

**CITY OF VERO BEACH, FLORIDA  
NOVEMBER 20, 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 Bishop John Miller/Christ Church of Vero Beach 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 – November 6, 2018

B. Agenda Additions, Deletions, and Adoption.

C. Proclamations and recognitions by Council.

1. Rhett Palmer Day

2. Historic Photograph Panels Exhibit – Proclamation to Jose Conrado

3. Giving Tuesday – November 27, 2018

D. Staff/Consultant special reports and information items.

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

1. [Mr. Jeff Francisco, United Against Poverty, to speak on the Advancing Cities Challenge Grant](#)

2. [Mr. Richard Lewis to speak on Wreaths Across America](#)

F. Public Comment (3 minute time limit).

**3. CONSENT AGENDA**

A) [Renewal of Contract Bid 150-15/CSS, Carbon Dioxide Annual Supply Contract – Estimated Annual Expenditure \\$25,000](#)

B) [Leisure Square Restroom Remodel – Final Pay and Acceptance - \\$11,703.33 – Bid #330-17/JO and Contract #C-18-2018](#)

C) [Cancellation of Purchase Order #SO14429 – Substation 7 ABB Switchgear – Final Payment Amount - \\$77,448.20](#)

D) [License Agreement No. 2018-LA-329 for Use of City Real Property to Vero Beach Rowing, Inc.](#)

(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](#)**

**Marina** – Council/Staff/Community Discussion

Option: **City keeps control of our Marina and refurbishes it.**

For the convenience of all the following documents are attached:

- 1) [Vero Beach Code, Section 5.05](#)
- 2) [Debt Service of Marina, Series 2007A](#)

Requested by Councilwoman Laura Moss

##### **B. [Old Business](#)**

#### **City Council Election 2018**

For the convenience of all the following documents are attached:

- 1) [Legal-Opinion Letter regarding Disqualified Candidates \(with attachments\) written by Attorney Ronald Meyer of Meyer, Brooks, Demma & Blohn, P.A., dated September 27, 2018](#)

Requested by Councilwoman Laura Moss

#### **5. PUBLIC HEARINGS**

##### **A. ORDINANCES**

- 1) [An Ordinance of the City of Vero Beach, Florida, related to the Budget for the City of Vero Beach, Florida, for the period beginning October 1, 2017 and ending September 30, 2018; Providing and Establishing Revisions to said Budget based on Revised Revenue, Expenditure and Transfer Estimates; Providing for an Effective Date. – Requested by the Finance Director](#)
- 2) [A Ordinance of the City of Vero Beach, Florida, amending Chapter 6, Section 6-9, of the Code of the City of Vero Beach, Florida, related to prohibitions on the sale, possession, and consumption of alcoholic beverages on public property; providing clarification of permit requirements and approvals to conduct prohibited activities; providing clarification of other exceptions; providing for conflict and severability; providing for codification; and providing for an Effective Date. – Requested by the City Manager](#)

##### **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 4507 Bethel Creek](#)

Drive, Vero Beach, Indian River County, Florida; Providing for an Effective Date. – Requested by the Water and Sewer Director

- 2) A Resolution of the City Council of the City of Vero Beach, Florida, Abandoning all of the City's interest in that certain Utility Easement described as the East two feet of the West 27.00 feet of tracts four and five, Section three, Township 33, Range 39 East, lying North of the Main Relief Canal right-of-way; According to the Plat of Indian River Farms Company Subdivision as recorded in Plat Book 2, Page 25 of the Public Records of St. Lucie County, Florida now situated and lying in Indian River County, Florida pursuant to the Easement recorded December 30, 1970 in Official Record Book 371 at Page 310 of the Public Records of Indian River County, Florida; Authorizing the transfer of all City Interests in the Associated Sanitary Sewer Force Main; Providing for an Effective Date. – Requested by the Water and Sewer Director
- 3) A Resolution of the City Council of the City of Vero Beach, Florida, Amending Section 16.3 of the Personnel Rules of the City of Vero Beach related to Education Expense Reimbursement; Providing for an Effective Date. – Requested by the Human Resource Director

**6. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING**

**7. CITY CLERK MATTERS**

- A) December/January City Council meeting dates

**8. CITY MANAGER MATTERS**

- A) Evaluation of Request for Proposal for the Lease of the City Marina
- B) Florida Power & Light Agreements – Per Attorney Nat Doliner
  - 1) Airport Substation 6 Lease Agreement
  - 2) Airport Substation 6 Memorandum of Lease
  - 3) Bond Escrow Deposit Agreement

**9. CITY ATTORNEY MATTERS**

- A) Request for closed attorney-client session regarding *Hillman vs. COVB et al*, Circuit Court Case No. 31 2018 CA 000696
- B) Update on City Attorney position

**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](http://www.covb.org) and other websites.