorandum of Agreement (MMOA) with the Florida Department of Transportation (FDOT) for GoLine Bus Shelters on State Road 60 and State Road 5/US Highway 1, and authorization for the County Administrator or his Designee to execute future FDOT Transportation Facility MMOAs for GoLine Bus Shelters located on State Roadways within Indian River County

Recommended Action: Staff recommends that the Board of County Commissioners approve the Resolution authorizing the County Administrator or his Designee to execute a Maintenance Memorandum of Agreement with the Florida Department of Transportation for the construction of six bus shelters along State Road 60 and State Road 5/US Highway 1, and authorizing the County Administrator or his Designee to execute future FDOT Transportation Facility MMOAs for GoLine Bus Shelters along State Highways within Indian River County.

Attachments: [Staff Report](#)
[Resolution](#)
[GoLine Shelter Location Map](#)

Approved Resolution 2017-119, authorizing the County Administrator or his designee to execute a Maintenance Memorandum of Agreement (MMOA) with Florida Department of Transportation (FDOT) for GoLine bus shelters along State Road 60 and State Road 5/US Hwy 1, and authorizing the County Administrator or his designee to execute future FDOT MMOA's for GoLine bus shelters located along State Highways within Indian River County.

8.I. 17-1235 Work Order No. 3, Jay Ammon Architects, Inc. Indian River County Courthouse Roof Replacement

Recommended Action: Staff recommends that the BCC approve Work Order #3 for Jay Ammon Architects, Inc. to design, assist in bidding, and perform construction administration services for the replacement of the existing Courthouse roof, including coordination with an ongoing Courthouse seal and wall restoration project, and authorize the Chairman to execute Work Order #3 in the lump sum amount of \$47,431.00.

Attachments: [Staff Report](#)
[Work Order No. 3](#)

Approved staff's recommendation

8.J. 17-1247 Health Department Chiller Supply Line Installation

Recommended Action: Staff recommends the Board waive the bid requirement for this work, approve the quote for Option 1 from Mid-State Mechanical in the amount of \$69,527.00 and authorize the Purchasing Manager to issue a Purchase Order.

Attachments: [Staff Report](#)
[Mid State Quote](#)
[Hill York Quote](#)
[Precision Quote](#)

Approved staff's recommendation

8.K. 17-1224 Amendment to Elevated Water Tank Space License Agreement with T-Mobile South LLC

Recommended Action: Staff recommends the approval of the Second Amendment to the Elevated Water Tank Space Agreement with T-Mobile South LLC and requests that the Board of County Commissioners authorize the Chairman to execute the lease on their behalf.

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

Approved staff's recommendation

8.L. 17-1239 Request for Additional Hours for Task 4 for Automated Meter Reading (AMR)/Advanced Metering Infrastructure (AMI)

Recommended Action: Staff recommends the Board of County Commissioners authorize payment of ninety additional hours for work on Task 4, which covered the work affiliated with the inclusion of the Meter Data Management Systems component in RFP 2017-041 for a total cost of \$17,550.

Attachments: [Staff Report](#)

Approved staff's recommendation

8.M. 17-1243 2018 Treasure Coast Regional Planning Council (TCRPC) Appointments

Recommended Action: Review and Approve

Attachments: [Commissioner's Memorandum](#)

[TCRPC Notification Letter](#)

[TCRPC Members List](#)

Approved the appointment of Members, Commissioner Peter D. O'Bryan; Commissioner Susan Adams; Councilman Anthony W. Young; and Councilman Bob Auwaerter; and Alternates Commissioner Joseph E. Flescher; Commissioner Tim Zorc; City of Sebastian Council Member Ed Dodd; and Mayor Harold Ofstie of the Town of Orchid; to the 2018 Treasure Coast Regional Planning Council.

8.N. 17-1248 Annual Resolution re: Delegation of Authority Concerning Declarations of State of Local Emergencies and to Act in a State Declared Emergency Affecting Indian River County

Recommended Action: Adopt the resolution delegating authority to the County Administrator, or his designee, to declare states of local emergencies and to act in a state declared emergency affecting Indian River County effective from December 5, 2017 through December 31, 2018.

Attachments: [Staff Report](#)

[Resolution](#)

Approved Resolution 2017-120, delegating authority to the County Administrator to declare States of Local Emergencies and to act in a State of Florida Declared Emergency affecting Indian River County; rescinding Resolution No. 2016-120 effective December 5, 2017; and providing an effective date.

8.O. 17-1249 Annual Resolution Delegating the Authority to the County Administrator or his Designee, to Execute Resolutions Calling Letters of Credit as Necessary during a Declared State of Local Emergency or Declared State of Florida Emergency Affecting Indian River County

Recommended Action: Adopt the resolution delegating authority to the county Administrator, or his designee, to execute resolutions calling letters of credit as necessary during a declared state of local emergency or declared State of Florida emergency affecting Indian River County from December 5, 2017 through December 31, 2018.

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

Approved Resolution 2017-121, delegating authority to the County Administrator or his designee, to execute resolutions calling Letters of Credit as necessary during a Declared State of Local Emergency or Declared State of Florida Emergency affecting Indian River County; rescinding Resolution No. 2016-121 effective December 5, 2017; and providing an effective date.

8.P. 17-1250 Annual Resolution re: Signatories

Recommended Action: Adopt the resolution and authorize the newly selected Chairman as well as the Clerk to sign the resolution and the respective Certificate of Facsimile Signature; and to instruct the Clerk to the Board of County Commissioners to transmit to the Department of State each original Certificate of Facsimile Signature which bears the original manual signatures of those Indian River County officers authorized to use facsimile signatures in lieu of manual signatures.

Attachments: [Staff Report](#)
[Resolution](#)
[Certificate of Facsimile Signature \(2\)](#)

Authorized: 1) the newly selected Chairman as well as the Clerk to execute Resolution 2017-122, directing depositories of County funds to honor certain authorized signatures on County checks, warrants, and other orders for payment; providing for Board of County Commissioners and Clerk of the Circuit Court Signatories and; rescinding Resolution No. 2016-122 effective November 21, 2017 which speaks to authorized signatures on County checks, warrants, and other orders for payment; and providing an effective date; and 2) instructed the Clerk to the Board of County Commissioners to execute and transmit to the Department of State each original Certificate of Facsimile which bears the original manual signatures of those Indian River County Officers authorized to use facsimile signatures in lieu of manual signatures.

8.Q. 17-1252 Gifford Youth Achievement Center - Comcast Utility Easement Access

Recommended Action: Staff respectfully requests that the attached form be approved and the County Administrator be authorized to execute the document.

Attachments: [Staff Report](#)
[Access Consent Form](#)

Approved staff's recommendation**8.R. 17-1237** Approval of Sandridge Golf ID Card Printer Replacement Allowing Trade-In

Recommended Action: Staff recommends that the Board approve the trade-in of the current Evolis Dualys Dual side printer and approve the purchase of a new Evolis Primacy Dual Side Color Printer.

Attachments: [Staff Report](#)
[Proposal for Sandridge GC Upgrade 111617](#)

Approved staff's recommendation**8.S. 17-1259** Extension of Old Vero Ice Age Display on Second Floor of Building A, County Administration Building

Recommended Action: Staff recommends the Board approve the request to extend the Old Vero Ice Age Sites Committee display until September 2018 and authorize the Public Works Director to execute the Hold Harmless Agreement.

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

Approved staff's recommendation**9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES****10. PUBLIC ITEMS****A. PUBLIC HEARINGS**

PROOF OF PUBLICATION OF ADVERTISEMENT FOR HEARINGS ARE ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

10.A.1. 17-1158 Dee Brown's Request for Abandonment of the Portion of 21st Place Between 97th Road and East 98th Avenue Lying South of Lots 1-3, Block I-I and North of Lots 7-9, Block H-H of Vero Tropical Gardens, Unit 2 [ROWA-17-07-04 / 2003090183-79125] (Legislative)

Recommended Action: Staff recommends that the Board of County Commissioners abandon its rights to the subject right-of-way and authorize the chairman to execute the abandonment resolution, with the following condition: 1. A 20' wide drainage easement shall be retained along the centerline of the subject portion of 21st Place right-of-way.

Attachments: [Staff Report](#)
[Application](#)
[Location Maps](#)
[Abandonment Resolution](#)

Community Development Director Stan Boling, through the use of a PowerPoint Presentation, provided an analysis of the proposed right-of-way abandonment and explained that the abandonment would not affect access to any surrounding properties. Director Boling mentioned that there was a possible need for drainage improvements in the future and recommended that the proposed abandonment retain a minimum 20-foot wide drainage easement along the centerline of the subject portion of 21st Place right-of-way to accommodate possible future drainage improvements.

The Chairman opened the Public Hearing for comments. There being none, the Chairman closed the Public Hearing.

A motion was made by Commissioner Flescher, seconded by Vice Chairman Solari, to approve: 1) Staff's recommendation; and 2) Resolution 2017-123, providing for the closing, abandonment, vacation and discontinuance of the portion of 21st Place right-of-way running between 97th Road and east 98th Avenue lying south of Lots 1-3, Block I-I and north of Lots 7-9 Block H-H of the Vero Tropical Gardens, Unit 2 Subdivision as shown in Plat Book 6, Page 64 of the Public Records of Indian River County, as described herein; said abandonment subject to retaining a drainage easement. The motion carried by the following vote:

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

10.A.2. 17-1226

County Initiated Request to Amend the 5 Year Capital Improvements Program and the Supporting Data and Analysis of the Capital Improvements Element of the Comprehensive Plan for the Period FY 2017/18 - 2021/22. Plan Amendment Number: CPTA 2017080149-80103 (Legislative)

Recommended Action: Based on the analysis conducted, staff recommends that the Board of County Commissioners approve the update to the 5 Year Capital Improvements Program for the period FY 2017/18 - 2021/22 and supporting data and analysis of the Capital Improvements Element (CIE) of the Comprehensive Plan by adopting the ordinance.

Attachments: [Staff Report](#)
[Comprehensive Plan Text Amendment Application](#)
[Comprehensive Plan Text Amendment Adoption Ordinance](#)
[Strike Through and Underline Version of CIE](#)
[5 Year Schedule of Capital Improvements](#)

Community Development Director Stan Boling, through the use of a PowerPoint Presentation, explained the purpose of the text amendment to the Comprehensive Plan, and provided details regarding the adoption process as well as the preparations involved with the Capital Improvements Element of the Plan. He highlighted the revisions made to the 5 Year Capital Improvements Program (CIP) and summarized the expenditures by category, noting the County's commitment to cleaning up the Indian River Lagoon.

A short discussion ensued amongst the Board, Director Boling, and Public Works Director Rich Szyrka regarding the timelines of the 43rd Avenue and State Road 60 project and the associated demolitions of the Mermaid Car Wash and Mark's Mobil Station.

Chairman O'Bryan opened the Public Hearing.

Bob Johnson, Coral Winds Subdivision, sought and received information from the Board regarding unfinished projects from 2016 and costs associated with All Aboard Florida.

There being no additional speakers, Chairman O'Bryan closed the Public Hearing.

A motion was made by Vice Chairman Solari, seconded by Commissioner Zorc, to adopt Ordinance 2017-015, amending the text of the Comprehensive Plan's Capital Improvements Element by updating the County's 5 Year Capital Improvements Program (CIP) schedule and related data and analysis sections; and providing severability and effective date. The motion carried by the following vote:

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

B. PUBLIC DISCUSSION ITEMS

10.B.1. 17-1211 Request to Speak from Mark Yanno Regarding Oslo Boat Ramp

Recommended Action: No Action Required

Attachments: [Request to Speak Form](#)
[Mr. Yanno's letter](#)

Mark Yanno, 1001 4th Street, read and presented his composed letter opposing the Oslo Boat Ramp project. He made suggestions to better the health of the seagrass in the vicinity, and spoke of the negative impacts to the conservation area if the expansion project moves forward.

Chairman O'Bryan addressed several comments made by Mr. Yanno in his presentation regarding the Oslo Boat Ramp project, and clarified that the project did not involve an expansion of the ramp or the addition of parking, but that it included renovations that would improve the health of the Lagoon.

A lengthy discussion ensued amongst the Board and Mr. Yanno, with each voicing their thoughts and concerns about the welfare of the Indian River Lagoon, and how it affected the wildlife and the conservation area.

No Action Taken or Required

C. PUBLIC NOTICE ITEMS

11. COUNTY ADMINISTRATOR MATTERS

12. DEPARTMENTAL MATTERS

A. Community Development

12.A.1. 17-1236 Condemnation, Demolition and Removal of Unsafe Structures Located at 1041 10th Court S.W.; 8720 92nd Avenue; 6290 84th Street; and 3770 69th Street

Recommended Action: Staff recommends that the Board of County Commissioners declare the referenced structures unsafe and a nuisance and order the buildings demolished, with related debris removed from the property by a private vendor approved through standard bid procedures. Staff further recommends that the Board adopt the executed resolution authorizing the Building Official to report the county's demolition and debris removal cost for said structures to the County Attorney for the preparation and recording of a lien to be placed on the real property of the owners of the demolished unsafe structures for the purpose of recovering the County's demolition costs.

Attachments: [Staff Report](#)
[Resolution](#)
[Condemnation List](#)
[Pictures of Condemned Structures](#)

County Building Official Scott McAdam, through the use of a PowerPoint Presentation, provided a description and conditions of four (4) properties that have been deemed unsafe and detrimental to the health, safety, and welfare of the general public.

Bob Johnson, Coral Wind Subdivision, asked who would own the land once the structures were demolished. County Attorney Dylan Reingold clarified that the County places a lien on the property for the demolition and removal of the related debris, and that the property was still owned by the original owner.

A motion was made by Vice Chairman Solari, seconded by Commissioner Flescher, to approve: 1) Staff's recommendation, and 2) Resolution 2017-124, providing for the demolition of unsafe structures and the recovery of costs. The motion carried by the following vote:

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

B. Emergency Services

12.B.1. 17-1241 Request for Sole Source Request to AK Associates for Upgrades to the County's E911 System and Text to 911 Integration

Recommended Action: Staff recommends the Board waive the requirement for bids and declare AK Associates as the Sole Source Provider for the E911 Hardware Upgrade and Text to 911 project. Staff also recommends the Board authorize the Purchasing Division to issue Purchase Orders to AK Associates for the upgrade, maintenance and any other periodic upgrades approved by the Budget Office.

Attachments: [Staff Report](#)
[Sole Source Letter AK-Solacom](#)
[GeoDiverse Guardian Quote](#)
[Text to 911 Quote](#)
[General Statement of Work-Service Agreement](#)

Emergency Services Director and Fire Chief John King explained that the County's E911 system had reached the end of life and that the equipment needed to be upgraded to accommodate the integration of the "Text to 911" project.

Commissioner Zorc made comparisons between the three (3) Public Safety Answering Points (PSAPs) located in Orange County and the three (3) PSAPs located in Indian River County, and noted the difference in population between the two counties.

Bob Johnson, Coral Wind Subdivision, expressed his opinion about having to pay the 911 surcharge on a landline phone, as well as a paying the surcharge on a cell phone.

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

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

C. General Services

1. Human Services

2. Sandridge Golf Club

3. Recreation

D. Human Resources

E. Office of Management and Budget

F. Public Works

12.F.1. 17-1244 Designation of Trane U.S. Inc., as Sole Source Provider for HVAC Control Systems and Service Contracts for the Control Systems

Recommended Action: Staff recommends the Board of County Commissioners declare Trane U.S. Inc., as the County's sole source provider for HVAC control systems and annual service contracts for the control systems. Staff also recommends that the Board of County Commissioners authorize Purchasing to issue a Purchase Order for \$25,880.00 for Trane Building Advantage Agreement Annual Service Contract. Finally, staff recommends the Board authorize the Purchasing Manager to sign the annual service agreements, after they have been reviewed and approved by the County Attorney as to form and legal sufficiency.

Attachments: [Staff Report](#)
[Trane Controls Service Agreement](#)

Public Works Director Rich Szyrka provided details regarding the replacement of the old Johnson Control Systems with new Trane heating, ventilation and air conditioning (HVAC) systems. He explained that the original control systems were not compatible with the new systems that Trane uses, and requested to use Trane U.S., Inc. as the County's sole source provider for HVAC control systems and annual service contracts for the control systems.

Commissioner Zorc suggested that in the future, bid documents use only one vendor/manufacture to accomplish all the related services for a particular capital project instead of using multiple vendors/manufacturers. He felt that the use of more than one vendor or manufacturer led to compatibility issues and additional unnecessary expense.

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

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

G. Utilities Services

12.G.1. 17-1221 John's Island Water Management Reclaimed Water Agreement

Recommended Action: Staff recommends the Board of County Commissioners approve the reclaimed water agreement with John's Island Water Management for the supply of 1 MGD reclaimed water for a 25-year period with an effective date upon signature by the Board of County Commissioners.

Attachments: [Staff Report](#)

[Map of Proposed Line](#)

[Sample Reclaimed Water Calculations](#)

[25-year Reclaimed Water Agreement with JIWM](#)

Director of Utility Services Vincent Burke used a PowerPoint Presentation to provide an analysis on the project for John's Island Water Management (JIWM) to connect to the existing Indian River County's re-use line for reclaimed water. He explained the timelines for the proposed project and highlighted the specific terms contained in the 25-Year Reclaimed Water Agreement with JIWM.

James Moller, President of John's Island Water Management, assisted Director Burke as he provided answers to the Board's questions about specific details of the project.

Paul Fafeita, 955 82nd Avenue, made inquiries about the potential environmental impacts involved with the installation of pipe under the Indian River Lagoon.

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

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

The Chairman called for a recess at 10:41 a.m., and reconvened the meeting at 10:50 a.m. with all members present.

13. COUNTY ATTORNEY MATTERS**13.A. 17-1258** Second Amendment to Developer's Agreement for Millstone Landing PD

Recommended Action: Staff recommends the Board approve the Second Amendment to Developer's Agreement for Millstone Landing PD pertaining to the completion of 23rd Street SW improvements and authorize the Chairman to execute it on behalf of the Board.

Attachments: [Staff Report Agreement](#)
[Proposed Second Amendment](#)

Deputy County Attorney Bill DeBraul provided background on the amendment to the Developer's Agreement for Millstone Landing Planned Development (PD) adding the requirement of paving 23rd Street SW. He explained that the completion of the improvements were to be made by the issuance of the 450th Certificate of Occupancy (CO) or July 1, 2018, whichever came first.

Chairman O'Bryan verified with Attorney DeBraul that this Agreement had nothing to do with the current agreement for the improvements to 17th Street SW, or the milestones related to the intersection that Millstone was to complete.

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

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

14. COMMISSIONERS MATTERS

A. Commissioner Peter D. O'Bryan, Chairman

B. Commissioner Bob Solari, Vice Chairman

C. Commissioner Susan Adams

D. Commissioner Joseph E. Flescher

E. Commissioner Tim Zorc

14.E.1. 17-1255 Update and Discussion on the Greenfield Resources Privately Funded Indian River Lagoon Pilot Project

Recommended Action: Discussion

Attachments: [Commissioner's Memorandum](#)
[Indian River Lagoon - Greenfield Resources Data from October 2017](#)
[Greenfield Project Water Analysis Main Relief Summary 11292017](#)
[Greenfield Results from Lagoon Test 11282017](#)
[Privately Funded Indian River Lagoon Pilot Project](#)

Commissioner Zorc provided an update on a project in which Greenfield Resources, a Michigan-based company, conducted testing of the water in the Main Relief Canal in an attempt to find a solution to treat the Indian River Lagoon. He compared the results of the data collected by Greenfield with the results collected by Indian River County and because of inconclusive results, extended an invitation for Greenfield Resources, at their own expense, to return to Indian River County to conduct additional testing.

The Board expressed their opinions about the project, and though they felt the results were not favorable, supported an invitation to Greenfield Resources to return to Indian River County to conduct additional testing, at their own expense, as long as the invitation included the parameters necessary for the project to move forward.

No Action Taken or Required

14.E.2. 17-1256 Discussion and Action Request - Bethel Creek Concept Pilot Project

Recommended Action: Discussion and Action Request

Attachments: [Commissioner's Memorandum](#)
[Bethel Creek Slides](#)

Commissioner Zorc spoke about the research and discussions that he has had regarding the Bethel Creek concept pilot project for a 1-year temporary pump connection from the Atlantic Ocean to Bethel Creek and Indian River Lagoon, and requested to broaden the discussions with additional interested parties to determine the feasibility of the project.

During lengthy discussion, the Board expressed their opinions and concerns about the concept pilot project, and felt that one (1) year would not be enough time to gather pertinent information. The Board communicated that they would allow further discussions to take place in an effort to refine the details of the project, but discouraged placing additional burdens upon staff.

Mark Yanno and Brendan Burke, 516 Conn Way, agreed that water quality should be top priority, and spoke in favor of continuing with ideas to help Bethel Creek.

No Action Taken or Required

14.E.3. 17-1257 Discussion to add Juvenile Justice and the Civil Citation Program to the Legislative Agenda

Recommended Action: Discussion

Attachments: [Commissioner's Memorandum](#)
[Juvenile Justice Civil Citation Legislation Issues](#)
[Senate Bill 644 Juvenile Justice Citations](#)

Commissioner Zorc made comments about the 19th Judicial Circuit's Juvenile Justice Program and the conflicts in the reporting that arise between the Civil Citation Program that law enforcement follows, and the Civil Citation Guidelines that the State follows.

Assistant County Attorney Kate Cotner, provided background on the concerns associated with the Juvenile Justice Civil Citation Program, and stated that the Program was currently under review by the State of Florida. She mentioned the pending Senate Bill 644, and House Bill 489, and communications that she has had with the local Sheriff's Office. She asked the Board for permission to meet with the Department of Juvenile Justice (DJJ), the sponsors of the pending Bills, and with Legislative members to advocate for officer discretion, address victim's rights, and to oppose language that makes a law enforcement officer solely responsible for certain paperwork.

A motion was made by Commissioner Zorc, seconded by Commissioner Flescher, to approve the addition of the Department of Juvenile Justice Civil Citation Programs and related Bills to the Legislative List of Concerns. The motion followed by the following vote:

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

15. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District

The Board reconvened as the Board of Commissioners of the Emergency Services District. Those Minutes will be approved at an upcoming Emergency Services District meeting.

15.A.1. 17-1231 FY 2016-2017 Records Disposition Compliance Statement and Records Management Liaison Officer Form, Emergency Services District

Recommended Action: It is recommended that the Chairman be authorized to sign the Records Management Compliance Statement for Fiscal Year 2016 - 2017 for the Indian River County Emergency Services District

Attachments: [Staff Report](#)
[Department of State Notification Letter](#)
[Compliance Statement](#)

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

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

B. Solid Waste Disposal District

15.B.1. 17-1113 Approval of the Minutes of September 12, 2017

Recommended Action: Approve

Attachments: [SWDD09122017](#)

Approved

15.B.2. 17-1142 Approval of Minutes Final Budget Hearing of September 20, 2017

Recommended Action: Approve

Attachments: [09202017SWDDFinalBudget](#)

Approved

15.B.3. 17-1153 Approval of Minutes Budget Hearing of September 13, 2017

Recommended Action: Approve

Attachments: [09132017SWDDBudget](#)

Approved

15.B.4. 17-1166 Approval of Minutes Meeting of October 03, 2017

Recommended Action: Approve

Attachments: [10032017SWDD](#)

A motion was made by Vice Chairman Solari, seconded by Commissioner Flescher, to approve the Solid Waste Disposal District Minutes of September 12, 2017; the Preliminary Budget Hearing of September 13, 2017; the Final Budget Hearing of September 20, 2017; and the Minutes of October 3, 2017. The motion carried by the following vote:

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

15.B.5. 17-1222 Final Pay to CDM Smith for CCNA 2014 Work Order No. 07 - 2017 Permit Compliance Monitoring and Reporting

Recommended Action: Solid Waste Disposal District staff recommends that its Board approve CDM Smith's final invoice amount of \$3,300.15.

Attachments: [Staff Report](#)

[CDM Smith Project Completion Report and Final Invoice](#)

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

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

15.B.6. 17-1223 Final Pay to CDM Smith for CCNA 2014 Work Order No. 09 - Full Cost Accounting and Financial Assurance Reporting

Recommended Action: Solid Waste Disposal District staff recommends that its Board approve CDM Smith's final invoice amount of \$2,542.50.

Attachments: [Staff Report](#)

[CDM Smith Project Completion Report and Final Invoice](#)

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

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

15.B.7. 17-1232 FY 2016-2017 Records Disposition Compliance Statement and Records Management Liaison Officer Form, Solid Waste Disposal District

Recommended Action: It is recommended that the Chairman be authorized to sign the Records Management Compliance Statement for Fiscal Year 2016 - 2017 for the Indian River County Solid Waste Disposal District

Attachments: [Staff Report](#)

[Department of State Notification Letter](#)

[Compliance Statement](#)

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

following vote:

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

C. Environmental Control Board

16. ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 11:35 a.m.