

The July 31, 2020 City Council meeting will be conducted with only allowing 17 people in the Council Chambers at one time according to the Governor's Order Number 20-83.

To participate in the City Council meeting on August 18, 2020, which begins at 8:30 a.m., you have the following options:

- 1. Prior to the City Council meeting voice your comments about any item on the Agenda at Public Comments for City Council, which is located on the front page on the City of Vero Beach website at covb.org "[Public Comments For City Council Form](#)". Your comments will be made a part of the record and provided to the City Council prior to the City Council meeting.**
- 2. Watch the meeting and provide comments during the meeting by going to Public Comments for City Council, which is located on the front page on the City of Vero Beach website at covb.org. Your comments will be read into the record by the City Clerk.**
- 3. Attend the City Council meeting and watch the meeting on the television in the lobby. Social distancing must be followed and no more than 10 people will be allowed in the lobby.**

For public comment questions, please contact Tammy Bursick, City Clerk, at tbursick@covb.org or 772-978-4700.

Council meetings are broadcast live, recorded, and replayed on Comcast 13, AT&T Channel 99 and on the City's website www.covb.org.

CITY OF VERO BEACH, FLORIDA
AUGUST 18, 2020 8:30 A.M.
REGULAR CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA

The invocation will be given by Pastor Chris Kollmann/Lutheran Church of the Redeemer.

A G E N D A

1. CALL TO ORDER

- A. Pledge of Allegiance
- B. Roll Call

2. PRELIMINARY MATTERS

- A. Approval of Minutes

- 1. [Regular City Council Minutes – July 21, 2020](#)
- 2. [Special Call City Council Minutes – July 31, 2020](#)

- A. Agenda Additions, Deletions, and Adoption.

- B. Proclamations and recognitions by Council.

3. CONSENT AGENDA (include amount of expense)

- A) [Grant of Electrical Utility Easement to FP&L #2020-EG-21-Portion of Airport West Subdivision](#)
- B) [Memorandum of Lease Renewal Agreement between the City of Vero Beach and Ferrellgas, L.P.](#)
- C) [New Lease Agreement between the City of Vero Beach and David Langfitt, Sr. – Trust](#)
- D) [Award of Contract to Kearns Construction and Property Management – Humiston Beach Park Restroom Remodel – Bid #290-20/JO – VBPW Project #2019-26-\(\\$104,900\)](#)

(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. PUBLIC HEARINGS

A) ORDINANCES

- 1) [An Ordinance of the City of Vero Beach, Florida, Amending Chapter 73, Tobacco Products, Amending Chapter 73, Tobacco Products, of the Code of the City of Vero Beach, related to the use of Electronic Cigarettes; to Prohibit the](#)

Sale and Distribution of Tobacco Products to persons under 21 years of age; Providing for Penalties; Providing for Conflict and Severability; Providing for Codification; and Providing for an Effective Date. – Requested by the City Council

- 2) A Resolution of the City Council of Vero Beach, Florida, Adopting the “Three Corners, Vero Beach Report” and Directing the City Staff to prepare a Charter Amendment Ordinance and take steps to implement the Plan; and Providing for an Effective Date. – Requested by the City Council

- a) Three Corners, Vero Beach Report - Dated July 17, 2020

- b) Post Pandemic Design A

- 3) An Ordinance Calling and Providing for the holding of a Referendum in the City of Vero Beach, Florida, on November 3, 2020 at the General Election to Submit to the Electors a Proposed Amendment to the Charter of the City of Vero Beach. (Former Power Plant Site). – Requested by City Council

B) RESOLUTIONS

- 1) A Resolution of the City Council of the City of Vero Beach, Florida, Authorizing the Execution and Acceptance of a Federally-funded Subaward and Grant Agreement between the City of Vero Beach and the State of Florida Division of Emergency Management for COVID-19 (FEMA-4486-DR-FL); Delegating to the City Manager the authority to execute the agreement and act as the City’s Authorized Agent for Performance of the Agreement; Providing for an Effective Date. – Requested by the Finance Director

- 2) A Resolution of the City Council of the City of Vero Beach, Florida, Authorizing the City to enter into a Federal Grant Agreement with the Federal Aviation Administration for a Project entitled Rehabilitate GA Apron (Construct) at Vero Beach Regional Airport; Delegating to the City Manager the authority to execute the agreement and act as the City’s authorized agent for performance of the agreement; Providing for an Effective Date. – Requested by the Airport

5. PUBLIC COMMENT (3-minute time limit)

6. CITY COUNCIL MATTERS

A) NEW BUSINESS

- 1) Tuesday, August 18, 2020 is Primary Election Day. Vote from 7:00 a.m. to 7:00 p.m. at your usual precinct. For election information, visit voteindianriver.com. Most local elections will be decided that day. Please exercise your right to vote. – Requested by Laura Moss, Vice Mayor

B) OLD BUSINESS

- 1) 2020 US Census
 - a) [PSA video \(2020census.gov\): Now is the Time Every Response Matters. \(30 seconds\)](https://www.2020census.gov)

Please see the City website (covb.org) or 2020 census.gov for additional information.

7. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING

Public Hearing on this Ordinance to be held on September 1, 2020 at 8:30 a.m.

- A) [An Ordinance of the City of Vero Beach, Florida, Amending Chapter 60 \(Appendix, Definitions\) of the Land Development Regulations to Add a Definition of Room or Room Unit for Purpose of Calculating Room Density for Hotels or Congregate Living Facilities; Providing for Codification; Providing for Conflict and Severability; and Providing for an Effective Date. – Requested by the Planning and Development Director](#)

Public Hearing on this Ordinance to be held on September 1, 2020 at 8:30 a.m.

- B) [An Ordinance of the City of Vero Beach, Florida, Abandoning all of the City's Interest in the Westerly portion of Paloma Drive as shown in Exhibit "A," lying adjacent to Block 24, Royal Park, Plat No. 7, as recorded in Plat Book 1, Page 36 of the Public Records of in Indian River County, Florida; Providing for Conflict and Severability; and Providing for an Effective Date. – Requested by the Public Works Department](#)

Public Hearing on this Ordinance to be held on September 15, 2020 at 8:30 a.m.

- C) [An Ordinance of the City of Vero Beach, Florida; Requested by Schwerin Asset Advisors, LLC to annex property located at the southeast corner of Indian River Boulevard and 41st Street, containing 23.65 acres more or less, pursuant to the Voluntary Annexation provisions of Section 171.044 Florida Statutes; Providing for an Effective Date. – Requested by the Planning and Zoning Department](#)

Public Hearing on this Ordinance to be held on September 15, 2020 at 8:30 a.m.

- D) [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 Property from Indian River County Designation M-1, Medium High Density Residential-1 to City of Vero Beach Designation RM, Residential Medium, for the property located at the southeast corner of Indian River](#)

[Boulevard and 41st Street, containing 23.65 acres more or less; Providing for an Effective Date. – Requested by the Planning and Development Director](#)

8. CITY CLERK MATTERS

9. CITY MANAGER MATTERS (include amount of expense)
(Staff/Consultant special reports and information items)

- A) [Indian River County CARES Act Funding Agreement \(\\$610,736\)](#)
- B) [Declaration No. 2020-1 Declaring Local Emergency by the City Manager of the City of Vero Beach, Florida, in Response to Tropical Storm/Hurricane Isaias on August 1, 2020 and the Termination of said Local Emergency on August 3, 2020](#)
- C) [Budget Updates – Fiscal Year 20-21 Proposed Budget](#)

10. CITY ATTORNEY MATTERS

- A) [Request from Dr. Tony Abbassi to reduce a Code Enforcement Board Fine](#)

11. COUNCILMEMBER MATTERS

- A. Mayor Young's Matters

Sponsored presentation items by the public (10-minute time limit)

- 1) [Ms. Louise Young, Laura Riding Jackson Foundation, will give an update on the community building activity during COVID-19](#)

- B. Vice Mayor Moss's Matters

Sponsored presentation items by the public (10-minute time limit)

- 1) [Free Live Oak Trees Available at Audubon House! Press Release with details attached.](#)

- C. Councilmember Brackett's Matters

Sponsored presentation items by the public (10-minute time limit)

- D. Councilmember Joe Graves's Matters

Sponsored presentation items by the public (10-minute time limit)

- E. Councilmember Rey Neville's Matters

Sponsored presentation items by the public (10-minute time limit)

13. 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 three (3) 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.