

**CITY OF VERO BEACH, FLORIDA
AUGUST 21, 2018 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 Pastor Buddy Tipton/Central Assembly of God 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 – July 17, 2018

- B. Agenda Additions, Deletions, and Adoption.
- C. Proclamations and recognitions by Council.
- D. Staff/Consultant special reports and information items.

1) Captain Kevin Martin, Vero Beach Police Department, to talk about school safety officers – Sponsored by Councilwoman Laura Moss

2) 8/13/2018 Letter from Councilwoman Moss to City Council of 2005 regarding the Purchase of Dodgertown Golf Course

A) Presentation by Mr. Mark Hulbert – Dodgertown Urban Center

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

1) Mr. Charles Wilson to discuss the protest of PSC Order by Civic Association present evidence of lack of standing – Sponsored by Mayor Harry Howle

F. Public Comment (3 minute time limit).

3. CONSENT AGENDA

A) The Vero Beach Chamber of Commerce request permission to serve alcohol at the Vero Beach Pirate Fest weekend, which will be September 21-23, 2018.

B) The Sunrise Rotary Club of Vero Beach, request permission to serve alcohol at the Centennial Chili Challenge on October 27, 2018.

- C) [The Vero Beach Tree and Beautification Commission requests permission to hold their “Free Tree Giveaway Program.”](#)
- D) [Proposed Agreement for Purchase and Sale of the Downtown Post Office Property](#)
- E) [Grit Collector Repair Bid 200-18; WS Project No. WS10006 – Recommendation of Award in the amount of \(\\$63,167.59\)](#)
- F) [Fishing Pier at Riverside Park Change Order #1 – Bid No. 340-17/JO – COVB Project No.:2014-30 – FIND Grant Project #IR-VB-62 – Change Order Amount \(\\$32,312.50\)](#)
- G) [Change Order No. 1 to Hanson Work Order No. 4 – Airport Taxiway E Ramp and Midfield Drainage Study – \(Maximum Fee of \\$49,805\)](#)
- H) [Approval of Banking Services Contract Renewal and Amendment – \(\\$10,000 Annual Cost\)](#)
- I) [Solid Waste Franchise Agreement for Roll-Off Containers](#)
- J) [Septic Tank Effluent Pump \(STEP\) System Polyethylene Tanks – Bid 220-18 – Roth Global Plastics – \(Expenditures: Year 1 - \\$205,659.92; Year 2 - \\$211,829.58\)](#)
- K) [Xylem Pumps – Contract 1155-B – Annual Contract – \(Last year’s expenditure was \\$94,688.06\)](#)
- L) [Hydra Service, Inc. – Reuse Transfer – Bid No. 160-18/PJW – \(\\$77,126.00\)](#)
- M) [Cues TV Inspection Equipment – Sole Source Purchase – \(67,195.00\)](#)
- N) [BCR Environmental Corporation Final Payment and Change Order 5 – Wastewater Treatment Plant \(WWTP\) Sludge Handling Upgrades \(128,885.17\)](#)
- O) [I.T. Capital Expenditure/Replace Phone System – \(159,868.23\)](#)
- P) [Veterans Memorial Island Sanctuary Gold Star Grove](#)

(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

Public Service Commission (PSC) Hearing in Tallahassee on October 9th and 10th 2018 – Requested by Councilwoman Laura Moss

For the convenience of all, the following documents are attached:

1. [Complaints by Florida Industrial Power Users Group, Civic Association of Indian River County, Inc., Mr. Brian Heady, Mr. Michael Moran.](#)
2. [Letters Written to the PSC by Mayor Howle, Vice-Mayor Sykes, Councilwoman Moss, Councilman Young, and Councilman Zudans](#)

2018 Elections – Requested by Councilwoman Laura Moss

1. Vero Beach City Council is a nonpartisan office that is decided on the ballot for the General Election held Tuesday, **11/06/2018**. Early Voting is 10/22 through 11/03.
The Vero Beach City Council election is NOT part of the Primary held on 08/28/2018.

The deadline to register to vote is 10/09/2018.

2. See covb.org “Election Information” for City of Vero Beach election information.
3. See voteindianriver.com for all other election information.

Conduct of Council Members – Requested by Councilwoman Laura Moss

Request for civility and observance of proper protocol by Council colleagues.

For the convenience of all, prior requests by Councilwoman Moss for professional conduct follow:

1. [Minutes of City Council Meeting of 06/19/2018, pages 2-4.](#)
2. [Minutes \(Draft\) of City Council Meeting of 07/17/2018, page 33](#)

B. Old Business

Riverhouse – Council/Community Discussion – Requested by Councilwoman Laura Moss

For the convenience of all, the following documents are attached:

1. [Recent photographs of newly refurbished Riverhouse.](#)
2. [Minutes of 05/15/2018 City Council Meeting regarding Riverhouse, pages 16-26.](#)
3. [Minutes of 06/19/2018 City Council Meeting regarding Riverhouse, pages 2-4 and 9-14.](#)
4. [Minutes of 07/17/2018 \(Draft\) City Council Meeting regarding Riverhouse; Presentation item by Mrs. Sue Dinunno, Vice Chairwoman of the Recreation Commission; Public Comment, pages 5-15; Agenda Matter, pages 28-37.](#)

Tourist Tax 2018/2019

For the convenience of all, the following documents are attached:

1. [Photograph of Humiston Lifeguard Station](#)
2. [05/15/2018 Letter from Councilwoman Moss to County Commission](#)
3. [08/14/2018 Letter from Councilwoman Moss to Chairman Peter O’Bryan](#)
4. [08/14/2018 Letter from Councilwoman Moss to County Attorney Dylan Reingold](#)
5. [“Current Allocation” Diagram; Tourist Tax Highlights; Fund 119; Fund 128; Fund 204](#)
6. [Tourist Development Council Agenda for Meeting of 08/22/2018 \(County Administration Bldg. A, 2:00 PM\)](#)
7. [Minutes of Tourist Development Council \(TDC\) Meeting of 05/16/2018](#)

5. PUBLIC HEARINGS

A. ORDINANCES

- 1) [An Ordinance of the City of Vero Beach, Florida, Amending Chapter 2, Article I, of the Code of the City of Vero Beach, Florida by creating a New Section 2-2, to be entitled “City Seals, Graphic Marks, and Emblems;](#)

designating official City of Vero Beach Corporate Seals, Graphic Marks, and Emblems; Establishing General Restrictions for use; Providing for Conflict and Severability; Providing for Codification; and Providing for an Effective Date. – Requested by the City Attorney

- 2) An Ordinance of the City of Vero Beach, Florida, related to the City of Vero Beach Police Officer’s Retirement Fund; Amending Section 58-99, Administration of Fund, in Chapter 58, Personnel and Retirement, of the Code of the City of Vero Beach, to clarify that Deferred Retirement Option Plan (“DROP”) Participants may serve as Employee-Elected Trustees of the Retirement Fund; Providing for Conflict and Severability; Providing for Codification; and Providing an Effective Date. – Requested by the Police Pension Board

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 \$4,345.00, for a Septic Tank Effluent Pump (STEP) System to serve the real property located at 550 Holly Road, Vero Beach, Indian River County, Florida; Providing for an Effective Date. – Requested by the Water & Sewer Director
- 2) A Resolution of the City Council of the City of Vero Beach, Florida, Authorizing the City to enter into a Joint Participation Agreement with the Florida Department of Transportation for the Construct Hanger Project (FDOT No. 442101-94-01) at the Vero Beach Regional Airport; Providing for an Effective Date. – Requested by the Airport Director

6. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING

Public Hearing to be held on September 18, 2018 at 5:30 p.m.

- A) A Resolution of the City Council of the City of Vero Beach, Florida, determining that certain real properties in which the City of Vero Beach has or may have a fee simple ownership interest are no longer needed by the City, the subject real properties being certain City of Vero Beach Electric Utility Substation and related or adjacent real properties located in Indian River County and Saint Lucie County, Florida, identified as Substation #3, 2595 58th Avenue; Substation #7, 1810 58th Avenue; Substation #8, 805 1st Place; Substation #9, 199 Fred Turek Drive; Substation #10, 1755 Club Drive; Substation #11, 505 South A1A; Substation #14 (FPL Emerson), 5449 Emerson Avenue; and Substation #20 (City/FPUA Switching Station), 2433 1st Avenue S.E.; authorizing sale of said real properties to Florida Power & Light Company (“FPL”) pursuant to the negotiated sale under the asset purchase and sale agreement between the City and FPL dated October 24, 2017; Providing for Conflict and Severability; and Providing for an Effective Date. – Requested by the City Attorney

7. CITY CLERK MATTERS

- A) [Request for Code Enforcement Lien Reduction – 2520 20th Street](#)
- B) [Openings on City Boards/Commissions](#)

8. CITY MANAGER MATTERS

- 1. [FY 18-19 Proposed Budget – Budget Adjustments Due to Delay in Electric Utility Sale Closing Date](#)
- 2. [Proposed Leasing of the City Marina](#)

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.