

**CITY OF VERO BEACH, FLORIDA
JULY 11, 2023 9:30 A.M.
REGULAR CITY COUNCIL MINUTES
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

Deacon Dave Hankle of St. Helen Catholic Church gave the invocation.

A moment of silence was observed for the passing of Colonel Marty Ziegler.

PRESENT: John Cotugno, Mayor; Linda Moore, Vice Mayor; Tracey Zudans, Councilmember; John Carroll, Councilmember; present and Rey Neville, Councilmember
Also Present: Monte Falls, City Manager; John Turner, City Attorney and Tammy Bursick, City Clerk

1. CALL TO ORDER

A. Pledge of Allegiance

Mayor Cotugno led the Council and the audience in the Pledge of Allegiance to the flag.

B. Roll Call

The City Clerk performed the roll call.

2. PRELIMINARY MATTERS

A. Approval of Minutes

1. Regular City Council Minutes – June 20, 2023

Vice Mayor Moore made a motion to approve the June 20, 2023 minutes. Mr. Neville seconded the motion and it passed unanimously.

A. Agenda Additions, Deletions, and Adoption.

Mrs. Zudans pulled item 3-J) off of the consent agenda.

Mr. Neville asked the City Manager if he would have the Airport Director go over some of the behind the scenes work taking place at the Airport.

Mayor Cotugno asked if there were any public comments for any of the items located on the consent agenda (continued under item 3) on the agenda.

B. Proclamations and recognitions by Council.

1) The Source/Dignity Bus

Mayor Cotugno read and presented the Proclamation.

2) Treasure Coast Waterway Cleanup Week – July 15 - 23, 2023

Mr. Neville read and presented the Proclamation.

3) Moonshot Moment Word Collectors

Mrs. Barbara Hammond thanked Council for being moonshot leaders. She said that Indian River County has joined together to become the literacy capital of the nation. She said it takes a community working together and parents working with their children to keep literacy growing. The State of Florida is implementing policies to make sure people understand how the brain grows and are joining the learning journey and taking action. She said that the City of Vero Beach City Council are the first elected officials to start the program. She is inspired with what they do and thanked them for leading them in this journey.

Mrs. Marie O'Brien, The Learning Alliance Coordinator, introduced "Moonshot Word Collectors." She reiterated that the City of Vero Beach is the first to start the campaign. She explained how this works. Everyone is encouraged to write down a word that is meaningful to them and then hang it on the cordel located in the City Hall lobby. There is a QR code to share their word with more people and post it on social media with hashtag "MoonshopCommunity". The word that she chose was "dignity." She presented each Councilmember with a book entitled "The Word Collector" written by Peter Reynolds and this was based on how this whole concept got started. She hoped that everyone will share and collect their words.

3. CONSENT AGENDA (include amount of expense)

- A) Emergency Purchase Notification – Inspection of Tanks Project Underwater Solutions, Inc., Contract 188-2023, Contract Amount \$58,000, Change Order #2 amount (\$8,572)**
- B) FMIT Health Insurance – (Estimated at \$5,314,749)**
- C) Centroid Diversified Final Payment for Contract 183-2023 (\$5,227.83)**
- D) Agreement for Consent to Sublease between City of Vero Beach and JP Aviation Investments, LLC**
- E) Change Order 1 to Work Order 3 for AECOM Technical Services for Design and Bidding of Terminal Building Rehabilitation Project (FDOT #449614-1-94-01) (\$97,491.75 Increase)**
- F) Award the Annual Street Resurfacing Contract (Bid No. 140-23-JO) (Not to Exceed Cost \$1,400,000) PW Project No. 2023-29**
- G) Vero Beach Yacht Club North and South Riparian Line and Fairway Agreements**

H) Approve Final Payment to Underwater Engineering Services, Inc. for \$3,342.95 Bahia Mar Dune Crossover Repair Contract #173-2023, Project 2022-45

I) Approve Final Payment to Underwater Engineering Services, Inc. for \$23,417.06 Conn Beach Boardwalk Repairs (Phase II) Contract #169-2023

J) Youth Sailing Lease Agreement

Mrs. Zudans explained why she pulled this item off of the consent agenda. She said with this agreement it gives Council an opportunity to discuss lease agreements in general and accountability. Regarding the Youth Sailing lease agreement if this is approved it will be located on one of the most valuable pieces of property that the City owns. They have great public/private partnerships with non-profit organizations in the community, but none of them are at a premium piece of waterfront property like Youth Sailing. Mayor Cotugno brought up the Dog Park. Mrs. Zudans said that is different. Mrs. Zudans continued by saying this is also tied to the Three Corners project, which will be developed because of the referendum that was passed. She said the section of property where Youth Sailing is was not part of the referendum. She said the reason for her bringing this up is because they have an opportunity to get an idea of what the amount of rent would be for a situation like this. They are allowing a non-profit organization to go onto a piece of property that has great value and will not be on the City's tax roll, so there will not be that money potentially coming into the City, which could potentially be used for things that are necessary in the City like adding more police officers. She felt that they should be looking at all of their leases to make sure they are receiving the appropriate rent and also accountability. She brought up the Power Squadron and the insurance predicament that they have gotten into and the City had to put them under their umbrella policy for this year. The City never went back and inspected this building to look at the roof, etc. They need to consider an annual audit if they are not inspecting their leased properties on a regular basis. They can look at sustainability in those organizations that are using assets of this community.

Mr. Neville agreed that this makes good sense. He said when the Power Squadron first built their building it was new and shiny, but it is not like that anymore because of its age. The Youth Sailing building will be brand new and as time passes they will see if that continues. They need to make sure that the assets built on their property that could become the City's property is taken care of. The idea of an audit should be done at the non-profit agency's expense and should be submitted to the City by an independent party saying that the lease is being handled properly and that the building and grounds are properly maintained. He said it should apply to everyone that they lease to.

Mrs. Zudans expressed the necessity to put these things in their lease agreements as a requirement for their organizations. She said Youth Sailing could be the first organization that has these clauses in their agreement.

Mr. Neville explained the process would be to develop an Ordinance that applies to all leases in a process whereby they could change those leases over time if they needed to.

They do not want to single out someone and they need to have a policy that is across the board and that everyone that leases property from them is responsible for.

Vice Mayor Moore felt periodic reviews every year might be too much.

Mr. Neville felt that they needed to have a draft to look at and develop, but this concept is very rational and appropriate.

Mr. Monte Falls, City Manager, added that this might be a good time to do this as they are experiencing so many problems with the insurance market. He said all of their lessees are required to have insurance and this is the first year that he can remember that so many leaseholders have come to them expressing the difficulty that they are having with obtaining insurance.

Mayor Cotugno commented that the concerns about leases in general are for all of the lessees they have is going to be more important as they go forward. He agreed that this could be adopted by Ordinance, but it will take time to get that accomplished. He did not want to hold up the Youth Sailing agreement because of this. He said they have worked diligently in putting this proposal together. He feels the Youth Sailing building and activities will serve them well and they will maintain it as part of this private/public partnership they have with the City. He wanted to move forward on this lease with the understanding that they put something together that will encompass all of their lessees.

Mr. John Turner, City Attorney, explained that there are general requirements in the proposed lease that requires Youth Sailing to construct the building at their sole cost and expense. They have to have a site plan according to their land development regulations, as well as maintain the property in a good and proper manner. They also have to maintain insurance at their sole cost and expense, etc. He said these are the general requirements that they have in all of their lease agreements to make sure that the improvements that are going to be transferred to the City are in good working order and have been properly insured. He said they could draft additional language for this lease subject to the lessee approving it.

Vice Mayor Moore felt that it would be in their best interest and their constituents if there was a mechanism for these properties to be periodically inspected.

Mr. Turner felt that this could be addressed with a specific requirement of auditing by people who are credited that can go in and do inspections that they can rely on.

Mrs. Zudans commented that if they approve this lease agreement today it will be very difficult to go back and amend it without talking to Youth Sailing and getting their feedback. She knows there has been a lot of work that has gone into this already. She doesn't know of any other lease agreement that will be coming up and if they are moving forward and doing a protocol like this that this lease agreement needs to be the first one that it happens with. She said this has nothing to do with the Youth Sailing program in any way, but the Council needs to do their due diligence and if it is not in writing it will be very

difficult to retroactively do that. She suggested waiting to approve this for another month or however long it takes to put the requirements in the lease then to approve the lease and make it retroactively fit.

Mr. Carroll asked if they develop the language changes for this particular lease would that be the basis going forward for the new Ordinance that they are looking at adopting.

Mr. Turner answered yes. He agreed that these things should be addressed in this new lease and then everyone will know what is expected of them. He would feel more comfortable negotiating with Youth Sailing and crafting some language that addresses the concerns of City Council and the concerns of their citizens.

Mayor Cotugno asked if they were going to be crafting specific language or a clause within the lease that says a soon to be adopted Resolution or Ordinance...

Mr. Turner explained this would be language that is going to apply and it can be the basis for a future Ordinance. There will be specific language in this lease addressing maintenance audits, inspections, calendar those events, what will happen in the event there are defects or repairs that need to be made, etc. He said these are some of the items that will be addressed in this lease. He said this lease will not be approved today by City Council.

Vice Mayor Moore agreed that this needed to be done.

Mayor Cotugno said in all fairness to the potential lessee they have been negotiating this lease for a long time.

Mr. Turner explained that this was not a standard lease for a piece of property that they are going to put a building on. This is an important matter and they are taking it very seriously. He said City Council must approve all of these documents and if they don't feel comfortable approving this language then they need to direct staff to go back and discuss this further with Youth Sailing and come up with some language that they both agree on and then it will be brought back to Council at their next meeting for approval. If it does not meet their approval then it can be addressed again.

Mr. Neville commented that a huge piece of waterfront property will be in Youth Sailing's possession, which could have been used differently and the value of that land is in the millions. The City is a major partner in this throughout the entire process and they need to make sure 15 years from now the building is in good shape. He said who knows what will be going on in 15 years, but they need to face this matter now because they haven't done it in the past and now they are facing the consequences. He wondered if they could discuss the lease at their budget hearings next week.

Mr. Turner said if that is when they want to review the agreement that he will make time to get it done.

Mayor Cotugno suggested continuing this matter until the August 8, 2023, City Council meeting to be reviewed for their approval and incorporated in all future leases with Youth Sailing being the first agreement where the language will be included in.

Mr. Neville asked that the lease agreement with the new clause be circulated by the City Clerk in advance giving the Council time to review it and give their feedback. Mr. Turner said that will be done.

Mayor Cotugno opened up the meeting for public comments at 10:26 a.m.

Mr. Stu Keiller, Executive Director of Youth Sailing, completely agreed with this and welcomed those new standards for maintenance. He said they are planning to build a structure that will be in place 100 years from now. He asked that this be done expediently because a lot of money is being spent on planning.

Mr. Turner stated that the matter will be continued until the August 8, 2023, City Council meeting.

Mr. Neville made a motion to table the discussion on the Youth Sailing lease and bring it back to the August 8, 2023 City Council meeting with the new clause in the agreement. Mr. Carroll seconded the motion and it passed 5-0 with Mr. Neville voting yes, Mr. Carroll yes, Mrs. Zudans yes, Vice Mayor Moore yes, and Mayor Cotugno yes.

K) Softening Tank No 3 Repairs Final Pay – Grove Welders – (\$319,818.95)

Ms. Judith Peschio, Commodore for the Vero Beach Yacht Club, thanked everyone for all the hard work and time that they spent in negotiating this agreement. The Yacht Club looks forward to another 100 year relationship with the City of Vero Beach.

Mr. Michael Giannotti (spelling may not be correct) stated that he was a slip owner at the Marina. He sees that two (2) agreements have been signed between the City of Vero Beach and the Vero Beach Yacht Club and he does not know how this came to be and now today they are ready to pass this and nobody knows about it. He was on a waiting list for six (6) years to get a boat slip at the City Marina. He said that the Marina is constantly full. He is in favor of the expansion of the Marina and it is an asset to Vero Beach. The problem is in looking at these documents, he saw a picture of modifications and half of the slips on the dock will be taken away. They will be reducing the number of slips for tax paying residents to be able to have access to waterfront and giving it away to the Vero Beach Yacht Club. He said that they would be giving away \$48,000 a year by doing this. He said at the very least they should make Vero Beach Yacht Club give them that money. He has always been concerned that there is not enough waterfront recreation available to residents of Vero Beach. He asked Council not to sign these agreements because it is just wrong and they are doing a disservice to the taxpayers.

Mr. Falls explained that the spaces on the south side of the dock in the main complex are going away, however there is a net increase in the number of dock spaces in the north complex. He said there will be some reshuffling of the spaces, but there will be a net increase of leasable footage for docks in the City Marina.

Mr. Giannotti said that he knew that was true, but he was also concerned that there are organizations in town that are trying to make sure that does not happen.

Mr. Falls assured the public that the City was not giving away \$48,000 a year to the Yacht Club in loss of leasable footage.

Mr. Keith Drewett stated that the City is not giving anything away. The riparian lines flows from the 1953 agreement where the government gave the waters to the State to administer and the way the boundary between the adjacent riparian areas is constructed is laid out by Statute. So the riparian area that belongs to the Yacht Club is by Statute and they are not giving anything away to the Marina and they are not giving anything to the Yacht Club.

Mr. Falls agreed with the comments made by Mr. Drewett. He said they have had negotiations going on for the last six (6) months and these agreements will work for both the Yacht Club and the City. What they will see when this is done is the factual design for the slip layout for the City Marina, which results in new leasable dock space.

Vice Mayor Moore made a motion to approve the consent agenda as amended. Mr. Carroll seconded the motion and it passed unanimously.

4. PUBLIC HEARINGS

A) ORDINANCES

- 1) An Ordinance of the City of Vero Beach, Florida, Amending the Vero Beach Firefighter Relief and Pension Fund; Amending Section 58.80(b) of the City Code to clarify the methodology for calculating cost of living adjustments; Amending Section 58.81 of the City Code to revise the allocation formula for the Defined Contribution Share Plan funded by available premium tax revenue under Fla. Stat. Section 175.351; Providing for Codification; Providing for Conflict and Severability; and Providing for an Effective Date.**

The City Clerk read the Ordinance by title only.

Mr. Falls reported that the Vero Beach Firefighter Relief and Pension Fund is funded largely by State premium tax distributions, with any remaining balance to be funded by the City to meet required contributions calculated by the fund's Actuary. The Board of Trustees of the Vero Beach Relief and Pension Fund has requested approval for an amendment to the Pension Fund's Share Plan to increase the benefit paid to the remaining

plan participants. There is no risk to the City's funding requirement with the proposed amendment and staff recommends approval of the Ordinance.

Mayor Cotugno opened the public hearing at 10:31 a.m.

Mr. Terry Zokvic, Chairman of the Vero Beach Firefighters Pension Fund, was in favor of the passage of the Ordinance.

Mayor Cotugno closed the public hearing at 10:32 a.m., with no one else wishing to be heard.

Vice Mayor Moore made a motion to approve the Ordinance. Mr. Neville seconded the motion and it passed 5-0 with Mr. Neville voting yes, Mr. Carroll yes, Mrs. Zudans yes, Vice Mayor Moore yes, and Mayor Cotugno yes.

B) RESOLUTIONS

- 1) A Resolution of the City Council of the City of Vero Beach, Florida, repealing Resolution 2023-06; Authorizing the City Manager and 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.**

The City Clerk read the Resolution by title only.

Mr. Falls reported that Mr. Steven Dionne, Director of Finance, was hired on June 19, 2023. This Resolution removes Mrs. Kelley Brost from the City's list of authorized signers to formulize her removal from access to their banking and financial services accounts and adds Mr. Dionne in her place.

Mayor Cotugno opened and closed the public hearing at 10:33 a.m., with no one wishing to be heard.

Vice Mayor Moore made a motion to adopt the Resolution. Mr. Neville seconded the motion and it passed 5-0 with Mr. Neville voting yes, Mr. Carroll yes, Mrs. Zudans yes, Vice Mayor Moore yes, and Mayor Cotugno yes.

- 2) 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 Hurricane Nicole (FEMA-4680-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.**

The City Clerk read the Resolution by title only.

Mr. Falls reported that in early November 2022, Hurricane Nicole impacted the City of Vero Beach. On December 13, 2022, there was a Federal Major Disaster declaration that makes the City eligible for Federal and State public assistance funding to reimburse a share of the project costs associated with this storm. The typical Federal cost share is 75%, and the State cost share is 12.5%, leaving the City with a 12.5% match. Attached to the Resolution is the Federally Funded Subaward and Grant Agreement that will enable the City to apply for and receive this public assistance funding. If they do not approve the Resolution then they will not be eligible for reimbursement.

Mayor Cotugno opened and closed the public hearing at 10:35 a.m., with no one wishing to be heard.

Mr. Carroll made a motion to approve the Resolution. Mr. Neville seconded the motion and it passed 5-0 with Mr. Neville voting yes, Mr. Carroll yes, Mrs. Zudans yes, Vice Mayor Moore yes, and Mayor Cotugno yes.

5. PUBLIC COMMENT (3-minute time limit)

Mr. Bob Stanley requested to speak about the Twin Pairs and reducing the lanes. He provided Council with a flyer that he produced entitled “Vero Beach Downtown Impact Recommendations” (on file in the City Clerk’s office) that has a map of the downtown area attached. He was not in favor of reducing the lanes on the Twin Pairs. He said to build a pedestrian friendly downtown and encourage downtown foot traffic they need to install “Main Street” signage to building awareness of downtown and promote City pride. They need to signify approaching “Downtown.” Define the borders of the “Downtown Community.” He suggested installing 25 mph flashing/radar signs on the “Twin Pairs” roadway to slow traffic. They could add additional attractive brick paver crosswalks for a pedestrian friendly downtown experience. To increase the number of parking spaces downtown they could add angle parking in front of Jetsons and consider adding covered parking at the lot across from Jetsons. He suggested that they consider creating a Business Improvement District (BID) to focus on downtown development within an overall integrated City plan. Some observations made is that the Source has improved the cleanliness of downtown. The Fish & Wildlife building has an underutilized large parking lot. What needs attention is the Brightline/FEC Railroad rubble between the railroad tracks and Commerce Avenue. There is a lack of landscaping downtown. He noticed that some of the business owners demonstrate a lack of pride. There are messy storefronts and scattered garbage and cigarette butts evident around downtown. He plans to attend the public workshops being scheduled to discuss the Twin Pairs.

6. CITY COUNCIL MATTERS

A) NEW BUSINESS

B) OLD BUSINESS

7. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING

Public Hearing on this Ordinance will be heard on August 8, 2023 at 9:30 a.m.

- A) A Resolution of the City Council of the City of Vero Beach, Florida, Amending the City of Vero Beach General Employee Retirement Plan; Amending Article 5, Retirement Benefits, to provide for the In-Service Distribution of Retirement Benefits; Providing for Incorporation into General Employee Retirement Plan; Providing for Conflict and Severability; and Providing for an Effective Date.**

The City Clerk read the Resolution by title only and reported that the public hearing would be held on Tuesday, August 8, 2023 at 9:30 a.m.

8. CITY CLERK MATTERS

- A) Mrs. Leslie Swan, Supervisor of Elections, to speak about the need for City of Vero Beach voters to renew their mail ballot request for upcoming Elections in 2023.**

Mrs. Leslie Swan, Supervisor of Elections, appeared at today's meeting to remind voters to renew their mail ballot request for the upcoming Election in 2023.

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

- A) Alma Lee Loy (17th Street) Bridge Repair**

Mr. Falls reported that the Alma Lee Loy (17th Street) Bridge is owned by FDOT and is one of the two bridges in the City that access the barrier island. The Bridge was constructed in 1979 and requires structural repairs at the east end of the bridge. The repairs can be done by either shutting down the bridge completely for 1000 days (2 years and 9 months) or by shutting down half of the bridge at a time for 1600 days (4 years and 5 months). FDOT's current plan is to shut down half of the bridge at a time and to begin work in September 2023. FDOT held an open house for the project on May 23, 2023 at City Hall and gathered input from local residents. Local residents on the east side of the bridge suggested doing a full closure of the bridge to speed up the construction time. Based on the input at the public open house the City held a meeting between staff at FDOT and County Traffic to discuss what the possibility and implications of changing the project to a full closure would entail. The Barber Bridge normally carries over 20,000 vehicles per day and the Alma Lee Loy Bridge carries over 22,000 vehicles per day. FDOT is exploring the pros and cons of a full or partial closure and requires a response from the City by July 13, 2023 to incorporate the City's desire into their ultimate decision. If a full closure is recommended it should be with the condition that FDOT has evaluated all possible scenarios to minimize impact to traffic. Any other FDOT or County projects that would impact traffic in the area should be delayed if possible. If a half closure is recommended,

the City should still request that any other project impacting traffic is delayed to the maximum extent practical for FDOT. The half closure is the safest option overall for the community and is what staff would recommend. While the full closure reduces the construction time, either option is lengthy and impacts the community as a whole. If the full closure had a much shorter duration, such as 6 months, it may be a more viable alternative. Rerouting 22,000 vehicles per day to the Barber Bridge, which already carries over 20,000 vehicles per day for close to three (3) years is not desirable. They will be asking that a temporary traffic signal be installed and removed once the construction has been completed.

Mr. Neville asked that once the repair work has been completed on the bridge what the life expectancy will be. Mr. Falls said it will be around the year 2050.

Mrs. Zudans asked if FDOT was solving the issue of the barriers in the middle of the east end of the Barber Bridge because that was also an issue for those neighborhoods who were near the east end of the 17th Street Bridge. She said they could not go through those barriers and had to go all the way down to A1A and turn around and try to come back.

Mr. Falls said he would work with FDOT on providing some relief for the neighbors.

Mrs. Zudans continued by saying neither solution is an excellent solution. She said at the end of the day they have to pick the least worst solution and the least worst option is to leave one (1) lane open all the time. She doesn't like that solution either, but it has to be done otherwise they are cutting off half of an Island and they don't have the infrastructure to do that right now.

Mr. Carroll noted that he was talking to the Engineers at the public meeting and one of the big things that is different from the bridge repair project that took so long is the fact that they have to relocate the utilities that are attached to the north side of the bridge and that will take six (6) to eight (8) months to erect certain structures. Hopefully, during that time they will not have to close the north section of the bridge.

Mr. Falls went over the timeframe of the project. They have been told by FDOT that it will take four (4) years and six (6) months to complete the project beginning in September.

Vice Mayor Moss asked if they would be coinciding with the work that will be going on with the north side of the bridge.

Mr. Falls hopes that FDOT will look at all of their upcoming projects to make sure that they don't put any additional stress on traffic.

Mayor Cotugno asked if FDOT has said the reason for not building a new bridge rather than repairing the bridge. Mr. Falls has not heard what the answer would be to that question.

Mr. Carroll said the positive thing is that the same firm working on the Fort Pierce Bridge project will be doing both the Fort Pierce and Alma Lee Loy Bridge projects and there will not be any planned closures of the Fort Pierce Bridge to divert traffic to Vero Beach and have resources in this area.

Mrs. Jerusha Stewart commented that when they are doing this some of the traffic will need to go over the other bridge. She asked if there was a stress test to know that the other bridge can handle the extra weight.

Mr. Falls explained that bridges are designed to carry legal weight vehicles based on the number of vehicles going over the bridge.

Mrs. Stewart asked if they knew when the other bridge may need to be retrofitted.

Mr. Falls went over how the two (2) different bridges were built so different with the new bridge having a difference in elevation.

Mrs. Stewart asked if it would be an option to build a new bridge.

Mr. Falls expressed that it is very unusual to see a community of their size having two (2) bridges built this close together. He has not heard anything about the replacement of a bridge. The FDOT inspects the bridges every two (2) years and when work is needed they come up with a schedule.

Mrs. Stewart asked who was responsible for community communication in making this a more palatable situation. She asked if there was a way to communicate what is happening.

Mr. Falls explained that ultimately the citizens of Vero Beach are their responsibility. He said that FDOT has had a public meeting asking for the City's input, which is what they are here for at this meeting to give them. He said that they will make available to their citizens whatever information that they have.

Mr. Neville commented that when FDOT held their public meeting there was only 12 residents that attended. He said there are two (2) newspapers in this area and he has not seen them post any information about this. He said there needs to be more input from the press and that is not the case.

Mrs. Stewart asked what they can do to make sure that the citizens know that this is going to happen.

Mayor Cotugno suggested that Mrs. Stewart talk to any of the Councilmembers individually regarding her concerns.

Mrs. Zudans told Mrs. Stewart that she would be happy to meet with her because she shares some of her thoughts.

Mrs. Carol Kanarek commented that it was unfortunate that they were looking at this bridge work taking over four (4) years to get completed, but it would be much worse if it was closed entirely because of safety reasons.

Mr. Falls reiterated that staff is recommending the half closure and maintaining one lane of traffic in each direction.

Mrs. Zudans made a motion to approve staff's recommendation of keeping one lane of traffic open in both directions for the four years and 5 months. Vice Mayor Moore seconded the motion and it passed 5-0 with Mr. Neville voting yes, Mr. Carroll yes, Mrs. Zudans yes, Vice Mayor Moore yes, and Mayor Cotugno yes.

Mr. Falls gave an update on the Vero Beach Yacht Club and said it is about a 20% increase in the leasable dock space with the new configuration.

Mr. Falls reported that Mr. Peter Polk a local City Engineer, has been selected to be their Consultant Project Manager for the Three Corners project.

10. CITY ATTORNEY MATTERS

A) City Information Technology Policy Concerning Laptop Computers & Remote Use

Mr. Turner reported that he has hired an interim law clerk who will work remotely during the summer until her classes resume in the fall. However, he was informed that the City did not have a remote work policy, which he has developed with the help of the I.T. Department (attached to the original minutes). He distributed a copy to Council for their input. He hopes his clerk will be in the office next month so he can introduce her and if things work out hopefully she will be able to intern in-house for several months next year.

11. COUNCILMEMBER MATTERS

A. Mayor Cotugno's Matters

Mayor Cotugno acknowledged a letter that the City received recognizing the staff at the City Marina (on file in the City Clerk's office). He thanked the Marina Director and his staff for doing such a fine job and how much it was appreciated.

Mayor Cotugno gave a brief update on the Community Complex. He said that he recently signed a letter of support for a grant that they were pursuing for the walking trail.

Mayor Cotugno noted that Colonel Marty Zickert's memorial service will be held on July 29th at Veterans Memorial Island.

B. Vice Mayor Moore's Matters

Vice Mayor Moore announced that Downtown Friday scheduled for Friday, July 28th will be held on the south side of downtown. The band will be playing in the parking lot near Southern Social. Also, Christopher Sweeney who is one of the people painting the mural adjacent to Southern Social will be there along with some other artists painting murals in the alley. Then on Saturday the artists will come back and finish their murals.

C. Councilmember Zudans's Matters

Mrs. Zudans reminded everyone that the City Budget Workshops will take place Monday and Tuesday next week. She encouraged the public to attend. She said hopefully they will have a balanced budget without raising the mileage rate.

D. Councilmember Carroll's Matters

- 1) Discussion of on-going citizens' concerns regarding the "Lucey" house situated at 1215 Spanish Lace Lane, Vero Beach, Florida 32963 to include input from the Indian River County Building Official, Vero Beach staff and Attorney Turner.**

Mr. Carroll commented that he put this item on the agenda not knowing that it would be heard before the Code Enforcement Board on Wednesday. He went over the chronological order of when the original roof permit was issued, which was in July 2020 and where they are now.

- 2) Discussion of on-going citizens' concerns regarding the Seaside Grill renovation project. The permit was issued by the County and work has commenced on the roof framing/truss elements. What is the timeframe of the completion, certificate of occupancy and opening of the restaurant for patrons.**

Mr. Falls gave an update on the Seaside Grill. He said that progress is being made. The inspector is on site and the roof replacement is on its way. The owners of Seaside Grill hope to set an opening date in the near future.

- 3) Discussion of Council recommendation to the Veterans Memorial Island Sanctuary Advisory Committee to research the location and erection of a new memorial to commemorate the Women Who Have Served this country during both war and peace time.**

Mr. Carroll commented that he recently visited two (2) different towns and they both had some type of memorial to commemorate the women who have served this Country during both war and peace time. He would like to ask the Veterans Memorial Island Committee to research this. He thinks it is a good thing to have.

Mr. Neville said as long as it meets the criteria for the Island he thinks it is a great idea.

Mrs. Zudans felt that the Veterans Memorial Island Sanctuary Committee should be coming to the Council and saying that they think this is something that the community might be interested in.

Mr. Turner mentioned this was brought up at the last Veterans Memorial Island Sanctuary meeting by one of the members.

Mayor Cotugno said a Councilmember can attend the Veterans Memorial Island Sanctuary meeting and ask that the topic be discussed. He said that this Committee meets every month.

Mrs. Zudans agreed with not giving direction from the dais to the Veterans Memorial Island Sanctuary Committee.

Mr. Carroll said that he will attend one of their future meetings.

BUDGET MATTERS

Mr. Carroll was asking for staff to come up with some cost so these items could be discussed next week as appropriate for the budget hearings. He didn't want these items to come up and not have any value associated with.

He said here are the items that he would like have discussed at budget time.

- 1) Appropriation for the design, preparation, and installation of a Pilot Program to install pavement markings and signage to designate certain roads within the City as "Share the Road" traffic ways. (See attached backup material that the program would be limited to)**
- 2) Appropriation for the design, preparation, and installation of signage and pavement markings as potentially required to inform the citizens of the revised Vero Beach Golf Cart Ordinance to be developed in concert with CS/CS/HB 949: Operation of a Golf Cart with an effective date of October 1, 2023. Additional monies will be required for citizen education.**
- 3) Appropriation for the design, preparation, and installation of a "Traffic Calming" Pilot Program to install curbing, pavement markings and signage to reduce speeds thru residential neighborhoods. The program would include a transition zone wherein a series of three curb offsets would reduce the lane width to 12 feet thru a 500 feet transition zone thereby reducing speed. (See attached backup material that the program would be limited to)**

No discussion by Council took place on these items.

- 4) Appropriation for staff evaluation of the sunset/elimination of the current system of plan review wherein the City of Vero Beach transfers all duties outlined in the 2020 Edition of the Florida Building Code, Building Section 104, Duties and Powers of Building Official to the County in exchange for the**

fees paid for the building permits reviewed and issued. The process prevents staff from resolving permit issues quickly for the citizens and making personal changes to facilitate a timely review process. The alternative selected by other small municipalities include: to retain outside licensed consultants to review construction plans for conformance with the Florida Building Code and local Ordinance and issue the permits, perform the required inspections and issue the Certificate of Occupancy or Completion.

Mr. Carroll felt that they should take a look at reevaluating their relationship with the County Building Department and how they serve the City of Vero Beach. He said the City are their clients and if it was up to him he would have fired them a long time ago.

Vice Mayor Moore asked if there were any estimates on how much revenue would be brought in if they were to do their own permitting and how much would it cost to have a Building Department.

Mr. Falls explained they always like to see the revenues cover all the expenses. They have not looked at an in-depth proposal. He has talked to the County Administrator and he has said some encouraging things that he is going to implement with management changes at the Building Department so he hopes things will work out.

Mr. Carroll explained that one of the things they have done in south Florida is they don't actually create a department. He said it is contracted out by private providers and it has worked out very well.

Mr. Falls reported that the Planning Director has reached out to the County Planning Director to see if they could get together and work on a process that would streamline projects in helping move things along.

Mr. Carroll hopes things will work out. He wanted to bring this up so that everyone realizes they don't have to stay with the County Building Department.

Mr. Neville asked Mr. Carroll if the way it works down south is they hire qualified building inspectors to do the work. Mr. Carroll said that is correct. He said they are employees of the contracted engineering firm.

Mayor Cotugno added that they would enter into a services contract with all of this laid out.

Mr. Neville thought that the County was still using outside contractors, but he did not believe they came from an engineering firm, but they are hired individually.

Mayor Cotugno mentioned that a number of meetings ago he mentioned that if Council had anything substantial that they wanted to discuss at budget time they should bring it up as soon as possible. He said with this item at this point in time in a budget cycle in his opinion is too late. It is a substantial undertaking and not something that they would decide

at two (2) budget workshops. They need to sit down with the City Manager and discuss it and go over the pros and cons of doing it.

Mr. Carroll understood what the Mayor was saying. He said his point was to have a budget item for the ability of changing the way they are doing things now. He realizes that it will take time. If they don't have the money to analyze it then they will be kicking the can down the road.

Mayor Cotugno reiterated to discuss this as a line item in this year's budget is too late. He said they don't know what this will cost and the budget meetings are next week.

Vice Mayor Moore explained that what Mr. Carroll wants to do is to have this money in the budget to find out what this will cost.

Mr. Carroll explained it would basically be for staff time.

Mayor Cotugno said here they go again with using staff time and he had some concerns with that.

Mrs. Zudans recalled if they will go back and remember in November they did prioritize things when they all first got on Council and they had five (5) top priorities. She said every time they bring up something like this and ask for staff time to do it, it is a distraction for the top priorities that they have charged their staff administration in doing. She cautioned Council that the dais was not the place to bring up new projects when there are priorities already on the table.

Mr. Carroll heard what Mrs. Zudans was saying, but said when there is a problem sitting out there they are here representing the citizens of Vero Beach to solve them. He said if they see a problem and they don't discuss it then they are not doing their job. That is why he is going to continue to bring these things up as he sees fit.

Mrs. Zudans suggested bringing them up at individual staff meetings versus at the dais.

Mayor Cotugno said it is fair to bring them up and feel free to do so. However, they have a very lean staff to be able to turn this around in 72 hours and work on this and that is not fair to staff.

Mrs. Zudans recalled that they already have charged the City Attorney to come back to them at their August 8th meeting with some new language for their leases so that is one more thing that they have already charged him to deal with.

Vice Mayor Moore agreed with Mr. Carroll that this is a problem and if they start talking about it now maybe by next year at their budget hearings they will be in a better place to deal with it.

Mayor Cotugno commented that they can't ask staff to come up with a plan to do this and then come up with the cost of scoping this out for this year's budget hearings. He said that is not fair to staff. They have other priorities facing them and other items they have been working on. He believes that he asked Council early on this year if they had any budget items to please get them in as early as possible so there would be time to discuss them and staff would have time to do the necessary research. He said this is way too late to bring this up.

Mr. Neville commented that there are budget adjustments made throughout the year and if this is warranted within the next few months and they get some information that would make it worthwhile then they could present it and adjust the budget accordingly.

E) Councilmember Neville's Matters

Mr. Neville commented on what a great July 4th celebration it was and he thanked the sponsors.

Mr. Neville showed some pictures of the new bakery "Sweet Desires" located in Miracle Mile. He said it is an Espresso Bar and Bakery. He was very impressed with the new establishment and encouraged the public to try it.

13. ADJOURNMENT

Today's meeting adjourned at 11:41 a.m.

/tb