

**CITY OF VERO BEACH, FLORIDA
OCTOBER 15, 2013 6:00 P.M.
REGULAR CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

A G E N D A

The invocation will be given by Father Richard Murphy/Holy Cross Catholic Church followed by the Pledge of Allegiance to the flag.

1. CALL TO ORDER

A. Roll Call

2. PRELIMINARY MATTERS

A. Agenda Additions, Deletions, and Adoption

B. Proclamations

1. National and Arts Humanities Month – October 2013
2. Code Enforcement Officers' Appreciation Month – October 2013
3. Citizen Recognition Award – To be presented by Chief Curry
4. Plaque to be presented to Councilmember Turner for serving as a member of the Board of Directors of the Florida League of Cities, Inc.

C. Public Comment

1. Mrs. Sue Dinunno to discuss an upcoming fundraiser for the Recreation Department.

D. Adoption of Consent Agenda

1. [Regular City Council Minutes – October 1, 2013](#)
2. [Annual Service Contract/Agreement with Efacec](#)
3. [Bid No. 140-13/PW – Resurfacing and Repair of Tennis Courts](#)
4. [Commercial Lease Agreement between the City of Vero Beach and Flightline Group, Inc., d/b/a Southeast Piper](#)
5. [Treasure Coast Regional League of Cities](#)
6. [Settlement Agreement for the Estate of Mendy](#)
7. [License Agreement for use of City property – Indian River Rowing Club, Inc.](#)
8. [New Commercial Lease Agreement between the City of Vero Beach and Davis Development, Inc.](#)

(The matters listed on the consent agenda will be acted upon by the City Council in a single vote unless any Councilmember requests that any specific item be considered separately.)

3. PUBLIC HEARINGS

A) An Ordinance of the City of Vero Beach, Florida, amending the Code of the City of Vero Beach, Chapter 62, Nonresidential Districts, Article III, by creating Section 62.36 to provide for planned development as a Conditional Use in the C1-A and C-1 Commercial Zoning Districts; Creating Article XIV, Planned Developments; Providing for Minimum Eligibility Requirements; Providing for Conditional Use Requirements and Minimum Performance and Development Standards; Providing for Waivers from Development Standards that demonstrate and promote a public benefit; Providing for Conflict and Severability; Providing for an Effective Date. – Requested by the Planning and Development Director

4. RESOLUTIONS FOR ADOPTION WITHOUT PUBLIC HEARING

5. FIRST READINGS BY TITLE FOR ORDINANCES AND RESOLUTIONS THAT REQUIRE A FUTURE PUBLIC HEARING

A) An Ordinance of the City of Vero Beach, Florida, amending Chapter 60, Appendix, Definitions, of the Code of The City of Vero Beach by creating a definition for Community Garden; Amending Chapter 64, Article I, Development Review, by creating Section 64.14, “Community Gardens;” providing Procedures and Standards for Regulating Community Gardens; amending Pertinent Sections of Chapter 61, Residential Zoning Districts, Articles I, III, IV, and V, to Providing for Community Gardens as Principal Use in Residential Zoning Districts; Providing for Conflict and Severability; Providing for an Effective Date. – Requested by the Planning and Development Director

B) An Ordinance of the City of Vero Beach, Florida, relating to the Sale, Merchandising, and Use of Electronic Cigarettes and Liquid Nicotine; Creating a new Chapter 73 in the Code of the City of Vero Beach to be entitled “Tobacco Products;” Providing for Conflict and Severability; and Providing for an Effective Date. – Requested by the City Council

C) An Ordinance of the City of Vero Beach, Florida, Providing and Establishing Revisions to the Budget for the City of Vero Beach, Florida, for the period beginning October 1, 2012 and ending September 30, 2013, by Decreasing the General Fund by \$30,518; by Increasing the Street Paving and Drainage Fund by \$243,195; by Decreasing the Infrastructure and Real Estate Improvement Fund by \$10,000; by Decreasing the Electric Fund by \$1,693,953; by Decreasing the Electric R&R Fund by \$2,360,430; by Decreasing the Water and Sewer Fund by \$459,566; by Increasing the Water and Sewer R&R Fund by \$4,185,200; by Decreasing the Airport Fund by \$22,589; by Increasing the Airport Construction

Fund by \$76,203; by Increasing the Marina Fund by \$107,374; by Increasing the Solid Waste Fund by \$20,749; by Increasing the Recreation Fund by \$36,379; by Increasing the Recreation Construction Fund by \$17,131; by increasing the Risk Management Fund by \$40,318; by Increasing the Confiscated Property Fund by \$17,600; by Increasing the Law Enforcement Education Fund by \$5,000; by Decreasing the Crestlawn Cemetery Trust Fund by \$1,633; All from Revised Revenue, Expenditure and Transfer Estimates. – Requested by the Finance Director

D) An Ordinance of the City of Vero Beach, Florida, pertaining to Environmental Regulation; amending the Code of the Vero Beach, Chapter 38, “Environment,” Article V, “Florida-Friendly Fertilizer Use;” Providing for Conflict and Severability; Providing for an Effective Date. – Requested by the City Council

E) A Resolution of the City Council, of the City of Vero Beach, Florida, repealing Resolution 2012-18; Establishing Prices and Fees for Crestlawn Cemetery; Establishing Hours of Operation; and Providing for an Effective Date. – Requested by the Public Work’s Director

6. CITY CLERK’S MATTERS

A) Appointments to the High Speed Rail Commission

B) Commission/Board Reappointments

7. CITY MANAGER’S MATTERS

8. CITY ATTORNEY’S MATTERS

9. CITY COUNCIL MATTERS

A. Old Business

B. New Business

1. Lifeguard equipment needs – Requested by Councilmember Pilar Turner

2. Street Sign honoring long time Marine Advisory Commissioner Steve Cecil Martin – Requested by Councilmember Jay Kramer

10. INDIVIDUAL COUNCILMEMBERS’ MATTERS

A. Mayor Craig Fletcher’s Matters

1. Correspondence

2. Committee Reports

3. Comments

B. Vice Mayor Tracy Carroll’s Matters

1. Correspondence
 2. Committee Reports
 3. Comments
- C. Councilmember Pilar Turner's Matters
1. Correspondence
 2. Committee Reports
 3. Comments
- D. Councilmember Jay Kramer's Matters
1. Correspondence
 2. Committee Reports
 3. Comments
- E. Councilmember Dick Winger's Matters
1. Correspondence
 2. Committee Reports
 3. Comments

11. ADJOURNMENT

Council Meetings will be televised on Channel 13 and replayed.

This is a Public Meeting. Should any interested party seek to appeal any decision made by Council with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and that, for such purpose he may need to ensure that a record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based. Anyone who needs a special accommodation for this meeting may contact the City's Americans with Disabilities Act (ADA) Coordinator at 978-4920 at least 48 hours in advance of the meeting.

An invocation that may be offered before the official start of the Council meeting is and shall be the voluntary offering of a private citizen to and for the benefit of the Council pursuant to Resolution No. 2013-30. The views and beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent their individual religious beliefs, nor are the views or beliefs expressed intended to suggest allegiance to or preference for any particular religion, denomination, faith, creed, or belief by the Council or the City. No person in attendance at the meeting is or shall be required to participate in any invocation and such decision whether or not to participate will have no impact on his or her right to actively participate in the public meeting.