



# Indian River County Florida

## Meeting Minutes 4 - Draft

### Board of County Commissioners

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

*Chairman Susan Adams*

*Vice Chairman Joseph E. Flescher*

*Commissioner Tim Zorc*

*Commissioner Peter D. O'Bryan*

*Commissioner Bob Solari*

Jason E. Brown, County Administrator

Dylan Reingold, County Attorney

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

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Tuesday, July 7, 2020

9:00 AM

Commission Chambers

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**This meeting can be attended virtually by accessing YouTube Live. Instructions can be found included with this agenda and also online at [www.ircgov.com](http://www.ircgov.com).**

#### 1. CALL TO ORDER

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

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

#### 2.B. INVOCATION

**Dr. Wayne Smith, Headmaster at Master's Academy Vero Beach**

#### 3. PLEDGE OF ALLEGIANCE

**Commissioner Peter D. O'Bryan**

#### 4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

Tabled: Item 14.E.1. Discussion of the Graves Ballfields property

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

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

#### 5. PROCLAMATIONS and PRESENTATIONS

#### 6. APPROVAL OF MINUTES

A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Flescher, to approve the Special Call Meeting Minutes of February 25, 2020, the Regular Meeting Minutes of April 21, 2020, May 05, 2020, May 12, 2020, and the Special Call Meeting Minutes of June 4, 2020. The motion carried by the following vote:

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

**6.A.** Special Call Meeting of February 25, 2020

**Approved**

**6.B.** Regular Meeting of April 21, 2020

**Approved**

**6.C.** Regular Meeting of May 05, 2020

**Approved**

**6.D.** Regular Meeting of May 12, 2020

**Approved**

**6.E.** Special Call Meeting of June 4, 2020

**Approved**

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

**7.A.** PAA Order PSC-2020-0212-PAA-EQ approving FLP's standard offer contract and rate schedule QS-2; if no protest, order to become final and effective on issuance of a CO; if order becomes final, docket to be closed; protest due 7/17/20, is on file in the Office of Clerk to the Board.

**No Action Taken or Required**

**7.B.** Residential Paper Shredding Event on July 18, 2020

Sue Flak, Recycling Education and Marketing Coordinator, provided details of the free Residential Shredding Event. Commissioner O'Bryan thanked Waste Management for subsidizing the event.

**No Action Taken or Required**

**7.C.** Notice of Amendment No. 1 - Florida Department of Environmental Protection, Coastal Partnership Initiative for the Jones' Pier Conservation Area Saltmarsh Wetland and Hydric Hammock Restoration - Grant Agreement Number CZ219

**No Action Taken or Required**

7.D. Update on Virgin Trains Expenses

**No Action Taken or Required**

## 8. CONSENT AGENDA

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

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

8.A. Checks and Electronic Payments June 12, 2020 to June 18, 2020

**Approved**

8.B. Checks and Electronic Payments June 19, 2020 to June 25, 2020

**Approved**

8.C. Resolutions Delegating the Authority to the County Administrator or his Designee to Call Letters of Credit and to Act on Behalf of Indian River County During the Time Frames of July 15, 2020 Through and Including August 17, 2020; and August 19, 2020 Through and Including September 14, 2020

**Approved: 1) Resolution 2020-054, delegating authority to the County Administrator or his designee, to execute resolutions calling Letters of Credit as necessary during the period commencing July 15, 2020, through and including August 17, 2020, and further delegating to the County Administrator or his designee, the authority to execute all documents necessary to the proper functioning of the County during the period commencing July 15, 2020, through and including August 17, 2020; and 2) Resolution 2020-055, delegating authority to the County Administrator or his designee, to execute resolutions calling Letters of Credit as necessary during the period commencing August 19, 2020, through and including September 14, 2020, and further delegating to the County Administrator or his designee, the authority to execute all documents necessary to the proper functioning of the County during the period commencing August 19, 2020, through and including September 14, 2020.**

8.D. Dedication and Acceptance of Right-of-Way from Florida Power and Light along 98th Avenue and 16th Street for Improvements

**Approved staff's recommendation**

8.E. Approval of Change Order No. 2 to Work Order No. 2 and Approval of Final Payment of Work Order No. 2 with GK Environmental, Inc. for Osprey Acres Floway and Nature Preserve Landscaping Services

**Approved staff's recommendation**

8.F. 49th Street Milling & Resurfacing, Release of Retainage and Change Order No. 1

(IRC-1414)

**Approved staff's recommendation**

**8.G.** Shadowbrook Subdivision Water Assessment Project - Petition, Surveying, and Engineering Design Services

**Approved staff's recommendation**

**8.H.** Award of Bid 2020045 - Annual Bid for Sanitary Sewer Services

**Approved staff's recommendation**

**8.I.** Citrus Hideaway Subdivision Water Assessment Project, As-Built Resolution IV

**Approved Resolution 2020-056, certifying "as-built" costs in connection with a special assessment project for a water main extension from CR-510 along 75th Court to owners of certain properties, within Citrus Hideaway Subdivision and property abutting 75th Court, located within unincorporated Indian River County, Florida; providing for formal completion date, and date for payment without penalty and interest.**

**8.J.** Work Order No. 34 with Kimley-Horn and Associates for Design, Procurement and Construction Administration to Replace Aging Controls for the Reclaimed Water Pumps with Variable Frequency Drives at South Regional Wastewater Treatment Plant

**Approved staff's recommendation**

**8.K.** Amendment No. 1 to Work Order No. 14 with Kimley Horn for Bulk Acid Tank Replacement at North (Hobart) County Water Treatment Plant

**Approved staff's recommendation**

**8.L.** Ranking of Firms, Award and Approval of Agreement - RFP 2020034 - Sandridge Golf Club Course Maintenance

**Approved staff's recommendation with the final ranking of firms as follows: 1) International Golf Maintenance, Inc. (IGM); 2) ABM Industry Groups, LLC; 3) SSS Down to Earth Opco II LLC; 4) Cypress Golf Management, LLC 5) BrightView Golf Maintenance, Inc.; 6) Landscapes Golf Management, LLC; 7) The Davey Tree Expert Company.**

**8.M.** Ranking of Firms, Award and Approval of Agreement - RFP 2020039 - Indian County Department of Utility Services - 2020 Labor Contract

**Approved staff's recommendation with the final ranking of firms as follows: 1) Blue Goose Construction, LLC; 2) CK Contractors & Development, LLC; 3) Hinterland Group, Inc. 4) Felix Associates of Florida, Inc. 5) Johnson-Davis Inc.; 6) Gulfstream Building Group, Inc.**

**8.N.** Ranking of Firms and Authorization to Negotiate - RFQ 2020031 Professional Roof Design, Evaluation and Construction Oversight for Continuing Services Agreement

Approved staff's recommendation with the final ranking of firms as follows: 1) REI Engineers, Inc.; 2) Jay Ammon Architect, Inc. 3) A/R/C Associates, Inc.; 4) Raymond Engineering - GA Inc.; 5) WJA Consultants, LLC; 6) Gale Associates, Inc.; 7) Jeffrey Igoe Architects.

- 8.O.** Award of Bid# 2020041 - Exterior Painting at Administration Buildings A and B  
**Approved staff's recommendation**

## **9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

- 9.A.** 19th Judicial Circuit Nicole P. Menz, County Judge: Award of the 2020/2021 Alcohol and Other Drug Abuse Treatment Fund And Designation of Indian River County's Problem Solving Courts As A Chosen Program Recipient

County Attorney Dylan Reingold addressed the Board on behalf of 19th Judicial Circuit Court Judge Nicole P. Menz. Attorney Reingold discussed Judge Menz's letter to the Board in which she requested an award of up to \$50,000 to Indian River County's Problem Solving Courts from the 2020/2021 Alcohol and Other Drug Abuse Trust Fund. The Problem Solving Courts, her letter noted, provided substance abuse treatment and testing for participants of the Drug Court, Mental Health Court, and Veterans Treatment Court programs.

Commissioner O'Bryan praised the work done by the Problem Solving Courts programs.

**A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Flescher, to approve the request to designate Indian River County's Problem Solving Courts as a chosen program recipient to receive up to \$50,000 from the Alcohol and Other Drug Abuse Trust Fund for use for substance abuse treatment and testing for the drug court, mental health and veteran treatment court participants in Indian River County who are indigent. The motion carried by the following vote:**

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

## **10. PUBLIC ITEMS**

### **A. PUBLIC HEARINGS**

### **B. PUBLIC DISCUSSION ITEMS**

### **C. PUBLIC NOTICE ITEMS**

- 10.C.1.** Public Notice of Public Hearing Scheduled for July 14, 2020 to Consider an Ordinance to Amend Section 1100.13 (Sunset Date) of Chapter 1100 (Economic Development Ad Valorem Tax Exemption) of the Code of Indian River County - LEGISLATIVE

County Attorney Dylan Reingold read the Public Notice into the record.

**No Action Taken or Required**

## 11. COUNTY ADMINISTRATOR MATTERS

### 11.A. Review of 2020 Florida Legislative Session

Legislative Affairs and Communications Manager Brian Sullivan utilized a PowerPoint presentation as he recounted the 2020 Florida Legislative Session. Local issues addressed at the session included SHIP (State Housing Initiatives Program) funding, which was vetoed, approval of funds for the North Sebastian Septic to Sewer (S2S) project, passage of Senate Bill (SB) 712: Clean Waterways Act, a change to the County's southern boundary with St. Lucie County, and the renaming of the Wabasso Causeway Bridge to the AB Michael Bridge. Also included in the presentation was a roundup of statewide legislation and a projection for the topmost issues at next year's session. He closed by noting the deadline for public policy proposal submittals to the Florida Association of Counties was August 14, 2020.

Discussion among the Commissioners ensued regarding local control of repairs on the S2S project, SB 712's protection of the County's biosolids moratorium, and signage for the newly renamed AB Michael bridge. Staff was then directed to draft additional letters of thanks to St. Lucie County for their assistance on the boundary issue, and to Governor Ron DeSantis for his support of home rule.

**A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Flescher, to approve staff's recommendation, and direct staff to draft letters to St. Lucie County and Florida Governor Ron DeSantis. The motion carried by the following vote:**

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

### 11.B. CARES Act Proposed Spending Plan and Funding Agreement

County Administrator Jason Brown appeared before the Board to present the proposed spending plan for the CARES (Coronavirus Aid, Relief, and Economic Securities) Act funds received from the State. He explained that the County had received \$6.9 million, which represented 25 percent of the \$27.9 million total award; the spending plan only addressed the portion received.

Administrator Brown referred to his memo of June 29, 2020, which provided in-depth details regarding the allocation of funds and compliance requirements. The tentative plan included \$1.9 million to be split among the five (5) Municipalities; \$3.1 million would be divided among agencies which incurred expenses related to the COVID-19 response; and \$2 million would be earmarked for community assistance.

The funds would have to be spent by December 31, 2020, according to the State.

The Board entered into discussion following the presentation. Commissioners O'Bryan and Solari commended the actions of Administrator Brown and staff, and agreed that the Municipalities' sub-grant agreements should include a deadline for submittal of their spending plans. Other considerations included a provision for screening equipment for schools, requirements for wage supplements, partnering with community organizations for funds distribution, and suggestions to build the community's confidence in the County's COVID-19 response.

Chairman Adams thanked the community partners in attendance for their assistance.

**A motion was made by Commissioner Solari, seconded by Vice Chairman Flescher, to approve: 1) staff's recommendation; and 2) a deadline requirement for Municipalities to submit their spending plans to the County. The motion carried by the following vote:**

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

## 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. City of Vero Beach Water, Wastewater and Reclaimed Water Franchise Agreement

County Attorney Dylan Reingold recapped the actions to date regarding the Water, Wastewater and Reclaimed Water Franchise Agreement (Agreement) with the City of Vero Beach (the City). He recounted that the Agreement had expired on March 4,

2017, however the City continued to serve the unincorporated areas of Indian River County at County rates. Negotiations for a new franchise agreement have been ongoing, with the latest draft submitted to the City for consideration on March 5, 2020.

Attorney Reingold informed that negotiations had stalled, and he requested authorization from the Board to attend the next City Council meeting on July 21, 2020, to gauge interest on moving forward with a long-term agreement.

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

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

#### 14. COMMISSIONERS MATTERS

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

**14.E.1.** Discussion of the Graves Ballfields property

**Tabled**

#### 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.*

**A motion was made by Commissioner Solari, seconded by Commissioner Zorc, to approve the Solid Waste Disposal District meeting minutes of March 3, 2020, April 7, 2020, April 21, 2020, and May 5, 2020 as written. The motion carried by the following vote:**

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



**15.B.1.** Approval of Minutes Meeting March 03, 2020

**Approved**

**15.B.2.** Approval of Minutes Meeting April 07, 2020

**Approved**

**15.B.3.** Approval of Minutes Meeting April 21, 2020

**Approved**

**15.B.4.** Approval of Minutes Meeting May 05, 2020

**Approved**

**15.B.5.** CCNA-2018 Amendment No. 1 to Work Order No. 32 to Kimley-Horn for SWDD Household Hazardous Waste and Recycling Facility Design, Permitting and Bidding Services

Himanshu Mehta, Managing Director of the Solid Waste Disposal District (SWDD), appeared before the Board to present the conceptual design for a new Household Hazardous Waste (HHW) and Recycling Facility. His presentation showed photos of the existing facility, and contrasted it with images of Brevard County's newly renovated HHW facility. Director Mehta continued with renderings of the proposed design, as well as cost and timing estimates. He sought the Board's approval of costs related to the next phase of development.

Commissioner O'Bryan received information on maintenance costs for the planned HHW facility.

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

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

**15.B.6.** Solid Waste Disposal Rate Survey

Himanshu Mehta, Managing Director of the Solid Waste Disposal District (SWDD), presented the results of Kessler Consulting, Inc.'s (KCI) Solid Waste Disposal Rate survey. He explained that SWDD received revenue from tipping fees and special assessment fees, and that the rate structure for those fees had not been updated since being established in 1995.

Director Mehta continued his presentation using PowerPoint slides to illustrate the key observations from the KCI survey, which compared tipping fees across similarly-sized counties. He noted that the special assessment fees would be reviewed at a later date. Based on their findings, KCI recommended increases to

the fees for yard waste materials and out-of-county customers. Director Mehta suggested postponing changes to the tipping fees until a full rate evaluation, including special assessment fees, was done. He then requested that the Board direct staff to return with a proposal for a full solid waste rate analysis.

The Commissioners entered into discussion, voicing their concerns on topics including the County's concrete crushing service, concerns over yard waste dumping and its possible environmental effect, and discussion of a volume-based rate structure to differentiate between homeowners and commercial users.

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

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

### **C. Environmental Control Board**

## **16. ADJOURNMENT**

There being no further business, the Chairman adjourned the meeting at 10:18 a.m.