Indian River County Florida

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



Meeting Minutes - Final

Tuesday, April 17, 2018 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

1. CALL TO ORDER

2. ROLLCALL

Present: 4 - Chairman Peter O'Bryan

Commissioner Susan Adams Commissioner Joseph Flescher Commissioner Tim Zorc

Absent: 1 - Vice Chairman Bob Solari

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

2.B. INVOCATION

Pastor Shelly Satran, Our Savior Luthern Church

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 Commissioner Adams, to approve the Agenda, as presented. The motion carried by the following vote:

Aye: 4 - Chairman O'Bryan, Commissioner Adams, Commissioner Flescher, and

Commissioner Zorc

Absent: 1 - Vice Chairman Solari

5. PROCLAMATIONS and PRESENTATIONS

5.A. 18-1687

Attachments: Proclamation

Chairman O'Bryan read and presented the Proclamation to Emergency Services
Director and Fire Chief John William King. Each member of the Board, County
Attorney Dylan Reingold and County Administrator Jason Brown congratulated Chief
King and thanked him for his 42 years of dedication to Indian River County.

Read and Presented

5.B. 18-1701 Presentation of Proclamation Designating the Month of April, as Volunteer

Appreciation Month

Recommended Action: Read and Presented.

Attachments: Proclamation

Commissioner Adams read and presented the Proclamation to Sheriff Deryl Loar and Volunteer Coordinator Jera Payton Torres, who were joined by a large group of volunteers in attendance.

Read and Presented

5.C. 18-1702 Presentation of Proclamation Designating April 29th Through May 5, 2018, as Small

Business Week in Indian River County

Recommended Action: Read and Presented.

Attachments: Proclamation

Chairman O'Bryan read and presented the Proclamation to Helene Casteltine, Economic Development Director, Indian River County Chamber of Commerce, who was joined by Andy Beindorf, President, National Bank of Commerce; Jim Funk, Vice President of Operations, Piper Aircraft; Brian Bauer, President, CareerSource Research Coast; and Kim Brady, Sales and Marketing Specialist, EmbroidMe/Fully Promoted Vero Beach, all members of the small business community.

Regarding Item 7.A. CareerSource Research Coast training program, Brian Bauer detailed a 3,000-hour advanced manufacturing apprenticeship to become an Industrial Manufacturing Technician (IMT) and Certified Production Technician (CPT), developed by CareerSource Research Coast, in conjunction with Indian River State College and sponsored by Treasure Coast Manufacturing Association.

Read and Presented

5.D. Presentation of Proclamation Honoring The Rest, Relaxation and Romance Program's

Continued Service to Active Duty Couples

Recommended Action: Proclamation Read and Presented

Attachments: Proclamation

Commissioner Zorc read and presented the Proclamation to Adam and Cindy Geesev.

Read and Presented

6. APPROVAL OF MINUTES

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

7.A. <u>18-1689</u> CareerSource Research Coast training program

Recommended Action: For information only

Attachments: Training Flyer

(Clerk's Note: This item was heard in conjunction with Item 5.C., and is placed

here for continuity.)

No Action Taken or Required

7.B. <u>18-1690</u> Employment Report for February 2018

Recommended Action: No action required

Attachments: Employment Report February 2018

No Action Taken or Required

7.C. <u>18-1704</u> Letter re: City of Sebastian Fire Marshall's Office

Recommended Action: No action required

Attachments: Letter to Sebastian Mayor

No Action Taken or Required

7.D. <u>18-1709</u> Tax Collector Budget Amendment

Recommended Action: As this is an informational item, no Board action is required.

Attachments: Staff Report

Attachment 1 - Tax Collector Budget Amendment Request

Attachment 2 - Florida Department of Revenue Approval

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: 4 - Chairman O'Bryan, Commissioner Adams, Commissioner Flescher, and

Commissioner Zorc

Absent: 1 - Vice Chairman Solari

8.A. 18-1688 Checks and Electronic Payments March 30, 2018 to April 5, 2018

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office

for the time period of March 30, 2018 to April 5, 2018

Attachments: Finance Department Staff Report

Approved

8.B. <u>18-1697</u> Annual Financial Report for Fiscal Year 2016-2017

Recommended Action: Approve the Annual Financial Report for Fiscal Year 2016-2017 and authorize the

Chairman to execute any related documents.

Attachments: Finance Department Staff Report

Annual Financial Report FY 2016-2017

Approved

8.C. <u>18-1696</u> Dori Slosberg Driver Education Safety Act - Indian River County Traffic Education

Program Trust Fund Report - Cumulative Reporting Through 03/31/18

Recommended Action: Accept the report.

Attachments: Finance Department Staff Report

Accepted

8.D. <u>18-1699</u> Authorization to Attend Florida Shore & Beach Preservation Association Annual

Conference

Recommended Action: Staff recommends approval by the Board of County Commissioners for the County

Administrator to attend the Florida Shore & Beach Preservation Association Annual

Conference

Attachments: Staff Report

Save the Date

Approved staff's recommendation

8.E. Right-of-Way Acquisition - 66th Avenue Widening Project Keith Taig - 6886 61st

Street, Vero Beach, FL 32967

Recommended Action: Staff recommends the Board approve the Purchase Agreement for the 0.11 acres of

property located at 6886 61st Street, Vero Beach, FL 32967, and authorize the

Chairman to execute the purchase agreement on behalf of the Board.

Attachments: Staff Report

Purchase Agreement

Approved staff's recommendation

8.F. 18-1684 First Renewal and Modification of Annual Bid 2017024 for Utility Operations

Warehouse Stock

Recommended Action: Staff recommends the Board: 1) Approve the amended award to Core & Main and

Ferguson Waterworks, 2) Authorize the Purchasing Division to issue/extend blanket purchase orders through September 30, 2018 with the recommended bidders, and 3) Athorize the Purchasing Manager to renew this bid for one additional one year period subject to satisfactory performance, vendor acceptance, and the determination that

renewal of this annual bid is in the best interest of Indian River County.

Attachments: Staff Report

Approved staff's recommendation

8.G. 18-1686 Full Release of Retainage for Ecological Associates, Inc., Work Order No. 22 -

Sector 3 Beach Restoration - 2017 Post Construction Biological Monitoring Services

Recommended Action: Staff recommends the Board approve the release of all withheld retainage for Work

Order No. 22 in the amount of \$12,239.80.

Attachments: Staff Report

EAI Release of Retainge Invoice No. 3918

Approved staff's recommendation

8.H. 18-1691 Final Ranking of Contractors and Recommendation of Award of RFP 2018030 -

South Oslo Conservation Area Boardwalk Construction

Recommended Action: Staff recommends the Board approve the committee's final ranking of firms, award

the work to Summerlin's Marine Construction and authorize the Purchasing Division

to issue a Purchase Order for the work.

Attachments: Staff Report

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

Summerlin's Marine Construction; and Close Construction.

8.1. 18-1693 Final Ranking of Contractors and Recommendation of Award of RFP 2018037 -

Boat Club Island Dock Repair

Recommended Action: Staff recommends the Board approve the committee's final ranking of firms, award

the work to Summerlin's Marine Construction and authorize the Chairman to execute the sample agreement after approval by the County Attorney as to form and legal

sufficiency.

Attachments: Staff Report

Sample Agreement

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

Summerlin's Marine Construction; Underwater Engineering Services, Inc.(UESI);

and Indian River Docks, LLC.

8.J. Authorizing Resolution for County Support for Florida Department of Transportation

(FDOT) for the Bridge Over Indian River Farms Water Control District (IRFWCD)

Lateral "C" Canal at CR-612/8th Street & 74th Avenue, FDOT Financial

Management No. 437717-1, IRC1822

Recommended Action: Staff recommends the Board of County Commissioners approve the Authorizing

Resolution in support of the FDOT FM No. 437717-1 and authorize the Chairman to

execute the same

Attachments: Staff Report

Authorizing Resolution

Approved: 1) staff's recommendation; and 2) Resolution 2018-039, authorizing the proper County officials to adopt a resolution in support of the Florida Department of Transportation to manage, construct, and deliver a bridge over Indian River Farms Water Control District Lateral "C" Canal at CR-612/8th Street & 74th Avenue, two lane existing roadway in accordance with the Florida Department of Transportation Program Bulletin 15-03 in compliance with the policy for projects not on a roadway within the State Highway System within the local agency's right-of-way/local jurisdiction and providing for an effective date.

8.K. <u>18-1695</u> FDOT Amendment Number One to County Incentive Grant Program (CIGP)

-Locally Funded Agreement (LFA) FM No. 431759-1 and Resolution Authorizing the Chairman's Signature for the Construction of Intersection Improvements at SR-60

and 43rd Avenue, IRC-0853

Recommended Action: Staff recommends the Board of County Commissioners approve Amendment

Number One to CIGP-LFA FM No. 431759-1 and Resolution and authorize the

Chairman to execute the same.

Attachments: Staff Report

IRC Grant Form

Authorizing Resolution

Amendment Number One to CIGP-LFA FM No. 431759-1

Approved: 1) staff's recommendation; and 2) Resolution 2018-040, authorizing the Chairman's execution of Amendment One to a County Incentive Grant Program Locally Funded Agreement with the Florida Department of Transportation for construction of intersection improvements at State Road 60 and 43rd Avenue.

8.L. <u>18-1698</u> Approval of Continuing Consulting Engineering Services Agreements for RFQ

2018008

Recommended Action: Staff recommends the Board approve the sample agreement and submitted rate

schedules and authorize the Chairman to execute the agreements once the County

Attorney has approved as to form and legal sufficiency.

Attachments: Staff Report

Sample Agreement
Rate Schedules

Approved staff's recommendation, including the execution of Continuing Consulting Engineering Services Agreements to the following 18 recommended firms: Aptim; Arcadis; Atkins; Bowman Consulting; Carter Associates; CDM Smith; Coastal Waterways; Geosyntec; Jones Edmunds; Keith & Schnars; Kimley-Horn & Associates; Marlin Engineering; Masteller & Moler; MBV Engineering; Schulke, Bittle, & Stoddard; Stantec; Tetra Tech; and Water Resources Management

Associates, Inc.

8.M. <u>18-1710</u> Final Ranking of Contractors and Recommendation of Award of RFP 2018036 -

Dock Replacement at Lost Tree Island Conservation Area - Joe Earman Island

Recommended Action: Staff recommends the Board approve the committee's final ranking of firms, award

the work to Summerlin's Marine Construction and authorize the Chairman to execute the sample agreement after approval by the County Attorney as to form and legal

sufficiency.

Attachments: Staff Report

Sample Agreement

Approved staff's recommendation, with the final ranking of firms being: Summerlin's Marine Construction; Underwater Engineering Services, Inc. (UESI);

and Indian River Docks, LLC.

8.N. 18-1707 Authorizing Resolution to Delegate Signature Authority for Permit Applications to Various Agencies

Recommended Action: Staff recommends the Authorizing Resolution be approved for the Chairman's signature delegating signature authority for various agency permit submittals to the Public Works Director, Assistant Public Works Director, County Engineer, Roadway Production Manager, Stormwater Engineer and Natural Resources Manager.

Attachments: Staff Report

Authorizing Resolution

Approved Resolution 2018-041, authorizing the Board to delegate specific signature authority for various agency permit applications to the Indian River County Public Works Director, Assistant Public Works Director, County Engineer, Roadway Production Manager, Stormwater Engineer and Natural Resources Manager.

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

9.A. 18-1708

Indian River County Sheriff Deryl Loar: Pursuant to Florida Statute 932.7055, the Florida Contraband Forfeiture Act, Request for \$97,814 from Law Enforcement Trust Fund to be used to purchase Equipment and to support Programs and Agencies

Recommended Action: The Indian River County Sheriff Deryl Loar recommends the Board authorize \$97,814 from the Law Enforcement Trust Fund to be used to purchase Equipment and to support Programs and Agencies as Specified.

Attachments: Letter Dated April 10, 2018

Sheriff Deryl Loar made mention that distributions from the Law Enforcement Trust Fund would assist in lessening the Sheriff Department's upcoming budget proposal.

A motion was made by Commissioner Flescher, seconded by Commissioner Zorc, to approve a request for \$97,814 to be withdrawn from the Law Enforcement Trust Fund, with \$80,714 to be used for the purchase of Active Shooter equipment for Law Enforcement and Corrections; \$4,000 to be used to support Executive Roundtable of Indian River County; \$1,000 to be donated to 2-1-1 Palm Beach/Treasure Coast; \$1,600 to be used to support Crime Stoppers of the Treasure Coast; \$1,000 to go to A Child is Missing; \$5,000 to go to the Mental Health Collaborative; \$1,000 to be used to support the annual Florida Missing Children's Day ceremony, \$1,000 to be donated to Childcare Resources of Indian River County; and \$2,500 to go to the Pastoral Association of Indian River County. The motion carried by the following vote:

Aye: 4 - Chairman O'Bryan, Commissioner Adams, Commissioner Flescher, and Commissioner Zorc

Absent: 1 - Vice Chairman Solari

9.B. 18-1712 Indian River County Supervisor of Elections Leslie R. Swan Regarding Network Security Monitoring Services Albert Server Reimbursement Grant

Recommended Action: The Supervisor of Elections Recommends the Board Authorize the Purchase of the Server and Authorize the Reimbursement Grant Funds be rolled back into the Supervisor of Elections 2017/2018 budget.

Attachments: Letter Dated April 11, 2018

Albert Network Security Monitoring Information

Supervisor of Elections Leslie R. Swan, accompanied by Information Technology Manager Gary Gordon, presented the capabilities of the Albert server, a network security monitoring service that is being installed to help prevent a malicious attack on the election system. Supervisor Swan detailed the breakdown of the upfront costs and the approximate timing of the State of Florida grant funds reimbursement, requesting that the funds be rolled back into the Supervisor of Elections' 2017-2018 Budget.

Following an inquiry from Chairman O'Bryan, Supervisor Swan mentioned the possibility of several constitutional amendments on the general election ballot, and advised that residents may request to vote-by-mail either by calling the office or by making the request online at www.voteindianriver.com.

A motion was made by Commissioner Flescher, seconded by Commissioner Zorc, to approve the deposit of State of Florida reimbursement grant dollars, in the amount of \$16,947.23, be returned to the Supervisor of Elections' 2017-2018 Budget. The motion carried by the following vote:

Aye: 4-Chairman O'Bryan, Commissioner Adams, Commissioner Flescher, and Commissioner Zorc

Absent: 1 - Vice Chairman Solari

9.C. 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)

Recommended Action: Presentation Only - No Action Required

Attachments: CAFR 2017 Presentation

Clerk of the Circuit Court and Comptroller Jeffrey R. Smith used a PowerPoint Presentation to deliver a detailed review of the County's annual audit results, the Comprehensive Annual Financial Report (CAFR), noting that the 2017 audit was determined to be "clean" with no findings or written comments for the Board and Constitutional Officers. In addition, he presented the 2017 Popular Annual Financial Report (PAFR), a booklet designed to provide an overview of the County's finances.

No Action Taken or Required

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

B. PUBLIC DISCUSSION ITEMS

C. PUBLIC NOTICE ITEMS

10.C.1. 18-1665 Notice of Scheduled Public Hearing for May 1, 2018: HF Properties, LLC's

request to rezone \pm 11.96 Acres from CL, Limited Commercial District, to CG, General Commercial District (RZON-2004050052-81019). Subject property is located south of 73rd Street, north of 71st Street, west of U.S. Highway 1, and

east of Old Dixie Highway. [Quasi-Judicial]

Recommended Action: The referenced Notice of Scheduled Public Hearing is provided for the Board's

information. No action is needed at this time.

County Attorney Dylan Reingold announced that the Public Hearing has been

scheduled for May 1, 2018.

No Action Taken or Required

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

12.D.1. 18-1705

Approval for Benefit Administration System to Support Comprehensive Employee Benefit Program to Provide Improved Employee Benefit Enrollment Experience, Improved Data Integrity, Streamlined Notification to Carriers, Comprehensive Dependent Verification Audit, Affordable Care Act Tracking and Reporting, and Improved Billing Reporting and Processing

Recommended Action:

Staff respectfully requests the Board of County Commissioners approve the recommendation to select BenefitExpress to provide benefit administration services for the County's comprehensive employee benefit program effective May 1, 2018 to include a dependent verification audit, to authorize staff to enter into a five (5) year agreement, and to authorize the Board Chairman to sign the administrative service agreement after review and approval by the County Attorney.

Attachments: Staff Report

Benefit Administration Scorecard

Finalist Pricing

BenefitExpress Dependent Verification Audit

Human Resources Director Suzanne Boyll presented an explanation of the recommended changes that BenefitExpress would provide to the County, and assured the Board that transitioning to a Benefit Administration System should streamline the current enrollment process, which has been known to be complex and error-prone.

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

Aye: 4 - Chairman O'Bryan, Commissioner Adams, Commissioner Flescher, and Commissioner Zorc

Absent: 1 - Vice Chairman Solari

E. Office of Management and Budget

12.E.1. <u>18-1700</u> Property/Casualty Insurance 2018-19

Recommended Action: Staff recommends that the Board approve the renewal and authorize staff to bind

coverage for May 1, 2018 through April 30, 2019 with a current annual premium of \$1,849,530.00 based upon the current schedule of values and coverage

selections and approve the broker annual fee of \$175,000.00.

Attachments: Staff Report

Broker Recommendation 2018-19

Director of Management and Budget Michael Smykowski used a PowerPoint Presentation to detail the Property/Casualty Insurance coverage and premium data in preparation for the May 1, 2018 renewal.

In response to an inquiry by Chairman O'Bryan, Erica Connick, Account Executive, Arthur J. Gallagher Management Services, Inc. (AJG), confirmed that the new roofs on the Health Department and on the County Administration Buildings have been documented and will be taken into consideration when preparing next year's renewal.

A motion was made by Commissioner Flescher, seconded by Commissioner Zorc, to approve staff's recommendation, including the \$175,000 broker annual fee to Arthur J. Gallagher Management Services, Inc. (AJG). The motion carried by the following vote:

Aye: 4 - Chairman O'Bryan, Commissioner Adams, Commissioner Flescher, and

Commissioner Zorc

Absent: 1 - Vice Chairman Solari

F. Public Works

12.F.1. <u>18-1711</u> Millstone Landing - 17th Street SW Construction Progress Update

Recommended Action: Informational update

Attachments: Staff Report

Public Works Director Rich Szpyrka reported that the intersection at 27th Avenue and 17th Street SW was fully functional, with crosswalk and traffic signals installed and working properly. He confirmed that all conditions had been met to lift the moratorium on the issuance of Building Permits for Millstone Landing.

County Administrator Jason Brown mentioned that the intersection at 27th Avenue and 23rd Street SW has a completion date deadline of July 1, 2018 as stated in the Developer's Agreement with Starwood Land Ventures. Director Szpyrka estimated that the completion date would be prior to the July 1, 2018 deadline.

A motion was made by Commissioner Zorc, seconded by Commissioner Flescher, to approve lifting the moratorium on the issuance of Building Permits for Millstone Landing. The motion carried by the following vote:

Aye: 4 - Chairman O'Bryan, Commissioner Adams, Commissioner Flescher, and

Commissioner Zorc

Absent: 1 - Vice Chairman Solari

G. Utilities Services

13. COUNTY ATTORNEY MATTERS

13.A. <u>18-1703</u> All Aboard Florida Army Corps of Engineers Record of Decision

Recommended Action: The County Attorney's Office recommends that the Chair allow for public comment on this matter and then have the Board vote to authorize the filing of either an amended complaint in the pending litigation to include the United States Army Corps of Engineers or a separate lawsuit against the United States Army Corps of Engineers based upon the deficient United States Department of Transportation Federal Railroad Administration Record of Decision.

Attachments: Staff Report

County Attorney Dylan Reingold provided history and explanation regarding a lawsuit filed, together with Martin County and CARE-FL, against the United States Department of Transportation Federal Railroad Administration (FRA) concerning the issuance of their Record of Decision (ROD) in reference to the proposed All Aboard Florida project. He also detailed the United States Army Corps of Engineers (the Corps) recently issued ROD, and recommended filing action to challenge the Corps' ROD.

In response to an inquiry by Bob Johnson, Coral Wind Subdivision, Attorney Reingold confirmed that the County has outside counsel, Bryan Cave, LLP, located in New York, with an office in Washington DC.

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

Aye: 4 -Chairman O'Bryan, Commissioner Adams, Commissioner Flescher, and Commissioner Zorc

Absent: 1 - Vice Chairman Solari

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

15. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District

B. Solid Waste Disposal District

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

15.B.1. 18-1706 SWDD Quarterly Recycling Update FY 17/18 - 2nd Quarter

Recommended Action: For informational purposes only - no recommended action needed.

Attachments: Staff Report

Recycling Education and Marketing Coordinator Stephanie Fonvielle used a PowerPoint Presentation to detail the Quarterly Recycling Update for Fiscal Year 2017-2018, 2nd Quarter, noting the increase in Single Stream Recycling. She informed the Board of the events and education being provided to the public, including a recycling mailer that was sent to all single-family and multi-family homes.

Bob Johnson, Coral Wind Subdivision, delivered positive feedback regarding Ms. Fonvielle's efforts.

No Action Taken or Required

C. Environmental Control Board

16. ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 10:54 a.m.