

**CITY OF VERO BEACH, FLORIDA**  
**APRIL 18, 2023 4:00 P.M.**  
**REGULAR CITY COUNCIL MEETING**  
**CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

Dr. Brian Bennett/Pathway Church will give the invocation.

**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 – April 5, 2023](#)
    - A. Agenda Additions, Deletions, and Adoption.
    - B. Proclamations and recognitions by Council.
      - 1) Retirement Proclamation to Ms. Cindy Lawson, Finance Director
      - 2) Earth Day – April 22, 2023

**3. CONSENT AGENDA (include amount of expense)**

- A) [14<sup>th</sup> Avenue/21<sup>st</sup> Street Signal Replacement \(Cost \\$61,260\) Work Order No. 4 to Contract No. 146-2022](#)
- B) [Three Corners Project – Authorization of PFM Financial Advisors Change Order #1 to Work Order #2 to Develop the RFP/ITN and Assist with Prequalification of a Master Developer for Three Corners \(\\$220,000\)](#)
- C) [Memorandum of Understanding](#)

(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 the Land Development Regulations by Restructuring and Amending Chapter 72 to Revise Chapter Heading to be entitled Environmental Protection Standards; amending Article I, in General, relating to New or Revised Definitions; Amending Article II, Landscaping, to](#)

- update the Landscaping Ordinance with Revised Site Landscape Requirements; Providing for Codification; Providing for Correction of Scrivener's Error; Providing for Conflict and Severability; and Providing for an Effective Date.
- 2) An Ordinance of the City of Vero Beach, Florida, Amending the Land Development Regulations by Amending Chapter 72, Article I, in General, Relating to New or Revised Definitions; Deleting Chapter 72, Article III Related to Tree Classifications; Creating a New Chapter 72, Article III Related to Tree and Palm Protections with Revised Tree Preservation Requirements; Providing for Codification; Providing for Correction of Scrivener's Error; Providing for Conflict and Severability; and Providing for an Effective Date.
  - 3) An Ordinance of the City of Vero Beach, Florida, Amending the Land Development Regulations by Creating a New Chapter 72, Article IV, Lagoon and Beach Protection with Development Standards to Protect the Indian River Lagoon and Beach Dunes; Amending Chapter 72, Article I, in General to add definitions; amending Chapter 64, Article I, Development Review; Deleting Chapter 74, Bulkheads and Waterways; Providing for Codification; Providing for Correction of Scrivener's Error; Providing for Conflict and Severability; and Providing for an Effective Date.
  - 4) An Ordinance of the City of Vero Beach, Florida, Instituting a Moratorium on the Acceptance of Applications and Processing of Applications for Code Compliance Certification or Site Plan Approval for Development or Change of Uses inconsistent with the Proposed Ordinance to revise the list of permitted uses within the C-1A, C-1B, B-1, and C-1 Commercial Zoning Districts for 180 days to allow time for Formulation and Adoption of an Ordinance with Revised List of Permitted Uses in the City's Commercial Districts; Providing for Exemptions; Setting forth an Effective Date; and Providing for Hearing Process for Vested Rights Claims.
  - 5) An Ordinance of the City of Vero Beach, Florida, Amending the Official Zoning Map by Changing the Zoning District Designation from ALI-1, Airport Light Industrial-1 to ALI-A1, Airport Light Industrial-A-1 District, for the Property located South of Pro Flite Drive, East of Airport Drive and West of Piper Drive, containing 7.16 acres more or less; Providing for an Effective Date.

**B) RESOLUTIONS**

- 1) A Resolution of the City Council of the City of Vero Beach, Florida, Repealing Resolution 2019-05; Authorizing the City Manager and Interim Director of Finance to issue warrants, checks, and vouchers of the City of Vero Beach for the payment of funds from any of the depositories utilized by the City; Providing for an Effective Date.
- 2) A Resolution of the City Council of the City of Vero Beach, Florida, Abandoning the City's interest in the 2.5 foot side lot easements along the North

[and South Property Lines encumbering the Real Property located at 201 Live Oak Road, Lot 3, Pelican Pointe, Vero Beach, Indian River County, Florida; Providing for an Effective Date.](#)

5. PUBLIC COMMENT (3-minute time limit)

6. CITY COUNCIL MATTERS

A) NEW BUSINESS

- 1) [Incentives for STEP System Connections](#)
- 2) [Appeal of Code Enforcement Board decision – Mr. Brian Terry](#)

B) OLD BUSINESS

7. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING

8. CITY CLERK MATTERS

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

A) [Seaside Grill Lease](#)

10. CITY ATTORNEY MATTERS

11. COUNCILMEMBER MATTERS

A. Mayor Cotugno's Matters

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

B. Vice Mayor Moore's Matters

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

C. Councilmember Zudans's Matters

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

D. Councilmember Carroll's Matters

1) [Three Corners Project Update - \(memo attached\)](#)

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

E. Councilmember 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](http://www.covb.org).