



Indian River County Florida

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

Meeting Minutes 3 - Final

Board of County Commissioners

Bob Solari, Chairman, District 5
Susan Adams, Vice Chairman, District 1
Joseph E. Flescher, District 2
Peter D. O'Bryan, District 4
Tim Zorc, District 3

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

Tuesday, April 16, 2019

9:00 AM

Commission Chambers

1. CALL TO ORDER

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

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

2.B. INVOCATION

Pastor Kyle Bailey, Freedom Church

3. PLEDGE OF ALLEGIANCE

Commissioner Joseph E. Flescher

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

Emergency Addition: Item 5.E. Presentation on Hepatitis A by Miranda Hawker, Health Officer, Indian River County Health Department

Emergency Addition: Item 13.C. Legislative Update by County Attorney Dylan Reingold

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

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

5. PROCLAMATIONS and PRESENTATIONS

- 5.A. [19-0229](#) Presentation of Proclamation Recognizing the Month of April, 2019, As Guardian Ad Litem Month

Attachments: [Proclamation](#)

Commissioner Zorc read and presented the Proclamation to Wendy Rodriguez, Child Advocate Manager Supervisor, Guardian ad Litem. Ms. Rodriguez discussed the goals and objectives of the Guardian ad Litem program, and provided information about volunteering.

Clerk of the Circuit Court and Comptroller Jeffrey Smith praised the program, and announced that citizens have the option to donate their jury duty fees to the Guardian ad Litem program.

Read and Presented

- 5.B. [19-0317](#) Presentation of Proclamation Designating the 2nd Day of April, 2019, As National Service Recognition Day

Attachments: [Proclamation](#)

Commissioner Flescher read and presented the Proclamation to Jenna Taylor, Program Director, Indian River County AmeriCorps Program, who explained that the program works through Big Brothers Big Sisters and that members work with students and families on literacy skills.

Read and Presented

- 5.C. [19-0327](#) Presentation of Proclamation Recognizing National Public Safety Telecommunications Week

Attachments: [Proclamation](#)

Vice Chairman Adams read and presented the Proclamation to Sheriff Deryl Loar, Lieutenant Mark Buffington, Major Eric Flowers, and a representative group of public safety dispatchers. Sheriff Loar acknowledged Public Safety Dispatcher Lou Owens on her long-time service, and congratulated Team Leader Sandy Fox on her imminent retirement. Ms. Fox requested Board support for the reclassification of public safety dispatchers in the Standard Occupational Classification system from Secretarial Administrative to Special Risk.

Read and Presented

- 5.D. [19-0330](#) Presentation of Proclamation Recognizing the Week of April 22-28, 2019 as Tobacco Free Florida Week

Attachments: [Proclamation](#)

Commissioner O'Bryan read and presented the Proclamation to Leslie Spurlock, who discussed the rapid rise of vaping among young people. Ms. Spurlock thanked the Board for supporting tobacco-free zones in the County's parks and recreation areas.

A brief discussion ensued regarding the e-cigarette brand "JUUL", which has become a popular vaping device among youth.

Marie Wygonik Blanchard, Florida Department of Health, provided an overview of the harmful impacts of vaping, as well as usage statistics.

A student representative from Students Working Against Tobacco (SWAT), read a prepared statement about the dangers of e-cigarettes for young people.

Read and Presented

- 5.E. Emergency Addition: Presentation on Hepatitis A by Miranda Hawker, Health Officer, Indian River County Department of Health

(Clerk's Note: This item was heard before Item 5.A. and is placed here for continuity).

Miranda Hawker, Health Officer, Department of Health, Indian River County, announced that although there are currently no cases of Hepatitis A in Indian River County, there has been an upsurge in cases in Florida and nationally. She used a PowerPoint Presentation to describe the illness and to outline risk factors. She stressed that the Health Department's focus is on prevention and described the educational outreach program that the Health Department has undertaken.

A discussion ensued about several fatalities from Hepatitis A in Martin County, and the difficulty of tracing the source of the virus. Ms. Hawker gave information on vaccinations and an educational event which will be held at the County's Emergency Operations Center on April 29, 2019.

Presented

6. APPROVAL OF MINUTES

- 6.A. [19-0306](#) Regular Meeting of March 05, 2019

Attachments: [03052019BCC_Draft](#)

Approved

- 6.B. [19-0305](#) Regular Meeting of March 12, 2019

Attachments: [03122019BCC_Draft](#)

A motion was made by Commissioner Flescher, seconded by Vice Chairman Adams, to approve the Regular Meeting Minutes of March 5, 2019 and March 12, 2019. The motion carried by the following vote:

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

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

- 7.A. [19-0322](#) Employment Report for February 2019

Attachments: [Commissioner's Memorandum](#)
[Employment Report for Feb 2019](#)

No Action Taken or Required

- 7.B. [19-0323](#) Hiring Informational Session for U.S. Census Bureau Positions

Attachments: [Commissioner's Memorandum](#)
[Hiring Event CareerSourceRC for US Census Bureau](#)

No Action Taken or Required

- 7.C. [19-0332](#) S&P Global Ratings raises Indian River County, FL Spring Training Facility Revenue Bonds, Series 2001 rating

Attachments: [Staff Report](#)
[S&P Press Release](#)

No Action Taken or Required

- 7.D. [19-0335](#) Hurricane Frances Closeout

Attachments: [Staff Report](#)
[DR-1545 Hurricane Frances Closeout Notification](#)

No Action Taken or Required

- 7.E. [19-0336](#) Proof of Loss Statements Hurricane Irma

Attachments: [Staff Report](#)
[Sworn Statement in Proof of Loss](#)
[Statement of Loss Worksheet](#)
[Scheduled Locations Summary Report](#)
[Miscellaneous Unnamed Locations Report](#)
[Property in the Open Report](#)

No Action Taken or Required

8. CONSENT AGENDA

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

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

- 8.A. [19-0319](#) Checks and Electronic Payments March 29, 2019 to April 4, 2019

Attachments: [Finance Department Staff Report](#)

Approved

- 8.B. [19-0318](#) Dori Slosberg Driver Education Safety Act - Indian River County Traffic Education Program Trust Fund Report - Cumulative Reporting Through 03/31/19

Attachments: [Finance Department Staff Report](#)

Accepted

- 8.C. [19-0315](#) Indian River County Grant Contract Subrecipient Awards

Attachments: [Finance Department Staff Report](#)

Approved staff's recommendation

8.D. [19-0314](#) Award of Bid 2019038 - Jones' Pier Saltmarsh Wetland Planting

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

Approved staff's recommendation

8.E. [19-0324](#) One Month Renewal of Lease for North County Offices

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

Approved staff's recommendation

8.F. [19-0326](#) Ranking of Firms and Authorization to Negotiate - RFQ 2019040 for CEI Services for IRC-0853 - 43rd Avenue (18th Street to 26th Street)

Attachments: [Staff Report](#)

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

1. Consor Engineers, LLC; 2. AECOM Technical Services, Inc.; 3. Atkins North America, Inc.; and 4. Keith and Schnars, P.A.

8.G. [19-0329](#) Ranking of Firms and Award of RFP 2019028 for Sebastian Harbor Preserve Boardwalk Design and Construction

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

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

1. Summerlin's Marine Construction; 2. Indian River Docks, LLC; 3. Underwater Engineering Services, Inc. (UESI); 4. Don Facciobene, Inc. Bridge Division (DFI); and 5. Boromei Construction.

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

- 9.A.** [19-0331](#) Indian River County Clerk of the Circuit Court and Comptroller, Jeffrey R. Smith: Presentation of the Comprehensive Annual Financial Report (CAFR) and Popular Annual Financial Report (PAFR)

Clerk of Circuit Court and Comptroller Jeffrey Smith announced that the Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2017-2018 has been completed, noting that the auditors had no comments for the Board or Constitutional Officers, and that the document may be accessed on the County's website. He confirmed that the report has been submitted to The Government Finance Officers Association (GFOA) for their consideration in granting the County its 35th consecutive Excellence in Governmental Reporting Award. Mr. Smith also presented a detailed review of the Popular Annual Financial Report (PAFR), which contains an accessible summary of information from the CAFR. Mr. Smith thanked Finance Director Elissa Nagy, Senior Accountant Raeanne Cone, Staff Accountant Michele King for their work on the reports, and the Clerk's Human Resources Manager Laura McIver for designing the PAFR.

No Action Taken or Required

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

- 10.A.1 [19-0302](#) Consideration of the disposition of County owned surplus properties for affordable housing (Administrative)

Attachments: [Staff Report](#)
[Section 125.379 & 420.0004 of the Florida Statutes](#)
[List of Proposed Surplus Properties & Aerials](#)
[Resolution affordable housing surplus land 2019](#)

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

Community Development Director Stan Boling used a PowerPoint Presentation to provide background on House Bill 1363, which requires each County to review an inventory list of County-owned real property that would be appropriate for use as affordable housing. He spoke about the former disposition of County-owned surplus properties, and disclosed that currently, there are eight (8) parcels that could be surplus. Director Boling disclosed that recently, Every Dream Has A Price, Inc., (EDHAP) has expressed an interest in three (3) lots that are on the surplus list, and that staff has updated its recommendation to advise the Board to continue this public hearing to June 4, 2019. This will give staff time to coordinate with EDHAP and other interested non-profit organizations to determine which lot(s) are desired by which organization.

A discussion ensued with the Board seeking additional information on whether there were any liens on the subject properties; the possibility of developing a pocket park on one of the properties; and offering the surplus properties to non-profit organizations prior to auctioning them off.

Director Boling, in response to the Board's question, advised that there were no liens on the surplus properties, and the Board has the discretion to remove any property off of the surplus list.

The Chairman opened the Public Hearing.

Jerry Flick, The Housing League, advised the Board that more lots are needed for affordable housing.

Joseph Paladin, 6450 Tropical Way, spoke on small lot zoning and the concept of inclusionary housing.

Jens Tripson, 2525 14th Street, representing Every Dream has A Price, thanked the Board for giving non-profit agencies the opportunity to work with

staff towards acquiring property for affordable housing.

Sheryl Vittitoe, Indian River Habitat for Humanity, also thanked the Board for the opportunity to consider the list of surplus properties for affordable housing.

Louise Hubbard, Executive Director, Treasure Coast Homeless Services Council, spoke on the need for affordable rental housing.

Commissioner Zorc requested that staff look into an impact fee credit that was associated with Parcel 292; Director Boling affirmed that staff would do so.

There were no additional speakers, and the Chairman closed the Public Hearing.

A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, to: (1) continue the public hearing to June 4, 2019, to allow time for staff to coordinate with all interested non-profit housing organizations to determine which lot(s) are desired by which organization; (2) develop recommended selection criteria; (3) draft a standard agreement between the Board and a non-profit housing organization regarding long-term affordability obligations; and (4) draft up-to-date language for a deed restriction document. At the June 4th meeting, the Board will determine final disposition of all eight (8) lots and adopt a resolution to implement its decision. The motion carried by the following vote:

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

The Chairman called a recess at 10:36 a.m. and reconvened the meeting at 10:45 a.m., with all members present.

B. PUBLIC DISCUSSION ITEMS

- 10.B.1** [19-0309](#) Request to Speak from Jerry Flick, President, The Housing League, Inc.
Regarding CRA and CDBG Requesting the Commission establish a CRA

Attachments: [Request to Speak Form](#)

Jerry Flick, President of The Housing League, Inc., addressed the Board about the difficulty of building affordable housing in the County due to the cost of lots. He reviewed the information contained in his report (on file) detailing the various projects/improvements that the Community Reinvestment Act (CRA) could be used for, and requested that the Board form a committee to explore the possibility of utilizing the CRA with respect to affordable housing and/or various County improvement projects.

No Action Taken or Required

C. PUBLIC NOTICE ITEMS

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

F. Public Works

G. Utilities Services

13. COUNTY ATTORNEY MATTERS

- 13.A. [19-0340](#) Acquisition of Right-Of-Way for Phase II of 66th Avenue Improvements Central Groves Corp. - 66th Avenue and 61st Street

Attachments: [Staff Report](#)
[Agreement to Purchase and Sell Real Estate](#)
[Exhibit "A" Aerial Photo](#)
[Exhibit "B" row sketch and legal](#)
[Exhibit "C" pond sites sketch and legal](#)

Deputy County Attorney Bill DeBraul provided background and analysis on the proposed right-of-way purchase for the 66th Avenue Phase II Project. The property is owned by Central Groves Corporation, and is located at 6620 61st Street. Attorney DeBraul reported that the total purchase price for 13.78 acres of right-of-way and pond sites would be \$585,650.

Discussion ensued between individual Commissioners and staff about the escalating costs of right-of-way, the economic advantages of purchasing property in lieu of filing a lawsuit, and the possibility of culverting large canals for road projects. Staff was asked to bring back some figures on culverting costs.

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

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

- 13.B. [19-0343](#) Acquisition of Right-Of-Way for Phase III of 66th Avenue Improvements from Audestine and Jackye Hudson - 66th Avenue and 73rd Street

Attachments: [Staff Report](#)

[Exhibit "A" Aerial Photo](#)

[Exhibit "B" sketch and legal for row](#)

Deputy County Attorney Bill DeBraul provided background and analysis on the proposed purchase of a 4.54-acre parcel south of 73rd Street, owned and operated as a grove by Audestine and Jackye Hudson. He noted that an update has been made to staff's original recommendation, because Mr. Hudson wishes to retain a Ford tractor and golf cart that was originally part of the proposed purchase. After outlining the fees and costs associated with the purchase, Attorney DeBraul announced that the total acquisition price would be \$272,800 for the entire parcel, and asked the Board to approve the sale.

A brief discussion ensued with input from staff about the ownership of surrounding parcels, and the challenges and costs of the eminent domain process.

A motion was made by Vice Chairman Adams, seconded by Chairman Solari, to: (1) approve the agreement to purchase the 4.54-acre Hudson property with the equipment outlined in staff's report, excluding the Ford tractor and golf cart, for \$221,800 and to approve the global settlement of attorney's fees and expert costs of \$51,000, for a total purchase cost of \$272,800; and (2) authorize the Chairman to execute a more formal purchase and sale agreement when drafted and approved by the parties on behalf of the Board. The motion carried by the following vote:

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

- 13.C. Emergency Addition: Legislative Update by County Attorney Dylan Reingold

County Attorney Dylan Reingold presented a brief Legislative Update. He also thanked outgoing Assistant County Attorney Kate Pingolt-Cotner for her service to the County and congratulated her on her new position with Florida Power & Light (FPL).

Individual Commissioners praised Attorney Cotner on her accomplishments during her five (5) years with the County.

No Action Taken or Required

14. COMMISSIONERS MATTERS

A. Commissioner Bob Solari, Chairman

- B. Commissioner Susan Adams, Vice Chairman
- C. Commissioner Joseph E. Flescher
- D. Commissioner Peter D. O'Bryan
- E. Commissioner Tim Zorc

15. SPECIAL DISTRICTS AND BOARDS

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

The Board of County Commissioners reconvened as the Board of Commissioners of the Solid Waste Disposal District. The minutes will be approved at an upcoming Solid Waste Disposal District meeting.

- 15.B.1 [19-0328](#) Final Pay to Geosyntec for Work Order No. 1 - One Year of Groundwater Monitoring/Reporting and Related Consulting Services at the Former South Gifford Road Landfill

Attachments: [Staff Report](#)
[Geosyntec Project Completion Report and Final Invoice](#)

No discussion was held on this item.

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

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

- C. Environmental Control Board

16. ADJOURNMENT

There being no further business, the Chairman adjourned the meeting at 11:29 a.m.