

**CITY OF VERO BEACH, FLORIDA
OCTOBER 15, 2019 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 Reverend Terry Thompson/Gates of Praise Church of God.

1. CALL TO ORDER

- A. Pledge of Allegiance
- B. Roll Call

2. PRELIMINARY MATTERS

- A. Approval of Minutes

1. [Regular City Council Minutes – October 1, 2019](#)

- A. Agenda Additions, Deletions, and Adoption.
- B. Proclamations and recognitions by Council.

- 1. World Polio Day – October 24, 2019
- 2. Presentation of Service Awards to City Employees

3. CONSENT AGENDA (include amount of expense)

- A) [License Agreement between Pickleball University, Inc., and the City of Vero Beach](#)
- B) [License and Construction Agreement between Pickleball University, Inc., and the City of Vero Beach – No. 2019-LA-355](#)
- C) [Xylem Pumps Contract 1155-B – Contract Price Not to Exceed \\$175,000.00](#)
- D) [Street Resurfacing Program Contract – COVB Project #2019-13 – Bid No. 140-19/JO – \(Establishes Unit Prices – Budgeted Amount is \\$500,000\)](#)
- E) [Renewal of Contract SRVC-34-2017 – Annual Supply for Pebble Quicklime – Estimated Annual Expenditure: \\$490,000](#)
- F) [Ratification of the Wage Reopener Agreements between City of Vero Beach and the International Union of Police Associations, Vero Beach Police Officers' Association, Local 6019 – FY 2019-2020](#)
- G) [Interlocal Communication Agreement](#)

(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; requested by Florida Institute of Technology, Inc. to annex property located at 805 46th Place East, Containing 4.56 Acres more or less, pursuant to the Voluntary Annexation Provisions of Section 171.044 Florida Statutes; Providing for an Effective Date. – Requested by Applicant \(Florida Institute of Technology\)](#)
- 2) [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 L-1, Low-Density Residential-1 to City of Vero Beach Designation C, Commercial for the property located at 805 46th Place East, containing 4.56 acres more or less; Providing for an Effective Date – Requested by the Applicant \(Florida Institute of Technology\)](#)

Quasi-Judicial

- 3) [An Ordinance of the City of Vero Beach, Florida, amending the Official Zoning Map by changing the Zoning District Designation of annexed property from Indian River County Designation RS-3, Single-Family Residential District to City of Vero Beach Designation C-1A, Tourist Oriented Services Commercial District, for the property located at 805 46th Place East, containing 4.56 acres more or less; Providing for an Effective Date. – Requested by the Applicant \(Florida Institute of Technology\)](#)

B) RESOLUTIONS

- 1) [A Resolution of the City Council of the City of Vero Beach, Florida, abandoning all of the City’s Interest in the Drainage Easement Encumbering the Real Property located at 2075 28th Avenue in the Kiss Subdivision, Vero Beach, Indian River County, Florida; Providing for an Effective Date. – Requested by the Public Work’s Department](#)
- 2) [A Resolution of the City Council of the City of Vero Beach, Florida, Authorizing the City to enter into a Supplemental Joint Participation Agreement with the Florida Department of Transportation for the Rehabilitate North Apron and Construct Apron \(Taxiway E Ramp\) Project \(FDOT #437981-1-94-01\) at the Vero Beach Regional Airport; Providing for an Effective Date. – Requested by the Airport Director](#)
- 3) [A Resolution of the City of Vero Beach, Adopting an amended Economic Development Plan for the “Historic Downtown Vero Beach Economic Development Zone”; and Providing for an Effective Date. – Requested by the Historic Economic Development Committee](#)

5. CITY COUNCIL MATTERS

A) NEW BUSINESS

- 1) [City Council candidates running for election on November 5, 2019 have been invited to speak. Three minutes per candidate to be timed by City Clerk. This matter is not a debate nor O&A forum. The eight candidates \(alphabetical order\) are: John E. Cotugno, Joe Graves, Brian Heady, Bob McCabe, Jeff Nall, Rey Neville, Estelle Panagakos, Nick Thomas. Their contact information is attached herein. Election information available at covb.org. – Requested by Councilwoman Laura Moss](#)
- 2) Traffic/Environmental Impact of Future Development
- a) [Rezoning Traffic Impact Analysis for 4.70 – Acre Parcel 46th Place Rezoning prepared by Kimley Horn](#)
 - b) [Letter dated 09/28/2017 from Mayor Laura Moss to Metropolitan Planning Organization \(MPO\)](#)
 - c) [Response from MPO dated 10/10/2017](#)
 - d) [Response from MPO dated 09/12/2019](#)
 - e) [2035 Comprehensive Plan Map Series: Figure 5 \(Wetlands and Seagrass\); Figure 1 \(Existing Land Use 2015\); Figure 8 \(Future Land Use 2015\) -](#)
Requested by Councilwoman Laura Moss

B) OLD BUSINESS

6. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING

- Public Hearing to be held on November 4, 2019 at 5:00 p.m.**
- A) [An Ordinance of the City of Vero Beach, Florida, relating to the Implementation of Affordable Housing Incentives, creating Chapter 79, Development Incentives, Article I, Affordable Housing Incentives; Providing for Codification; Providing for Conflict and Severability; and Providing for an Effective Date. – Requested by the Applicant \(Sandra McLaughlin\)](#)
- Public Hearing to be held on November 4, 2019 at 5:00 p.m.**
- B) [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, 2019 and ending September 30, 2020; Providing and Establishing Revisions to said Budget based on revised Revenue and Expenditure Estimates; Providing for an Effective Date. – Requested by the Finance Director](#)
- Public Hearing to be held on November 4, 2019 at 5:00 p.m.**
- C) [An Ordinance of the City Council of the City of Vero Beach, Florida, Deleting subpart \(B\)\(1\) “Alarm Systems” from Chapter 2, Section 2-262 City Code; Amending City Code, Chapter 34 Emergency Services; Deleting and Replacing Article II Alarm Systems of Chapter 34 Emergency Services, Providing for Definitions, Creating Position of Alarm Administrator, Registration of Alarm Systems, a Regulatory scheme for administering and managing the City’s response to Alarms, Duties of Alarm Users and Alarm Installation and Monitoring](#)

Companies, Establishing Methods for setting Fees, Fines and an Appeal Process, and Providing for other matters properly relating thereto; Providing for Codification; Providing for Conflict and Severability; and Providing for an Effective Date. – Requested by Police Chief

Public Hearing to be held on November 4, 2019 at 5:00 p.m.

- D) A Resolution of the City Council of the City of Vero Beach, Florida, Adopting a Revised Leisure Square Rate and Fee Schedule; superseding all previous Leisure Square Rate and Fee Schedules; and Providing for an Effective Date. – Requested by the Finance Director

7. CITY CLERK MATTERS

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

- A) Beachside Parking Proposed Solutions Presentation – PW Project #2018-13-\$70,950

- B) Selection of Steering Committee for Three Corners Planning & Design Process

9. CITY ATTORNEY MATTERS

- A) Discussion on Memo of U.S. Customs at Airport

- B) Consent to Sublease – Dog Park/City Options to Response of Florida Power & Light

10. PUBLIC COMMENT (3-minute time limit)

11. COUNCILMEMBER MATTERS

- A. Mayor Val Zudans’s Matters

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

- B. Vice Mayor’s Tony Young’s Matters

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

- 1) Mr. Brian Heady to speak on an article on islands near Orlando where Vero Beach was not listed.

- C. Councilmember Laura Moss’s Matters

City Council Election on Tuesday, November 5, 2019. Please vote. Go to covb.org for election information. Contact tbursick@covb.org with any questions.

Voter turnout:

22.62% for COVB election held February 26, 2019
66.12% for General election held November 6, 2018
24.83% for COVB election held November 7, 2017
76.63% for General election held November 8, 2016
21.47% for COVB election held November 3, 2015
Source: IRC Supervisor of Elections Leslie Rossway Swan at voteindianriver.com

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

D. Councilmember Robert Brackett's Matters

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

E. Councilmember Harry Howle's Matters

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

1) [Mr. Brian Heady to address the requirements of the open public records law and the requirements of government in the sunshine.](#)

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 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.