



**BOARD OF COUNTY
COMMISSIONERS
INDIAN RIVER COUNTY FLORIDA
COMMISSION AGENDA
TUESDAY, DECEMBER 7, 2021 - 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

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

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

- 1. CALL TO ORDER**
- 2.A. A MOMENT OF SILENT REFLECTION FOR FIRST RESPONDERS AND MEMBERS OF THE ARMED FORCES**
- 2.B. INVOCATION**

Stan Boling, Gracespring Covenant Church
- 3. PLEDGE OF ALLEGIANCE**

Commissioner Peter D. O'Bryan, Chairman
- 4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS**
- 5. PROCLAMATIONS and PRESENTATIONS**
- 6. APPROVAL OF MINUTES**
 - 6.A.** Regular Meeting of September 14, 2021
Attachments: [09142021BCC_Draft](#)
 - 6.B.** Regular Meeting of September 21, 2021
Attachments: [09212021BCC_Draft](#)
- 7. INFORMATION ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION**

7.A. Florida Public Service Commission Final Order PSC-2021-0442-FOF-EI approving expenditures and true-up amounts for fuel adjustment factors; GPIF targets, ranges, and rewards; and projected expenditures and true-up amounts for capacity cost recovery factors; docket to remain open, a copy is on file in the Clerk to the Board Office.

7.B. Municipalities Committee Assignments for 2022

Attachments: [Staff Report](#)

[COVB Committee Appointments 2021-2022](#)

[Town of Orchid Committee Appointments 2022](#)

[Sebastian Council Organization - Committee Appointments](#)

[City of Fellsmere Committee Appointments 2021-2022](#)

8. CONSENT AGENDA

8.A. Checks and Electronic Payments October 22, 2021 to October 28, 2021

Attachments: [Finance Department Staff Report](#)

8.B. Checks and Electronic Payments October 29, 2021 to November 4, 2021

Attachments: [Finance Department Staff Report](#)

8.C. Checks and Electronic Payments November 5, 2021 to November 11, 2021

Attachments: [Finance Department Staff Report](#)

8.D. Checks and Electronic Payments November 12, 2021 to November 18, 2021

Attachments: [Finance Department Staff Report](#)

8.E. Checks and Electronic Payments November 19, 2021 to November 25, 2021

Attachments: [Finance Department Staff Report](#)

8.F. FY 2020-2021 Records Management Compliance Statements

Attachments: [Memo](#)

[BOCC Compliance Statement](#)

[SWDD Compliance Statement](#)

[EMS Compliance Statement](#)

8.G. Oyster Bar Marsh Conservation Area Public Use Improvements - Amendment Number 1 to Work Order Number 5 Continued Construction Administration Services - Coastal Waterways Design & Engineering, LLC

Attachments: [Staff Report](#)

[Amendment 1 to Work Order No 5](#)

[Scope of Work - Exh A](#)

[Rate Schedule - Exh B](#)

- 8.H.** Final Pay to Summerlin's Marine Construction, Inc. for Oslo Riverfront Conservation Area
Attachments: [Staff Report](#)
[Invoice](#)
[Change Order ORCA Overlook 11-23-21](#)
- 8.I.** 2021/22 FIND Waterways Assistance Program Grant Award for the Environmental Learning Center Main Dock
Attachments: [Staff Report](#)
[FIND Project Agreement](#)
- 8.J.** 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
Attachments: [Staff Report](#)
[Resolution - Delegation of Authority](#)
- 8.K.** 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
Attachments: [Staff Report](#)
[RESO delegating authority](#)
- 8.L.** Annual Resolution re Signatories
Attachments: [Staff Report](#)
[2021 RESO annual signatories](#)
[Certificate For Facsimile Signature - Chairman O'Bryan](#)
[Certificate For Facsimile Signature - Clerk JSmith](#)
- 8.M.** Indian River County - St. Lucie County Interlocal Agreement for Pre-Trial Services
Attachments: [Staff Report](#)
[Pretrial Services with Indian River County 2021](#)
[Pretrial Proposal June 2021 corrected](#)
- 8.N.** Approval of Renewal of a Class "B" Certificate of Public Convenience and Necessity from MCT Express, Inc. DBA United Medical Transportation
Attachments: [Staff Report](#)
[COPCN Renewal Application- MCT Express Inc.](#)

- 8.O.** Consideration of the Affordable Housing Advisory Committee (AHAC) 2021 Incentives Review and Recommendation Report
Attachments: [Staff Report](#)
[2021 AHAC Report](#)
[Resolution Approving the 2021 AHAC Report](#)
- 8.P.** Approval of a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) for a Public Transportation Block Grant
Attachments: [Staff Report](#)
[Resolution](#)
[Grant Agreement](#)
[Budget Form](#)
- 8.Q.** Donation of Excess Lawn Equipment to the Gulf Stream Council of the Boy Scouts of America
Attachments: [Staff Report](#)
[Gulf Stream Council of Boy Scouts of America Request Memo](#)
- 8.R.** Authorization to Provide 60-day Notice of Intent to Terminate Agreement for Custodial Services for County Buildings with High Sources, Inc.
Attachments: [Staff Report](#)
- 8.S.** First Amendment to Agreement with Florida Armature Works, Inc. for As Needed Motor and Pump Repair
Attachments: [Staff Report](#)
[First Amendment to Agreement](#)
- 8.T.** Sole Source Designations
Attachments: [Staff Report](#)
- 8.U.** North County Reverse Osmosis Water Treatment Plant Supervisory Control and Data Acquisition System Upgrades, Kimley-Horn Work Order No. 7
Attachments: [Staff Report](#)
[Work Order No 7 with KHA](#)
- 8.V.** Work Order No. 48 for Kimley-Horn and Associates, Inc., 43rd Avenue & South Relief Canal - 18" Water Main Relocation
Attachments: [Staff Report](#)
[Work Order No 48 Kimley-Horn and Associates](#)

8.W. Work Order No. 17 - Morgan & Eklund, Inc. 2022 Beach Profile Monitoring Surveys (WINTER)

Attachments: [Staff Report](#)

[Morgan and Eklund IRC Winter 2022 WO No. 17](#)

[Work Order No. 17 Agreement Execution](#)

8.X. Work Order No. 18 - Morgan & Eklund, Inc. 2022 Beach Profile Monitoring Surveys (SUMMER)

Attachments: [Staff Report](#)

[Morgan and Eklund IRC Summer 2022 WO No. 18](#)

[Work Order No. 18 Agreement Execution](#)

8.Y. Award of Bid No. 2022001 Sector 5 (IRC-2112) Additional Dune Planting Project

Attachments: [Staff Report](#)

[Sample Agreement](#)

8.Z. Renewal and Amendment No. 1 to Agreement for Continuing Geotechnical Engineering Services RFQ# 2018042, IRC-1812

Attachments: [Staff Report](#)

[Andersen Andre Consulting Engineers, Inc.](#)

[Ardaman & Associates, Inc.](#)

[GFA International, Inc.](#)

[Nutting Engineers of Florida, Inc.](#)

[Tierra South Florida, Inc.](#)

8.AA. Approval of the First Amendment to the Developers Agreement Between Indian River County and Florida Power & Light

Attachments: [Staff Report](#)

[First Amendment to Developer's Agreement](#)

8.AB. Administrative Complex Native Plant Garden Agreement

Attachments: [Staff Report](#)

[IRC Admin Complex Native Plant Garden Agreement](#)

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

- 10.A.1.** Gaddis Properties, LLC's Request for Conceptual Planned Development (PD) Plan and Special Exception Approval for Sebastian Landing [PD-20-11-05 / 2004120183 -87715] - Quasi-Judicial

Attachments: [Staff Report](#)

[Excerpt from Draft Oct. 28, 2021 PZC Minutes](#)

[Location Map](#)

[Aerial](#)

[Conceptual PD Plan](#)

[Conceptual Landscape Plan](#)

- 10.A.2.** Public Hearing Re: Petition to Establish Lakeside at Indian River Community Development District - Legislative

Attachments: [Staff Report Community Development District](#)

[Petition to Establish - Lakeside at Indian River](#)

[DRAFT Ordinance Establishing District](#)

- 10.A.3.** Public Hearing and Discussion of 2021 Redistricting of County Commissioner Districts

Attachments: [Staff Report](#)

[Redistricting Resolution 2021](#)

[IRC Redistricting Proposed Plan1b](#)

[Commission District No 1-Proposal 1B](#)

[Commission District No 2-Proposal 1B](#)

[Commission District No 3-Proposal 1B](#)

[Commission District No 4-Proposal 1B](#)

[Commission District No 5-Proposal 1B](#)

B. PUBLIC DISCUSSION ITEMS

C. PUBLIC NOTICE ITEMS

- 10.C.1.** Public Notice of Public Hearing for December 14, 2021, to Consider an Ordinance Authorizing an Extension of the Temporary Moratorium for an Additional 1 Year with regard to Class B Biosolids

Attachments: [Staff Report](#)

11. COUNTY ADMINISTRATOR MATTERS

12. DEPARTMENTAL MATTERS

A. Community Development

B. Emergency Services

C. General Services

D. Human Resources

E. Information Technology

F. Office of Management and Budget

12.F.1. CARES Act - Spending Plan Revisions

Attachments: [Staff Report](#)

[CARES Act Spending Plan](#)

[City of Fellsmere CARES Act Third Time Extension](#)

[City of Sebastian CARES Act Second Time Extension](#)

G. Public Works

H. Utilities Services

13. COUNTY ATTORNEY MATTERS

13.A. Agriculture Advisory Committee Appointment

Attachments: [Staff Report](#)

[Application - Michael Sexton](#)

13.B. Planning and Zoning Commission Appointment

Attachments: [Staff Report](#)

[Application \(P-Z\) - Shuna Carpenter](#)

[Application \(P-Z\) - Kenneth Chip Landers](#)

[Application \(P-Z\) - Jordan LuLich](#)

[Application - Robert S. MacCallum](#)

[Application \(P-Z\) - Karen Osborne](#)

13.C. Sebastian River Improvement District 82nd Avenue Interlocal Agreement

Attachments: [Staff Report](#)

[SRID 3834001 82nd Avenue BOCC Interlocal AGT \(SRID V7\)](#)

13.D. Environmental Control Hearing Board Committee Appointment

Attachments: [Staff Report](#)

[Letter from Indian River County Medical Society](#)

13.E. Chapter 164 Mediation Update

Attachments: [Staff Report](#)

13.F. Right of Way Ordinance Amendment

Attachments: [Staff Report](#)

[Letter to Jason Brown \(Appeal\)](#)

[Response to Appeal Letter](#)

- 13.G.** Unconditional Offer for a Parcel of Right-Of-Way Located at 7950 66th Avenue, Vero Beach, FL 32967 - Parcel 128 - Owned by Leonard Ganbin III and Kelly L. Jackson

Attachments: [Staff Report](#)
[Sketch and Legal Descriptions](#)
[Aerial](#)

14. COMMISSIONERS MATTERS

- A. Commissioner Peter D. O'Bryan, Chairman**
- B. Commissioner Joseph H. Earman, Vice Chairman**
- C. Commissioner Susan Adams**
- D. Commissioner Joseph E. Flescher**
- E. Commissioner Laura Moss**

15. SPECIAL DISTRICTS AND BOARDS

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

- 15.B.1.** Approval of Meeting Minutes September 21, 2021

Attachments: [09212021SWDD Draft](#)

- 15.B.2.** Consent to Assignment of Landfill Gas Agreement with Nopetro Eco District, LLC

Attachments: [Staff Report](#)

[Consent to Assignment of the Landfill Gas Agreement](#)

- 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 Meetings are broadcast live on 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.