



**BOARD OF COUNTY
COMMISSIONERS
INDIAN RIVER COUNTY FLORIDA
COMMISSION AGENDA**

TUESDAY, NOVEMBER 22, 2016 - 9:00 AM

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

COUNTY COMMISSIONERS

**Bob Solari, Chairman, District 5
Joseph E. Flescher, Vice Chairman District 2
Susan Adams, District 1
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

2. INVOCATION

Deputy Teddy Floyd, Indian River County Sheriff's Office

3. PLEDGE OF ALLEGIANCE

Dylan Reingold, County Attorney

OATH OF OFFICE BOARD OF COUNTY COMMISSIONERS

The Honorable Robert L. Pegg, Circuit Judge, Nineteenth Judicial Circuit Court of Florida

ELECTION OF BOARD OF COUNTY COMMISSION CHAIRMAN

ELECTION OF BOARD OF COUNTY COMMISSION VICE-CHAIRMAN

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

5. PROCLAMATIONS and PRESENTATIONS

6. APPROVAL OF MINUTES

6.A Regular Meeting of October 4, 2016

Approve

Attachments: [10042016BCC](#)

6.B Regular Meeting of October 11, 2016.

Approve

Attachments: [10112016BCC](#)

6.C Regular Meeting of October 18, 2016

Approve

Attachments: [MeetingMinutes 10182016](#)

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

7.A Public Design Workshop: Gifford Road Landfill Site Redevelopment Plan, Saturday, December 10, 2016, 9:30 a.m. to 3:00 p.m., Gifford Community Center, 4855 43rd Avenue. Informational only. No Action Required.

Attachments: [Gifford Redevelopment Workshop Flyer](#)

8. CONSENT AGENDA

8.A Approval of Checks and Electronic Payments November 4, 2016 to November 10, 2016

Approve the attached list of checks and electronic payments issued by the Comptroller's office for the time period of November 4, 2016 to November 10, 2016

Attachments: [Approval of Checks](#)

8.B Dori Slosberg Driver Education Safety Act, Indian River County Traffic Education Program Trust Fund Report, Cumulative Reporting through 09/30/16

Staff recommends that the Board of County Commissioners accept the attached report

Attachments: [Dori Slosberg](#)

8.C 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

Adopt the attached 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 November 22, 2016 through December 31, 2017.

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

- 8.D** 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
Adopt the attached 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 November 22, 2016 through December 31, 2017.

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

- 8.E** Annual Resolution re Signatories
Adopt the attached resolution and authorize the newly selected Chairman as well as the Clerk to sign the attached 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 \(2\)](#)

- 8.F** Approval to Reclassify Certain Positions to Non-Exempt and to Increase the Salary of Individuals in Exempt Positions to the New Minimum Effective November 25, 2016 due to a Change in the FLSA White Collar Exemption which Becomes Effective December 1, 2016.

Staff recommends that the Board approve the reclassification of certain positions to non-exempt, authorize the payment of overtime for hours worked during the hurricane consistent with other non-exempt positions, and approve the increase in salary of individuals in exempt positions to the new minimum effective November 25, 2016 due to a change in the Fair Labor Standards Act white collar exemption which becomes effective December 1, 2016.

Attachments: [FLSA Change in Salary Level of Exempt Positions \(003\)](#)

- 8.G** Approval to Provide Lump Sum Bonus to Exempt Employees Who Worked Additional Hours Related to Hurricane Matthew
Staff recommends that the Board approve to provide a lump sum bonus ranging from \$200 to \$800 to exempt employees who worked additional hours related to Hurricane Matthew.

Attachments: [Hurricane Pay for Exempt Employees](#)

- 8.H** Approval to Renew the Agreement with Gehring Group dated May 11, 2010 to Provide Agent of Record Services Relating to Employee Benefits for One Additional One-Year

Term

Staff recommends that the Board approve the renewal to the agreement with Gehring Group dated May 11, 2010 for one additional one-year term through May 10, 2017.

Attachments: [Renewal Gehring Group - 1 yr through 5.11.17](#)
 [Gehring Group Agreement 5.2010](#)
 [2016 Renewal to Agreement](#)

8.I Miscellaneous Budget Amendment 001

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

8.J Declaration of Excess Equipment as Surplus for Sale or Disposal

Staff recommends the Board declare the items on the attached Excess Equipment List as surplus and authorize their sale and/or disposal as indicated.

Attachments: [Staff Report](#)
 [Excess Equipment List Dated November 15, 2016](#)

8.K DiVosta Homes, LP's Request for Final Plat Approval for The Lakes at Waterway Village 2A-2 PD [PD-11-09-02 / 2004010124-77526]

Based on the above analysis, staff recommends that the Board of County Commissioners grant final plat approval for The Lakes at Waterway Village 2A-2 PD

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

8.L Amendment No. 1 to 12th Street Watermain Design Contract with MBV Engineering, Inc.

Staff recommends approval of the attached Amendment No. 1 to Work Order No. 2 authorizing the professional services, and requests the Board authorize the Chairman to execute Amendment No. 1 to Work Order No. 2 for a lump sum amount of \$11,500.00 to MBV Engineering, Inc.

Attachments: [Staff Report](#)
 [Amendment 1 Work Order 2](#)

8.M Approval of Renewal of the 800 MHz Communications System Infrastructure Maintenance Contract with Communications International

Staff recommends the Board to approve the 800 MHz Communications System Master Service Agreement with Communications International Inc.

Attachments: [Staff Report-800 MHz](#)
[Master Agreement \(CI-10-146\)](#)
[Cost Summary for Oct 2016-Sept 2017](#)
[CPI Letter](#)
[Sole Source Letter](#)

8.N Florida Fish & Wildlife Conservation Commission Gopher Tortoise Habitat Management Funding Assistance

Staff respectfully recommends the Board to authorize staff to provide FWC a letter of agreement for receiving gopher tortoises from Incidental Take Permitted sites and further authorize the necessary budget amendment for reimbursable expenses as provided in the FWC purchase order.

Attachments: [Staff Report](#)
[FWC Terms and Conditions \(rev.10-10-16\)](#)
[Sample Agreement Letter](#)

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

B. PUBLIC DISCUSSION ITEMS

C. PUBLIC NOTICE ITEMS

- 10. Notice of Scheduled Public Hearing for December 6, 2016:** County Initiated Request
C.1 to Amend the 5 Year Capital Improvements Program and Supporting Data and Analysis of the Capital Improvements Element of the Comprehensive Plan. **[Legislative]**

The above referenced public hearing item is provided for the Board's information. No action is needed at this time.

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 Quarterly Budget Report

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No Action Required

Attachments: [Staff Report](#)
 [Quarterly Budget Report](#)

F. Public Works

G. Utilities Services

13. COUNTY ATTORNEY MATTERS

13. Tourist Development Council Vacancy Appointment

A

The County Attorney recommends that the Board review the applicants' résumés/applications, and determine whether to appoint one of the applicants to fill the unexpired term for the representative "who is involved in the tourist industry and is interested in tourist development" to the Tourist Development Council.

Attachments: [Staff Report](#)
 [TDC Vacancy - Applications](#)

13.B Indian River County Committees - Member Reappointments

The County Attorney recommends that the Board consider the attached list of committee members requesting reappointment, and reappoint such members as the Board deems appropriate.

Attachments: [Staff Report](#)
 161115 Reappointments- Committees
 [161115 Vacancy Information](#)

13. Termination of the License Agreement for Jones Pier

C

Staff recommends that the Board authorize the Chairman to sign the attached Termination of License Agreement between Indian River County and Sgt. Fojtik.

Attachments: [Staff Report](#)
 [Termination of License Agreement](#)

13. Request for Tenth Lease Amendment with St. Francis Manor

D

Staff recommends the Board of County Commissioners approve the Tenth Amendment and Modification to Ninety-Nine Year Lease with the accompanying resolution and authorize the Chairman to execute the two documents on behalf of the Board.

Attachments: [Staff Report](#)
[Tenth Amendment to Lease](#)
[Resolution](#)

13.E Fellsmere Water Control District Interlocal Agreement for Maintaining Unpaved Roads
County staff is at an impasse with the FWCD staff and recommends that the Board provide guidance as to how to proceed in discussions with FWCD.

Attachments: [Staff Report](#)
[Proposed Third Amendment](#)
[Revised Third Amendment](#)

14. COMMISSIONERS MATTERS

- A. Commissioner Bob Solari**
- B. Commissioner Joseph Flescher**
- C. Commissioner Susan Adams**
- D. Commissioner Peter D. O’Bryan**
- E. Commissioner Tim Zorc**

14.E Indian River Lagoon Council
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Discussion Item

Attachments: [Indian River Lagoon Council Revisit](#)

15. SPECIAL DISTRICTS AND BOARDS

- A. Emergency Services District**
- B. Solid Waste Disposal District**

15.B Approval of Minutes Meeting of September 13, 2016
.1
Approve

15.B Approval of Minutes Meeting of September 20, 2016
.2
Approve

15.B Approval of Minutes Meeting of October 4, 2016
.3
Approve

15.B Approval of Minutes Meeting of October 18, 2016

.4

Approve

15.B Final Eighth Amendment to Feedstock Supply Agreement

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Staff recommends that the Board ratify and approve the attached Final Eighth Amendment and authorize the chairman to execute the Eighth Amendment.

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

C. Environmental Control Board

16. ADJOURNMENT

Except for those matters specifically exempted under the State Statute and Local Ordinance, the Board shall provide an opportunity for public comment prior to the undertaking by the Board of any action on the agenda, including those matters on the Consent Agenda. Public comment shall also be heard on any proposition which the Board is to take action which was either not on the Board agenda or distributed to the public prior to the commencement of the meeting.

Anyone who may wish to appeal any decision which may be made at this meeting will need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal will be based.

Anyone who needs a special accommodation for this meeting may contact the County’s Americans with Disabilities Act (ADA) Coordinator at (772) 226-1223 at least 48 hours in advance of meeting.

Anyone who needs special accommodation with a hearing aid for this meeting may contact the Board of County Commission Office at 772-226-1490 at least 20 hours in advance of the meeting.

The full agenda is available on line at the Indian River County Website at www.ircgov.com The full agenda is also available for review in the Board of County Commission Office, the Indian River County Main Library, and the North County Library.

***Commission Meeting may be broadcast live by Comcast Cable Channel 27
Rebroadcasts continuously with the following proposed schedule:
Tuesday at 6:00 p.m. until Wednesday at 6:00 a.m.,
Wednesday at 9:00 a.m. until 5:00 p.m.,
Thursday at 1:00 p.m. through Friday Morning,
and Saturday at 12:00 Noon to 5:00 p.m.***