

**CITY OF VERO BEACH, FLORIDA
JANUARY 15, 2019 3:00 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 Reverend Dan Holloway/Unity Spiritual Center followed by the Pledge of Allegiance to the flag.

1. CALL TO ORDER

A. Roll Call

2. PRELIMINARY MATTERS

A. Approval of Minutes

1. [Regular City Council Minutes – December 11, 2018](#)
2. [Special Call City Council Minutes – December 11, 2018](#)
3. [Special Call City Council Minutes – November 27, 2018](#)

B. Agenda Additions, Deletions, and Adoption.

C. Proclamations and recognitions by Council.

1. Riomar Country Club Centennial Anniversary
2. Rotary International Home Stay Week – January 6-10, 2019

D. Staff/Consultant special reports and information items.

E. Presentation items by the public (10 minute time limit).

- 1) [County Commissioner Bob Solari to speak on the Dodgertown Golf Course Property – Sponsored by Mayor Harry Howle](#)
- 2) [Mr. Keith Drewett to speak on retaining the City of Vero Beach Marina under direct City Management – Sponsored by Councilmember Tony Young](#)
- 3) [Mr. Brian Heady to speak on Public Parks – Sponsored by Councilmember Tony Young](#)

F. Public Comment (3 minute time limit).

3. CONSENT AGENDA

- A) [Municipal Elections Agreement](#)

- B) [Expenditure of Funds from the Historic Preservation Commission not to exceed \\$500](#)
- C) [Solid Waste Franchise Agreement for Roll-off Containers – Republic Services of Florida, Limited Partnership](#)
- D) [Conveyance of City-owned Right-of-way located at Atlantic Boulevard and 42nd Avenue to the State of Florida Department of Transportation](#)
- E) [Public Works Compound Roof Replacement – Contract C-25-2018 – Change Order #2 – Increase Contract by \\$20,225.00](#)
- F) [Memorandum of Agreement with IRC School District \(Cost to City/Airport: \\$0.00\)](#)

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

4. CITY COUNCIL MATTERS

A. New Business

- 1) **City Council Election to be held on Tuesday, 02/26/2019**
 - A) Cost to be paid by City residents for Election Day 2019
 - B) Vote-by-Mail Problems
 - C) Budget to Early Voting
 - D) Budget for Promotion of the Election by the Supervisor of Elections

As points of information and for the convenience of all, the following documents regarding the history of this Special Election are attached:

- E) [Oath of Office taken by City Council](#)
- F) [Vero Beach Code, from Chapter 30 – Elections: Section 30-3, Eligibility and qualifying for office of councilmember Section 30-6, Persons found ineligible to qualify as a candidate](#)
- G) [All qualifying papers filed by Plaintiff Hillman](#)
- H) [Memorandum from City Attorney regarding Vero Beach Code, Sections 30-3 and 30-6](#)
- I) [Lawsuit filed against the City by Plaintiff Hillman on 09/17/2018; Summons, Complaint, and Notice of Priority Status](#)
- J) [Legal-Opinion Letter regarding Disqualified Candidates \(w/attachments\) written by Attorney Ronald Meyer \(Meyer, Brooks, Demma & Blohn, P.A.\) dated 09/27/2018](#)
- K) [Hearing before Judge Kanarek on 10/24/2018, /transcript: /Cover Pages 1-2 and page 113](#)
- L) [Results of 11/06/2018 Vero Beach City Council Election from IRC Supervisor of Elections Leslie Rossway Swan \(voteindianriver.com\)](#)
- M) [Minutes of Special Call City Council Meeting of 11/27/2018](#)
- N) [Court Reporting of the Shade Meeting of City Council on 11/27/2018](#)
- O) [Settlement documents; Joint Motion; Agreed Final Judgment](#)

Requested by Councilwoman Laura Moss

2) **City-owned Dodgertown Property**

Video Clip from City Council Meeting of 10/02/2018 (07:20:20 to 07:22:10 PM)

Mayor Howle/Councilwoman Moss/City Council Vote on Dodgertown

Requested by Councilwoman Laura Moss

3) [**CERTIFICATE OF ACKNOWLEDGEMENT Florida Power & Light Company's Acquisition of the Electric Utility of the City of Vero Beach, December 17, 2018**](#)

Requested by Councilwoman Laura Moss

B. **Old Business**

1) [**Discuss Parking Options - Requested by Vice Mayor Lange Sykes Beachside Parking \(2018-13\) – Analysis of Center Aisle and One-Way Parking on Ocean Drive**](#)

2) **Municipal Marina** (Council/Community Discussion)

1. Video Clip from City Council Meeting of 11/20/2018 (03:56:30-04:03:52 PM) Councilwoman Moss/City Manager on Marina and Debt Service
2. [**Debt Service of Marina, Series 2007A**](#)
3. [**Vero Beach Code, Section 5.05**](#)
4. Video Clip from City Council Meeting of 11/20/2018 (04:20:48-04:25:59 PM) Vice Mayor Sykes/City Attorney/Councilwoman Moss on Marina and Section 5.05
5. [**Minutes of City Council Meeting of 08/21/2018, Proposed Leasing of the City Marina, Pages 34-35**](#)
6. [**Minutes of City Council Meeting of 12/11/2018, Pages 6-8 including Mr. Drewitt's Presentation regarding the Marina and discussion thereof**](#)

Requested by Councilwoman Laura Moss

5. PUBLIC HEARINGS

A) [**Public Hearing on the Site Plan Application for Vero Beach Rowing: #SP18-000005**](#)

A. ORDINANCES

B. RESOLUTIONS

6. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING

Public Hearing to be held on February 5, 2019 at 5:00 p.m.

- A) An Ordinance of the City of Vero Beach, Florida Amending the Comprehensive Plan Future Land Use Map by Changing the Future Land Use Designation of Annexed Land from Indian River County Designation M-1, Medium-Density Residential-1 to City of Vero Beach Designation RM, Residential Medium, for the property located at 3780 Indian River Boulevard, containing 7.46 acres more or less; Providing for an Effective Date. – Requested by the Planning and Development Director

Public Hearing to be held on February 5, 2019 at 5:00 p.m.

- B) An Ordinance of the City of Vero Beach, Florida, Amending the Official Zoning Map by Changing the Zoning District Designation of Annexed Land from Indian River County Designation RM-8, Multiple family Residential to City of Vero Beach Designation RM-8, Residential Multi-family Residential, for the Property located at 3780 Indian River Boulevard, Containing 7.46 acres more or less; Providing for an Effective Date. – Requested by the Planning and Development Director

Public Hearing to be held on February 5, 2019 at 5:00 p.m.

- C) An Ordinance of the City of Vero Beach, Florida, related to Animal Control; Amending Chapter 14, Animals, Section 14.1, Dogs and Cats at large prohibited, of the Code of the City of Vero Beach; Providing for Codification; Providing for Conflict and Severability; and Providing for an Effective Date. – Requested by the Police Department

7. CITY CLERK MATTERS

- A) Reappointments to City Commission/Boards and Openings on City Boards/Commissions

8. CITY MANAGER MATTERS

- A) Draft Request for Proposal (RFP) for Management or Lease of the City Marina

9. CITY ATTORNEY MATTERS

- A) Draft Proposal for the Election Ordinance

10. COUNCILMEMBER MATTERS

- A. Mayor Harry Howle's Matters
1. Correspondence
 2. Committee Reports
 3. Comments

- B. Vice Mayor's Lange Sykes's Matters
 - 1. Correspondence
 - 2. Committee Reports
 - 3. Comments

- C. Councilmember Laura Moss's Matters
 - 1. Correspondence
 - 2. Committee Reports
 - 3. Comments

- D. Councilmember Anthony W. Young's Matters
 - 1. Correspondence
 - 2. Committee Reports
 - 3. Comments

- E. Councilmember Val Zudans's Matters
 - 1. Correspondence
 - 2. Committee Reports
 - 3. Comments

12. ADJOURNMENT

ADDITIONAL MEETING INFORMATION

Public Participation. Excluding ministerial/administrative matters and certain quasi-judicial proceedings, the Council will provide an opportunity for public comment prior to the Council taking final action on an agenda item, including those matters on the consent agenda, and other propositions or items not specifically listed on the meeting agenda on which the Council proposes to take final action at the meeting.

Addressing the council generally. After first securing permission from the presiding officer, any person may address the council, in the manner specified herein at the appropriate times where oral communication is permitted as provided in the order of business appearing on the agenda adopted for the meeting.

Manner of addressing council; time limit. Each person recognized by the presiding officer and granted leave to address the council shall step up to the microphone and state his or her name for the record. Speakers shall confine their remarks to the subject of the agenda matter then under discussion by the council. Unless additional time is granted by majority vote of the council, persons making a councilmember-sponsored presentation under "presentation items by the public" shall limit such presentation to ten (10) minutes; persons speaking on any agenda item or other proposition shall limit their address to five (5) minutes; and persons speaking at the "public comment" portion of the agenda shall limit their address to three (3) minutes. All remarks shall be addressed to the council as a body and not to any individual member thereof, nor to members of the audience. No person other than the council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the council, without the permission of the presiding officer. No question shall be asked a councilmember except through the presiding officer. The presiding officer may limit immaterial, unnecessary, or redundant comments, presentations, or requests. Once a motion is made by a councilmember, no person from the audience shall address the council.

Meeting decorum. No person shall make any personal, impertinent, slanderous, obscene, profane, inflammatory, untruthful, irrelevant, or immaterial remarks, or become boisterous while in the council chambers, or incite violence or fighting, or otherwise disturb the meeting, whether or not while addressing

the council. Heckling or verbal outbursts in support or opposition to a speaker or his or her remarks and displays of anger, rudeness, ridicule, impatience, lack of respect, and personal attacks shall be prohibited.

Record for appeal. This is a public meeting. If a person decides to appeal a decision made by the Council with respect to any reviewable matter considered at such meeting, he or she will need a record of the proceedings, and for such purpose, he or she is responsible for ensuring that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Persons with special needs. 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. **Invocation.* 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.

Meeting televised and recorded. Council meetings may be broadcast live, recorded, and replayed on Comcast cable Channel 13, AT&T Channel 99 and on the City's website www.covb.org and other websites.