

**CITY OF VERO BEACH, FLORIDA
FEBRUARY 5, 2019 5:00 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 Christopher Rodriguez/Trinity Episcopal Church 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 – January 15, 2019](#)

B. Agenda Additions, Deletions, and Adoption.

C. Proclamations and recognitions by Council.

1) Mayor Howle to present Keys to the City to Mr. Jim O'Connor, Mr. Glenn Heran, Dr. Stephen Faherty and Mrs. Amy Brunjes

2) Live Like Cole Foundation to present a check to the City for the Docks at Royal Palm Pointe

3) Rotary Sunrise Days – February 15-16, 2019

4) 211 Awareness Week – February 11-17, 2019

D. Staff/Consultant special reports and information items.

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

1) [Mr. Jason Brown, County Administrator, to speak on the Dodgertown Golf Course Property – Sponsored by Councilmember Tony Young](#)

2) [Mr. Richard Lewis to speak on Wreaths Across America – 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) [Royal Palm Pointe Dock – Hurricane Irma Repair \(Job #2017-35\) – Bid 070-18/JO – Contract C-19-2018 – Recommendation of Final Pay and Acceptance – \(Cost \\$31,725\)](#)

(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 Manager Request for Proposals \(RFP\) Rankings – Requested by the City Council](#)
- 2) Discussion of the City Attorney’s position – Requested by Councilmember Tony Young
- 3) [Fees for renting Pavilions at their Parks and Naming of Recreation Facilities – Requested by Councilmember Tony Young](#)
- 4) City-Owned Dodgertown Property – Requested by Councilwoman Laura Moss
 - A) [Dodgertown Golf Course Property Loans \(\\$9,621,057 paid through 10/1/2018, \\$4,702,966 balance remaining\)](#)
 - B) [Property Appraisal dated 09/25/2018 \(\\$3,200,000\)](#)
 - C) [IRC Memorandum by County Administrator Jason Brown dated 12/10/2018](#)
 - D) [IRC Memorandum by County Administrator Jason Brown dated 01/07/2019](#)
 - E) [New IRC Tourist Tax Ordinance](#)
 - F) [Original Tourist Tax Referendum with Letter from Councilwoman Laura Moss dated 05/15/2018](#)
 - G) [Tourist Tax Revenues \(Fund 119 – Tourist Development, Fund 128 – Beach Restoration, Fund 204-Spring Training Facility\) Revised 01/28/2019](#)
 - H) [F.S. 166.031 as would pertain to a Referendum to add this property to Section 5.05 of Vero Beach Code \(City Attorney Kira Honse\)](#)
 - I) [Section 5.05 of Vero Beach Code](#)
 - J) [Correspondence from Attorney Nick Thomas](#)
 - K) [Invitation by Councilwoman Laura Moss to the City Council of 2005 regarding Dodgertown Property](#)
 - L) [Responses by Hon. Mary Beth McDonald, Hon. Debra Fromang, Hon. Tom White and County Commissioner Bob Solari with Moss’s second request to Solari](#)

5. Special Election on Tuesday, February 26, 2019 – Requested by Councilwoman Laura Moss
 - A) [PowerPoint provided by IRC Supervisor of Elections Leslie Swan](#)
 - B) Contracting Supervisor of Election Services (City Attorney Kira Honse)

B. Old Business

5. PUBLIC HEARINGS

A. ORDINANCES

- 1) [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](#)
- 2) [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](#)
- 3) [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 Chief of Police](#)

B. RESOLUTIONS

- 1) [A Resolution of the City Council of the City of Vero Beach, Florida, establishing a Special Assessment Lien in the amount of \\$4,705.00, for a Septic Tank Effluent Pump \(STEP\) System to serve the Real Property located at 555 Holly Road, Vero Beach, Indian River County, Florida; Providing for an Effective Date. – Requested by the Water and Sewer Director](#)

6. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING

- Public Hearing to be held on February 19, 2019 at 3:00 p.m.**
- A) [An Ordinance of the City of Vero Beach, Florida, relating to the Tree Replacement Fund; Amending Title VII, Land Development, Chapter 72,](#)

Landscaping and Tree Protection, Section 72.43(i)(1) 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 Planning and Development Director

Public Hearing to be held on February 19, 2019 at 3:00 p.m.

- B) A Ordinance of the City of Vero Beach, Florida, amending Chapter 30, Section 30-2, of the Code of the City of Vero Beach, Florida, related to amend the definition of Qualifying Period; Amending Section 30-3 to provide the City Clerk to inform Candidates of missing or incomplete filings requiring check to be signed by the Treasurer or Deputy Treasurer and stating acceptance of check does not prevent finding a person did not qualify later, and amending what forms the Clerk may and may not accept prior to the Qualifying Period; Section 30-6 removing the Canvassing Board from the Qualification Decision Making Process, Clarifying Chapter 106, Florida Statutes, Application to Qualification, and Directing Individuals with standing to pursue Litigation to Challenge Qualification; Providing for Conflict and Severability; Providing for Codification; and Providing for an Effective Date.

7. CITY CLERK MATTERS

- A) Appointment to Board/Commissions

8. CITY MANAGER MATTERS

- A) Request for Proposals (RFP) for Consulting Firm to Provide Planning Services for Three Corners Site
B) Payoff of Series 2007A Marina Loan
C) Payoff of Series 2007B-2 Dodgertown Loan

9. CITY ATTORNEY MATTERS

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.