

**CITY OF VERO BEACH, FLORIDA
SEPTEMBER 15, 2020 8:30 A.M.
REGULAR CITY COUNCIL MINUTES
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

A moment of silence took place.

1. CALL TO ORDER

A. Pledge of Allegiance

Mr. Neville led the City Council and the audience in the Pledge of Allegiance to the flag.

B. Roll Call

Mayor Tony Young, present; Vice Mayor Laura Moss, present; Councilmember Robbie Brackett, present; Councilmember Joe Graves, present and Councilmember Rey Neville, present **Also Present:** Monte Falls, City Manager; John Turner, City Attorney and Tammy Bursick, City Clerk

2. PRELIMINARY MATTERS

A. Approval of Minutes

1. Regular City Council Minutes – September 1, 2020

Mr. Neville made a motion to approve the September 1, 2020 minutes. Mr. Brackett seconded the motion and it passed unanimously.

A. Agenda Additions, Deletions, and Adoption.

Mrs. Tammy Bursick, City Clerk, requested that item 3-K) be moved and heard under City Manager's Matters. She also requested that item 3-L) be pulled off of the consent agenda, and that item 4B-1) be pulled off of the regular agenda.

Mr. Neville made a motion to adopt the agenda as amended. Vice Mayor Moss seconded the motion and it passed unanimously.

B. Proclamations and recognitions by Council.

**1) Keep Indian River Beautiful International Coastal Cleanup Month –
September 17 – October 17, 2020**

Vice Mayor Moss read and presented the Proclamation.

2) Dr. David K. Moore, School District Superintendent for Indian River County, to speak on the opening of Indian River County Schools/COVID-19

Dr. David K. Moore, Superintendent for Indian River County School District, spoke on the opening of schools in Indian River County. He said that they are going on their fourth week of having school in session and everything is going very well. Before opening parents were given three (3) different options on how they wanted to handle their child's education this year because of the pandemic. He said that at all times in the schools they have been practicing social distancing and having students wear masks. The students are given mask breaks or a mask pass when they feel the need to remove their mask. For the parents who chose to keep their children at home and handle their schooling virtually they will be given a chance on October 14th to send their children to school if they wish to do so. That will be the nine (9) week period for the schools. At this point they have around 70% of all the students in this County attending school brick and mortar. The Health Department is providing rapid testing for faculty and students when symptoms have been reported. He said they are attacking COVID-19 and striving to get all the students back in class. They are having to acclimate the children to this new environment. They are also looking at what the impact of COVID-19 has been considering learning loss. They all agree it has been an inconvenience, but they will all get through it. He thanked the teachers and staff for the great job that they are doing. This Friday night there will be a football game where social distancing will be practiced. He thanked Council for allowing him to attend the meeting and give this update.

3. CONSENT AGENDA (include amount of expense)

Mr. Brackett made a motion to adopt the agenda with items 3-F) and 3-G) being pulled off of the agenda for discussion. Vice Mayor Moss seconded the motion and it passed unanimously.

- A) Award of Bid 230-20/CSS – Emergency Food Services (No Cost Unless Activated)**
- B) Second Amendment to Master Services Agreement with Wells Fargo Bank, N.A.**
- C) Sovereignty Submerged Lands Fee Waived Lease Renewal**
- D) Commercial/Office Lease Agreement and Memorandum of Lease Agreement for the Vero Beach Regional Airport Terminal Building – between the City of Vero Beach and Flightline Group, Inc.**
- E) Lease Agreement and Memorandum of Lease between the City of Vero Beach and Flat Dog LLC**

These items were approved.

- F) FMIT Health Insurance – (Estimated at \$5,075,553)**
- G) FMIT Commercial Insurance (Estimated at \$1,179,075)**

These two (2) items were pulled off of the consent agenda.

Mr. Monte Falls, City Manager, commented that they have had a good year regarding health insurance claims.

Mrs. Gabrielle Manus, Director of Human Resources and Risk Management, reported that there is a 3.9% increase in their health insurance for the upcoming year. She said in light of their current claims ratio and COVID-19, the increase was very favorable for the City. She said that Florida League of Cities has been very proactive in helping the City to increase their wellness efforts, which has helped with their claims loss ratio. The FMIT commercial insurance also increased by 3.9%. FMIT has many value added provisions, which other companies do not. She said by using FMIT they have access to their Synergy program. Synergy is a disaster recovery program that assists the City after hurricanes and they are able to quickly get cleaned up and the damage repaired.

Mr. Neville asked who the underwriter for these claims are. Mrs. Manus explained that Florida League of Cities is self-insured and they have an extremely large reserve.

Mr. Falls reported that Mrs. Manus has been the focal point person for any employee that has had an exposure to COVID-19. He said that she has been doing a very good job.

Vice Mayor Moss made a motion to approve The FMIT Health Insurance and the FMIT Commercial Insurance. Mr. Neville seconded the motion and it passed unanimously.

- H) Award of Contract to Ranger Construction Industries, Inc., for Project Titled Rehabilitate GA Apron (FDOT #445874) – (\$2,677,424.25)**
- I) Acceptance of Change order #1 for Amherst to Provide Construction Services as part of GA Apron Rehabilitation (Construction) Project - \$255,134.00)**
- J) Recommendation of Award: Bid 310-20 – Carbon Dioxide Annual Supply Contract – Estimated Annual Expenditure is \$36,000 for each year of a Three-Year Term – (\$108,000)**

These items were approved under the consent agenda.

- K) Reiss Engineering, Inc. (REI) Work Order 6 (\$161,000) – Canal Intake Station and Filtration System Design**

This item was heard under City Manager's Matters.

- L) Cooperation Agreement between Pivotal Utility Holdings and the City of Vero Beach to Construct Natural Gas Pipeline (\$400,000) (Account #443 4000.542.617120)**

This item was pulled off of the consent agenda.

4. PUBLIC HEARINGS

A) ORDINANCES

B) RESOLUTIONS

- 1) A Resolution of the City Council of the City of Vero Beach, Florida, Adopting a Revised Riverside Racquet Complex Rate and Fee Schedule; superseding all previous Riverside Racquet Complex Rate and Fee Schedules; and Providing for an Effective Date. – Requested by the Recreation Director**

This item was pulled off of the agenda.

- 2) A Resolution of the City of Vero Beach, Florida, Establishing Rates and Fees for the Collection and Disposal of Solid Waste and Recyclable Material and Sale of Items Used for Collection Purposes; Repealing Resolution 2020-10; Providing for Conflict and Severability; Providing for an Effective Date. – Requested by the Public Works Director**

The City Clerk read the Resolution by title only.

Mr. Falls reported that the rates for the Solid Waste services have not been raised since 2013. He is proposing rate changes in order to maintain adequate fund balances and level of service. The residential service will go from \$14.62 per month to \$15.35 per month and the commercial service rate will go from \$4.50 a cubic yard to \$4.90 a cubic yard. Also, beginning on October 1, 2021, and annually on each October 1st thereafter, the rates will be adjusted in accordance with the index known as the “United States Bureau of Labor Statistics Consumer Price Index (CPI).” The maximum increase would be limited to 3.5%.

Mayor Young commented on what a benefit it is for the City to have their own Solid Waste Department, especially after a hurricane occurs. He asked if there is a lot of turnover in customers.

Mr. Matt Mitts, Public Works Director, said not so much with residential customers, but there is some turnover with commercial clients.

Mayor Young opened and closed the public hearing at 8:58 a.m., with no one wishing to be heard.

Vice Mayor Moss made a motion to adopt the Resolution. Mr. Neville seconded the motion and it passed 5-0 with Mr. Neville voting yes, Mr. Graves yes, Mr. Brackett yes, Vice Mayor Moss yes, and Mayor Young yes.

- 3) A Resolution of the City of Vero Beach, Florida, Restructuring the Three Corners Steering Committee to Remove Members of City Council; and**

Providing for Conflict and Severability; and Providing for an Effective Date. – Requested by the City Council

The City Clerk read the Resolution by title only.

Mr. Brackett commented that it has come to Council's attention that there needs to be more diversity on the Steering Committee regarding age. He said that when he chose someone to be on the Committee he did not factor in age. He wanted to make sure that the new Steering Committee will not have to go back to day one (1). The present Steering Committee has made a lot of progress.

Mr. Turner said that they would not.

Vice Mayor Moss asked if there was a minimum age requirement for someone to serve on one of their Committees. Mr. Turner answered no.

Vice Mayor Moss brought up her offer going forward of being a non-voting liaison member from the County sitting on the Steering Committee. She felt that it might be wise to also have a non-voting liaison from City Council sitting on the Steering Committee. There would be two (2) non-voting members sitting on the Committee. One (1) from the County and one (1) from the City. This would keep it real so they don't have 12 people representing 12 people. She expressed the importance of taking all kinds of opinions.

Mr. Graves felt that they needed to have young people involved and sitting on the Committee. He said that the Council would ultimately be the ones making the final decision. He said the purpose of taking the City Councilmembers off of the Steering Committee is to allow the Steering Committee to work on the project and bring back a proposal to Council. He does not feel that there is a need for Council to have a liaison on the Steering Committee. He does not want to be a member of the Steering Committee because he wants to be able to talk with the Steering Committee about what is going on.

Mr. Brackett brought up that any Councilmember could attend the Steering Committee meetings.

Vice Mayor Moss said that it gets awkward when they have more than one (1) Councilmember attending the same Committee meeting.

Mr. Neville felt that the Council had some obligation to lay some baseline guidelines for the Committee. He reread the Resolution when the original Steering Committee was put in place and there was no mention of what their mission was. He said in the end Council realized that perhaps there were some issues that they should have addressed in the beginning. What comes to mind is financial issues. He believes that they need to have a workshop or ask staff to come up with some kind of expectations that they expect to see as a result of the Committee's work before they present it to City Council. He said whatever they propose to do they will have at least a revenue perspective on the on-going support of the two (2) sites that they are talking about. They have an obligation to the Steering

Committee to give them some set guidelines. They need to step up and say how much the City is going to commit for things that the City has to pay for on the Three Corners site. They need to set that marker and identify how much it is going be. He believed that they had an obligation to do this.

Vice Mayor Moss commented that the Finance Commission needs to review the Plan as well. That can be done either before or after the Steering Committee reviews it.

Mr. Graves agreed with Mr. Neville on having a workshop. He knows that the City staff has been working on the finances. In all fairness to the Steering Committee and however they plan on designing the Three Corners property that is something that they need to decide. Is it going to cost something for infrastructure, if so how much are they willing to contribute. He said that these things were raised early on in March back in the Steering Committee meetings, but they were told not to squelch the dreams. Now, they need to make sure that they are spending their efforts and time on things that are financially feasible. He agrees that when the new Steering Committee starts that they do need an outline to work from so that they can give a recommendation to Council.

Mr. Falls said he will discuss that more in depth when they discuss the timeline.

Mayor Young opened the public hearing.

Mr. Brian Heady asked that the Council not tie the hands of a Councilmember by appointing him or her to the Steering Committee. By having a Councilmember on the Steering Committee it would legally prevent them from talking to various members of the Steering Committee. The Council should be free to stay to any member of the Steering Committee whatever they would like. He said anytime this Council can invite the Steering Committee to be a part of their meeting.

Mrs. Bursick talked about the application process.

Mr. Mike Johansen, Steering Committee member, said as they go through this process for the sake of continuity and progress some of them would like to participate in the interview process to see if it is the kind of person that can work with them.

Mayor Young felt that was probably not necessary, but appreciated Mr. Johansen's offer.

Mayor Young closed the public hearing with no one else wishing to be heard.

Mr. Brackett made a motion to approve the Resolution. Mr. Graves seconded the motion and it passed 5-0 with Mr. Neville voting yes, Mr. Graves yes, Mr. Brackett yes, Vice Mayor Moss yes, and Mayor Young yes.

- 4) A Resolution of the City of Vero Beach, Florida, Authorizing the Purchase of City Fleet Vehicles; Authorizing the Execution and Delivery of Additions to the Municipal Lease-Purchase Agreement with Baystone**

Financial Group (Kansas State Bank of Manhattan, N.K.A. KS Statebank) for the Purchase of Fleet Vehicles in the amount of \$212,625.70; Authorizing the City Manager to take all steps necessary to Finalize and Implement the Terms and Conditions of the Lease-Purchase Financing Agreement; and Providing for an Effective Date. – Requested by the Finance Director

The City Clerk read the Resolution by title only.

Mr. Falls reported that in December 2012, the City issued a Request for Proposal (RFP) for municipal lease-purchase financing. Baystone Financial Group (a division of Kansas State Bank on Manhattan n.k.a. KS StateBank) offered the lowest interest rates and the most advantageous financing terms and conditions. In August 2013, the City Council approved a “master” lease-purchase agreement with Baystone and this “master” agreement has been used to purchase fleet and police vehicles. This Resolution authorizes the lease-purchase financing of the fleet vehicles programmed for replacement in FY 19-20.

Mayor Young opened the public hearing at 9:17 a.m.

Mr. Brian Heady commented that vehicles are something that the City needs in a lot of their different departments. He said when leasing a car the leasing company makes a ton of money. He knows from personal experience the cheapest way is to own your vehicle. The taxpayers of the community deserve a City Council that will vote to do things the cheapest way and pay for the vehicles that they need.

Ms. Cindy Lawson, Finance Director, explained that this is not a lease program. She said this is a lease purchase program and at the end of five (5) years the City owns these vehicles. She said that essentially it is a car loan.

Mayor Young closed the public hearing.

Mr. Neville made a motion to approve the Resolution. Mr. Brackett seconded the motion and it passed 5-0 with Mr. Neville voting yes, Mr. Graves yes, Mr. Brackett yes, Vice Mayor Moss yes, and Mayor Young yes.

5. PUBLIC COMMENT (3-minute time limit)

Mr. Brian Heady commented that the least expensive way as far as vehicles go is to own the vehicle. He complained to someone about the budget and they said the budget could be cut by reducing City Council’s salary and he told them no. He said if he could write the rules, he would triple their salaries. He said referring to the budget the first thing that he would raise is the time limit that you as Council place on the public and vow to serve.

6. CITY COUNCIL MATTERS

A) NEW BUSINESS

- 1) Encouraging Participation by the Recreation Commission**
- a) Memorandum to Recreation Commission dated 09/09/2020 with two (2) attachments**
- b) Section 5.05 City Charter**
 - Requested by Laura Moss, Vice Mayor**

Vice Mayor Moss commented that when they had discussed this at a City Council meeting it was pointed out to them that the Recreation Commission had not been meeting and also they were having a hard time considering new business. They thought that they didn't have any. She thinks that they have plenty of new business and that recreation is more important than ever. She said with COVID-19 people are being encouraged to be outdoors and with the Three Corners property all of the Plans place an emphasis on recreation. She said that the Recreation Commission actually has some young members so if they think that they have a deficit of input from young members they already have them they just haven't been utilized. She attended the last Recreation Commission meeting and presented Council with a memo that she put together, which is available on the City's website at covb.org. Several of the items that she mentioned to the Recreation Commission were suggestions because they are an Advisory Board and Council appreciates their input and don't want to be dictating to them. So she suggested to them since they were not sure what new business might be that the things she came up with were suggestions for their consideration. They could consider: 1) Three Corners from their perspective of Recreation; 2) The existing recreational facilities with regard to maintenance issues, improvements, etc., with perhaps a prioritized list from their perspective; 3) The existing recreational activities with regard to improvements, e.g., programs that might be added with little or no additional cost (thinking creatively) and 4) Improvements in facilities or activities that might lend themselves to public/private partnerships. The Commission is encouraged to make suggestions in this regard. She suggested that they meet independently of staff. She thinks that what might have been a problem in the past is that it came to be structured that the Commission was looking to staff for direction and that is not the way the Commissions are set up. The Commissions are set up to be independent Advisory Commissions and Council does not want them to become an extension of the staff. They need to operate independently and hopefully come up with ideas of their own and bring them to Council. The Recreation Commission can be a very valuable resource for other points of view. She said that if the Recreation Commission felt that they needed a formal invitation then this is it. She has invited the Recreation Commission to contribute their ideas. She said that the Chairman said that the Recreation Commission would consider the Three Corners property at their next meeting in October. She said when that happens it will be interesting to see the results of that. She attached to her memo, Section 5.05 out of the City Charter, which includes the Parks that may not be sold or leased without going to a referendum. She said that she got the impression that the Recreation Commission felt that they were not being encouraged sufficiently. She reiterated that Council does not want to be dictating to them because they want to hear their ideas, but they do want to encourage them to give them their ideas.

Mr. Graves told Vice Mayor Moss that he read the memorandum that she wrote and he appreciated the leadership that she provided. He said that one (1) of the reoccurring things that he has heard is the Recreation Commission not meeting and it seems there is some level of dysfunction for whatever reason. He thought maybe they should consider rebooting the Commission. He doesn't know how long these members have been on the Commission, but maybe it is time to form a new Commission of members that want to meet and are interested in recreation. He said they need the leadership and input of the Recreation Commission at this point in time.

Mayor Young was not sure how to go about doing that.

Mr. Falls said that they could put a call out to get some applications in for people wanting to serve on the Commission and see how many that they receive.

Vice Mayor Moss commented that maybe the Recreation Commission needs to change their meeting time. The Council has been very concerned over the last few weeks of making sure that they have young people as members on the Steering Committee, but the Steering Committee is going to end and the Recreation Commission is going to go forward. It would behoove them to make sure that they also have young people represented on the Recreation Commission. She said maybe they need to meet later in order to accomplish that, she did not know what the answer is. She said that they already have some young people on that Commission, but felt that they needed more young people serving on it. She said with her own experience when she was Chairwoman of the Utilities Commission they were working on the sale of the Electric Utilities, which was the most important business for the City at that time. The Utilities Commission met every month and she did not have anyone from staff sitting at the meeting. She knew where the meeting was going and where it needed to go and they need someone that is going to show leadership to the Recreation Commission. She felt free to bring things before the City Council and when she was chairing the Utilities Commission. She brought up the Three Corners property and felt that was their most important City business at this time and from her own experience this business needs to be taken care of and the Recreation Commission should be meeting every month. They can meet by Zoom if they choose to. She would encourage going forward to have younger people serve on the Recreation Commission. She brought up Leisure Square and said that was a situation that the Recreation Commission should have brought to the City Council. She agrees with Mr. Graves that something is dysfunctional with the Recreation Commission. She alluded to it earlier. There is an overreliance on staff and she recommended that they meet without staff at least once to see if they can. She has attended their meetings going back in time and has witnessed this over the years.

Mr. Brackett commented that they need to keep in mind that they have had some issues with recreation before. Their new Recreation Director came on board in February and when COVID-19 appeared in March, the Recreation Department was the only department that was totally shut down. This made it very difficult on them. He was not sure that he would agree with disbanding the Recreation Commission and starting all over again. He said as things progress they need to see what is going to happen. He thought that every Commission that they have, staff is at their meetings working with them. It is an inner-

relationship. The new Recreation Director needs time to build that relationship with the Recreation Commission.

Mayor Young commented to understand the dimensions of the Recreation Department and what they do takes a good relationship with the various elements of it. He said that on a continuous basis the Recreation Department has been engaged with the community. There are an enormous amounts of the things that the Recreation Commission can do, which is one (1) of the focal points for the new Recreation Director as he moves forward. There has been discussion on fundraising opportunities for the Recreation Department, like naming rights and some relationships with non-profit organizations and these things are still there. The COVID-19 has cancelled a lot of events that would normally take place and a part of the Council's responsibility is to help facilitate the needs that need to take place for recreation. He thanked Vice Mayor Moss for her memo.

Vice Mayor Moss clarified one (1) point and that is the relationship between City staff and the Commissions. The Commission should be leading the charge and City staff should be there to answer questions. She said that City staff should not be running the meeting and dictating and setting the agenda for a Commission. The Commission is to provide thinking independently of City staff. The leadership and creativity needs to come from the Commission itself. She said looking at the Steering Committee, the thoughts and ideas come from the Committee and Mr. Jeffries is there to answer questions. She encouraged the Recreation Commission to take hold of these issues, and there are many and very important issues now especially with COVID-19. For the foreseeable future it will be more important than ever, especially in working on the Three Corners project. It would be wonderful if they saw something more from the Recreation Commission and the Council should encourage that. She thinks they can do it and for whatever reason it just has not happened yet.

Mr. Graves commented that one (1) thing that the record is clear on is that they have had several members of the Committee appear before Council expressing frustration about meetings being cancelled. He agreed with the Steering Committee and the Three Corners project that they need the Recreation Commission involved. He stressed the importance of opening recreation back up to the children in this community. This would have been the opportunity for the Recreation Commission to bring back suggestions to Council, but their meetings were continuously being cancelled. He said that Vice Mayor Moss was probably the one (1) that prompted this last meeting and gave them issues to address, which is not the way the Commission should be run. He said maybe it is time to relook at the makeup of the Commission. He said that this is an important time to engage recreation and get their thoughts and ideas.

Vice Mayor Moss commented that the Recreation Commission felt that they were left out because they did not receive an invitation, so she invited them.

Mr. Graves agreed that disbanding the Recreation Commission might be too harsh.

Mrs. Bursick gave the history of how many of the Commissions were disbanded about 10 years ago. She suggested maybe looking at the Recreation Commission's mission statement to see if it needed to be updated.

Mr. Falls agreed with reviewing the mission statement. He said that might be the incentive to broaden their scope of work.

Mr. Graves suggested putting this item on their next agenda.

Vice Mayor Moss read the Recreation Commission's current mission statement. She did not see a problem with the mission statement and after hearing what the mission statement was the rest of the Council concurred.

B) OLD BUSINESS

1) 2020 US Census

a) PSA video (2020 census.gov): Now is the Time Every Response Matters (30 seconds)

- Requested by Vice Mayor Laura Moss, Vice Chair of the Indian River County Census 2020 Committee

Vice Mayor Moss reported that in the ranking of who has turned in their census forms, Indian River County ranked number 9 out of 67 counties. She thanked everyone who has already turned in their census form and encouraged anyone that still needs to turn in their form to do so. She said that the deadline is September 30th. She said there are people knocking on doors to remind those who have not turned in their forms yet. She was happy to say that they placed within the top 10. Vice Mayor Moss showed a 30-second PSA video on the census.

7. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING

Public Hearing to be held on October 6, 2020 at 8:30 a.m.

A) An Ordinance of the City of Vero Beach, Florida, Amending Article III, "Sanitary Sewer System," of Chapter 78, "Utilities," of the Code of the City of Vero Beach; Updating the City's Industrial Pretreatment Program to Comport with Florida Department of Environmental Protection Revised Regulations; providing for Conflict and Severability; Providing for an Effective Date. – Requested by the Water & Sewer Director

The City Clerk reported that this Ordinance would be heard as a public hearing on October 6, 2020 at 8:30 a.m.

8. CITY CLERK MATTERS

A) Commission/Board Appointments

Planning and Zoning Board

There is an alternate #2 position open on the Planning and Zoning Board. Ms. Elliese Shaughnessy is interested in serving on the Planning and Zoning Board.

Vice Mayor Moss made a motion to appoint Ms. Elliese Shaughnessy to the Planning and Zoning Board. Mr. Brackett seconded the motion and it passed unanimously.

Recreation Commission

There is an Alternate #2 position open on the Recreation Commission. Mrs. Brooke Steinkamp is interested in serving on the Recreation Commission.

Mr. Brackett made a motion to appoint Mrs. Brooke Steinkamp to the Recreation Commission. Vice Mayor Moss seconded the motion and it passed unanimously.

Mrs. Steinkamp thanked Council for appointing her to the Recreation Commission.

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

A) Septic Tank Effluent Pump (STEP) Pump Out Deadline – Code of Ordinances

Mr. Falls reported that right now their STEP Ordinance requires that all septic tanks in the City of Vero Beach be pumped out prior to December 31, 2020. They have had meetings with the people on the barrier island and they are aware of this requirement. The STEP System has been more popular there because they have had public meetings on the island to discuss the project. He said to date they have not had meetings on the mainland and they have been prohibited from having those meetings this year because they have not been able to gather groups together. He said when they initially wrote the Ordinance they were thinking that they would delay the action Citywide. However, after meeting with some people from the Clean Water Coalition they agree with them that they should probably leave the barrier island in place to have it done by December 31st and then have the extension for the mainland so they can have some meetings to make sure they know about it and know about the process. He recommended they do that and extend the deadline for the mainland for two (2) years, which would give staff enough time to have those community meetings and another year to have the pump outs and inspections completed. He said if the pump out and inspection fails they would not be able to replace the tank or the drain field. The homeowner would then have to connect to the STEP System. He said that there has also been some inquiries about incentives for the STEP program.

Mr. Rob Bolton, Water and Sewer Director, stated that there were meetings over the last three (3) or four (4) years with the homeowners on the barrier island. In those meetings they were told about the incentive program that was available to connect early and if they didn't connect early and their septic system fails they would be forced to connect. He did

not think it was fair for the mainland people to have to get these inspections done by December 31st because he has not had any meetings with them. There has also been a request to bring back some sort of incentive program for everyone. The incentive program for the barrier island worked and they were able to get about 30% of the people to connect. He doesn't know what they could do in the future for an incentive unless they just want to say it is a giveaway program and they are not going to collect impact fees. He went over what the incentives were for the first part of the program.

Mr. Neville asked Mr. Bolton how he conducted the meetings.

Mr. Bolton said that he sent out mailings to people living on the barrier island and they held their meetings at places like Bethel Creek and at one (1) of the churches.

Mr. Neville said that he lives on central beach and did not receive the mailer.

Mr. Bolton explained that if Mr. Neville connected with them that he probably would not have gotten the mailer.

Vice Mayor Moss asked what the attendance was like at these meetings.

Mr. Bolton commented that about 50 people showed up. He received a lot of phone calls from the public and was able to answer a lot of their questions over the phone. He said that the mainland area will be a little different.

Mr. Neville asked on the barrier island, how do they manage the process of the inspection and pump out.

Mr. Bolton explained that letters would be sent out to all the homeowners. They have created a section on the website to where the septic tank contractor can go in and fill out the information or he can mail in the form. The homeowner is responsible for calling the septic tank contractor and having it pumped out.

Mr. Neville asked how long they have until they issue a second letter and a warning.

Mr. Bolton said that would be a policy decision of Council. They could allow after 30-days has passed to send out another notification and then it would eventually become a code issue.

Mr. Falls said that what he was asking Council today was to be able to modify the Ordinance to extend the date for the mainland.

Mr. Neville said that what they are talking about is getting it done.

Mr. Bolton explained that they would send the letter out to the barrier island now. In the letter it would tell the property owner that they have until the end of this year to get it done. This Ordinance was put in place five (5) years ago. The property owner would have until

December 31st to provide the Water and Sewer Department with a copy of their inspection report.

Mr. Neville felt that a news release might be helpful.

Mayor Young felt that they were where they wanted to be and this is the right way to get participation on the barrier island.

Mr. Bolton did not know if bringing back the original incentive would help and would they do that forever or just for another year. He looked to the Council for guidance.

Mr. Neville asked what is the total number of people that they are talking about on the barrier island that still need to hook up.

Mr. Bolton explained that there are probably 40 to 50 homeowners on the mainland that have connected out of 450 property owners. There have been 400 property owners on the island that have connected out of 900 property owners. He said they were probably looking at about 40% on the island. He said the older the home the greater chance that there is a problem.

Mr. Brackett felt that this was an important project for the Lagoon. They can relook at options for the incentive plan. The more people that get off septic tanks the better the Lagoon will be and it gives them credits for the State mandate that is coming down.

Mr. Bolton agreed that it was a benefit to the taxpayers for everyone that hooks up. He felt that giving a two (2) year time period for the mainland property owners to hook up would be appropriate.

Vice Mayor Moss asked if the original time line was that both groups, the mainland and the barrier island, would be done by December 31, 2020. Mr. Bolton answered yes. She said so five (5) years ago it was said that both the beachside and the mainland would be addressed by the end of this calendar year. So now what they are saying is that the barrier island will in fact be addressed by the end of the calendar year, but they are going to take another two (2) years for the mainland. She said that two (2) years seemed like a very long time considering they have been at this for five (5) years by the end of the calendar year. She asked Mr. Bolton what he needed to speed it up. She said more employees in the Water and Sewer Department will be hired, so he will have help if there are additional employees that are needed. She asked what is needed to make this happen faster.

Mr. Falls explained that it is not known because they do not know how comfortable people are going to feel to come to a meeting right now with COVID-19. They are the first group to ever operate during a pandemic. They want to get this done as soon as possible, but don't want to be back before the Council changing the date because they couldn't get people to come to a meeting.

Vice Mayor Moss commented that it is her understanding that the Governor's orders expire on October 1st and they will find out Statewide what the Governor is saying about some of these things. She does not think that they should go with two (2) years or 18 months. If the Governor is deciding to open the State she questioned why would they be holding back.

Mr. Falls explained that they would be obligated to meet with the 600 property owners that the letters will be sent to.

Mr. Brackett suggested just putting in a year and if something happens they can adjust that if they need to.

Mr. Bolton said that they would work with a year timeframe.

Mr. Falls will bring back the revised Ordinance for Council's consideration.

B) Discussion of Resolution in Support of Congressmen Posey & Mast's Pedestrian Safety Study Act

Mr. Falls reported that at the County Commission meeting they approved a Resolution in support of Congressman Posey and Mast's Pedestrian Safety Study Act. The Act was introduced in the House of Representatives in July and directs the Federal Railroad Administration and Federal Highway Administration to study motorist and pedestrian safety along the proposed Brightline corridor.

The City Council was in favor of passing a similar Ordinance and requested that staff bring one (1) back at their next meeting.

C) Three Corners Project Update

Mr. Jason Jeffries, Planning and Development Director, went through the proposed schedule (attached to the original minutes).

Mr. Falls commented that he has talked to some developers who have said they can do as much or as little as they want them to do depending on how many items are in the Plan that generate money for a developer or don't generate money for a developer. He said until that decision is made they will not have an answer to know how much money the City is going to be required to put in. He said if every component of the Plan allowed revenue to come back to a developer he would ask for less from the City and if half the components were maintenance intensive for him there would be no money coming back. He said that this can be structured a couple different ways. He said the developer could take the whole site and is responsible for maintenance of the site or that the City is responsible for maintenance of a portion of the site. They have not identified that yet and is kind of what they are working on and getting the developer's ideas on.

Mr. Neville asked Mr. Falls if he was able to engage their (developers) level of enthusiasm.

Mr. Falls said that one (1) developer wanted to sign the document right away and get started. He said the two (2) developers that they have talked to so far have said while they are aware of COVID-19 they are moving forward as if COVID-19 is going to be in the rearview mirror soon. They have not stopped normal operations because of it. He is hopeful that is where they are headed and would like to put this in the rearview mirror as well. He asked Council if they were comfortable with the schedule and if so staff will continue to move forward.

Mr. Jeffries stated that they would get the schedule on their website. He said that Mrs. Irina Wolfe (DPZ) has volunteered to help with getting the information out to the public.

Vice Mayor Moss requested that they include the Finance Commission somewhere along the way. She does not see the Finance Commission on the schedule and she thinks that they might get lost in the shuffle if they are not put on the schedule. The other items were that she did not think that they should go from the October 29, 2020, Steering Committee meeting right to DPZ. She said it would need to come back to City Council now that they have removed City Council from the Steering Committee. She said that the Steering Committee is not elected and they do not direct DPZ. It is the City Council's responsibility to direct DPZ. She said if the Steering Committee has a recommendation on October 29th then it needs to be put on the November 3rd City Council meeting for their review and then DPZ can commence work on it.

Mr. Falls explained what they were trying to get was a consolidated plan representative of what the Steering Committee selected. He said there would be no additional costs for that.

Mr. Jeffries explained what the Steering Committee was going to be discussing on October 29th was they will be backing up to the Standing Ovation Plan and then looking at the Post Pandemic Plans and incorporate elements of those Plans into the original recommended Plan.

Mr. Falls asked Council if they wanted a visual representation of what the Steering Committee selects or a synopsis that staff can put together of what was selected including the different things. Once Council has heard that discussion they can then make their decision on what they want the final Plan to be and they can engage DPZ for that.

Vice Mayor Moss stated that since they are going to spend more money on this and it is an expenditure it is Council's responsibility. She said that Council appreciates the Steering Committee, but now that they are no longer on it they need to vote on the Plan. She said that the "buck stops here" and they have the fiscal responsibility. She said according to this timeline they (City Council) are not involved until April 6, 2021, which is at the end of the process.

Mr. Neville said that Mr. Fall's question was do they want a word picture or an actual graphic presented.

Mr. Brackett said that a word picture would be fine.

Mr. Falls stated that after the Steering Committee meeting staff will put together a presentation and bring it back to Council for their input and then have DPZ react to that.

Vice Mayor Moss also requested having the Recreation Commission added to the timeline.

Mr. Jeffries explained that what he has done with some of the other Commission and Boards is give them updates of where the Plan is. He doesn't want to dilute what the responsibility of the Steering Committee is.

Vice Mayor Moss stated that she asked the Recreation Commission to look at the Three Corners project from their perspective of recreation. She said they are not looking at everything, just the recreational aspect of it.

Mr. Jeffries said he would give the Recreation Commission an update at their next meeting and give them a presentation.

Mr. Falls added that if the Recreation Commission makes any recommendations they would be made available to Council.

Mayor Young commented that having the meeting on October 29th seems to be pretty aggressive because there will be five (5) new members and they will be asked to review the five (5) Plans and then make a recommendation. He thought with a new composition of the Steering Committee is when they need to be told of things like the Sunshine Law and then have a mission statement created from the Council to the Steering Committee. He reiterated that is a pretty aggressive list of items for one (1) meeting.

Mr. Falls said that they will massage the schedule as needed.

Mr. Jeffries asked that in looking at this schedule there is enough time to have additional meetings if they need to.

Mr. Falls just wanted to make sure that they had these meetings in season while the biggest population was still in Vero Beach and if Council wanted to have a special election for the referendum item they could have one in late spring.

Vice Mayor Moss commented that the Steering Committee should understand that they are not being charged with reinventing the wheel. There has been more than a year of discussion and with all the Plans that have been presented to them they have discussed most things.

Mr. Neville said that if they have some new faces on the Steering Committee they need to be able to express their views and some adjustments could be made.

Mr. Falls expressed that they need to get this right so they all can have something that they are proud of, can afford, and the community can enjoy.

D) Reiss Engineering, Inc. (REI) Work Order 6 (\$161,000) – Canal Intake Station and Filtration System Design

Mr. Falls reported that the planned stormwater project includes screening and filtering stormwater, via the Main Relief Canal, and providing the stormwater as golf course irrigation, community common area irrigation, and to offset current reclaimed water requirements. This will allow additional reclaimed water users to connect to their system. The intake station for this project will be located near U.S. 1 and 30th Street. The design will include intake screening, disinfection, an intake pump station, modifications to four (4) of the existing potable water filters for treatment of stormwater runoff, and a high service pump station. REI will provide professional services for this design. When the new Waste Water Treatment is built because of the system they are going to have, which is the advanced membrane treatment process it does not play very well with additional surface water coming into the system because it could damage the membranes. To allow them to have the same capability during dry periods and to provide additional flow to additional customers, Mr. Bolton's proposal is to have the intake structure built on the main canal. There is an existing reuse customer that heard what they were trying to do and said it sounds exciting and could they sit down and talk about the possibility of that being done earlier rather than later. He said there is a possibility that they could make that happen. They have applied for some grants to help with starting construction on this project. This side project, which came up after Mr. Bolton came up with this idea, would take 3 million gallons a day out of the canal. They would treat this water through the process, pump it from the island to the river with a new pipe to the new customer and they would use it for irrigation for their community golf course and private homes. The benefit of 3 million gallons of the stream going into the canal is about a 10,000 pounds per year of nitrogen and 1,500 of prosperous on a daily basis. It would also be a benefit by having this additional irrigation water to free up some of the reclaim water that they currently sell to the customer to be able to be sold to other reclaimed customers that they have now or new customers. He said every customer that they move to reclaim water is someone that is not using potable water from a well for irrigation. He recalled a year or so ago there was talk about putting another pipe under the Lagoon and there was opposition to that. The opposition stemmed from two (2) points. He said one (1) was if the pipe had a problem and it leaked into the Lagoon that it would be leaking reclaimed waste water in the Lagoon. Now they have better water going into the Lagoon because it has been filtered. The second opposition was a geologic formation below 500 feet there is some fault line that could be present that could have been encountered with the bore from the previous crossing. They are going to be less than 100 feet and well about that geologic formation. He talked to some of the members from the Cleanwater Coalition who were concerned about this project and it was a productive meeting. He asked them if it would be safe to say that they agree in concept that this could be a successful project with benefits to both parties. The Cleanwater Coalition told him that he could say that, as well as all the questions that they have had to this point have been answered.

Mr. Neville commented that Mr. Falls was talking about the ability to add reuse water that is much cleaner than it is now and he has always thought it was just horrible that there are

hundreds and hundreds of wells stuck on the island sucking out the water regularly on a daily basis. He asked is it possible that he could get where he lives on Date Palm Road a line where he could get rid of his well.

Mr. Bolton said yes and with the entity that takes the water now their need is roughly 2 million gallons a day for residential and half a million gallons a day for commercial. He said initially they would pump into their ponds and as the need for the reclaimed water grew then they can send more water to their ponds and less reclaimed water than what they have been receiving.

Mr. Falls felt that this was a real good concept that they are using a commodity that is being wasted every day. He said at some point there probably would be the possibility for other communities to get involved. He sees this as a pilot project. When new developments go in the time to put that plumbing in is when the project is being built. This will spur some creative thinking.

Mr. Bolton added that the key benefit to the City's taxpayers is that some capital costs for the stormwater will be paid by a private entity and through grants. Any of the on-going costs will be paid by the end user.

Mr. Brackett said that this is a great program. With the unfunded mandates that are coming up there will be credits given because of this project that they can use towards the mandate.

Mr. Bolton said that they should know soon if they receive the grant money.

Vice Mayor Moss asked with reuse water, what level of nutrients do they have.

Mr. Bolton said that right now their level of nutrients is high. But, with the new Plant the nutrients will be lower. He briefly talked about fertilizer and nutrients.

Mr. Brackett made a motion to approve Work Order 6 – Reiss Engineering, Inc. for the canal intake station and filtration system design. Vice Mayor Moss seconded the motion and it passed unanimously.

Mr. Ken Daige said he was in favor of this. He said that it is a win/win situation for the City and a big win for the Lagoon. He thanked the Water and Sewer Director for being so innovative in coming up with this project. He asked if there would be opportunities for the mainland neighborhoods to get reclaimed water.

Mr. Falls answered yes. He said that they can look at a way to move irrigation water to different parts of the City and for other customers. He said one (1) of the places that they have already talked about would be to get it to Crestlawn Cemetery. He said right now they irrigate with wells at Crestlawn Cemetery and they only have one (1) well available. He said that the Water and Sewer Department is working with them on a backup source in case something happens with that well. He said that if they could get this water there it would eliminate the need to at some point rebuild a well that is very costly.

Mr. Daige thanked Mr. Falls for his answer. He said that this is an Enterprise Fund that they chose to hold onto and it does generate revenue and the excess that it generates goes back to the taxpayers.

10. CITY ATTORNEY MATTERS

A) Update of 2020 Legislative Session

Mr. Turner gave a recap of the 2020 Legislative Session. He said that 3,517 Bills were filed in the House and Senate combined. There were 210 bills passed and 177 Bills have been approved by the Governor to date. There were seven (7) Bills that were vetoed to date and 25 Bills still waiting to be presented to the Governor (presentation attached to the original minutes).

11. COUNCILMEMBER MATTERS

A. Mayor Young's Matters

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

Mayor Young commented that Florida Government Week will be October 19-25, 2020 and they have been reaching out to the different schools about having Council come and read to the students "*The City that Talks*." He reminded Council that if they wanted to do a video to set that up with the Clerk and they would be having a history scavenger hunt that week.

Mayor Young commented on the impact that schools have had this year with COVID-19. It is especially hard for those families that don't have the luxury of having two (2) parents.

B. Vice Mayor Moss's Matters

- 1) Veterans Council Clay Shoot fundraiser on 11/07/2020. Register at www.helpircvets.com. Details attached.**

Vice Mayor Moss announced that the Veterans Council would be having a Clay Shoot fundraiser on November 7, 2020. She said anyone wanting to attend can register at www.helpircvets.com. She said that the capacity of the number of people allowed to be a part of this event is filling up fast.

- 2) Free Live Oak Trees Available at Audubon House! Press release with details attached.**

Vice Mayor Moss commented that there are free Oak Trees and other trees available through the Audubon Society. She invited the public to join the Audubon Society. The fee to join is only \$25.00 and their meetings are very informative. She said that this past

weekend there was a project that they were working on at Jungle Trail. They were out at the Jones Pier Conservation area. She said what they are doing is removing Pepper Trees and planting native plants instead. They are also working on a duck pond there and eventually it will be a filtration pond, which will be cleaning the Lagoon. This project will be done over the next year. They also are redoing the small cracker house that the Jones family lived in. They are getting a grant from the Florida Inland Navigation District (FIND) in order to do that. She said it is a beautiful house and when the work is complete it will be open to the public.

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

C. Councilmember Brackett's Matters

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

Mr. Brackett commended the community for keeping the COVID-19 numbers low and to continue wearing their masks and washing their hands. He said that what he is seeing is people are cooperating and respecting each other.

D. Councilmember Joe Graves's Matters

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

Mr. Graves echoed Mr. Brackett's comments. He is proud of this community for coming together and voluntarily complying with the mask mandate and social distancing. Our County compared to others is doing very well. He was happy to have Dr. Moore at today's meeting to give an update on how the schools are doing. He hoped in the future they would have better communication with the schools. They have a very good plan. However, he wished that the plan would have been provided to the Council by the School Board earlier. He felt they should be working with these other governmental entities within the City of Vero Beach. They need to have better communication so that they are all aware of what is going on. He gave an update on his trip to Columbia. He said that the hold up is getting a final letter and Senator Marco Rubio is helping him with this. He appreciated all the support through the community and this City Council while his family has been going through this process. He said hopefully by their next meeting, he will be attending via Zoom. He appreciated how well this City Council works together. He said even though they have different opinions the national politics don't transcend to a local level. There are things occurring in this Country that he thought would never occur and he doesn't want to see that happening in Vero. He said that this Council has civil discussions and most of their votes tend to be 5-0. He hopes they can be an example to other governmental bodies.

Vice Mayor Moss agreed that it was very important for all of them to work together. She reminded people living in Sebastian to get out and vote today (recall election).

E. Councilmember Rey Neville's Matters

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

Mr. Neville hoped Mr. Graves could bring his son home soon.

Mr. Neville expressed that everyone watching this meeting should be proud of this City for getting things done. He gave an example of the STEP System and now they have a state of the art water system. He commented that a lot of wonderful things are happening in this City.

Mayor Young gave credit to staff for getting these things done.

13. ADJOURNMENT

Today's meeting adjourned at 11:14 a.m.

/tb