

**CITY OF VERO BEACH, FLORIDA
OCTOBER 16, 2018 3:00 P.M.
REGULAR CITY COUNCIL MINUTES
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

The invocation was given by Father Josh Gritter of Trinity Episcopal Church followed by the Pledge of Allegiance to the flag led by Dr. Zudans.

1. CALL TO ORDER

A. Roll Call

Mayor Harry Howle; Vice Mayor Lange Sykes; Councilwoman Laura Moss; Colonel Tony Young; and Dr. Val Zudans **Also Present:** James O'Connor, City Manager; Wayne Coment, City Attorney and Tammy Bursick, City Clerk

2. PRELIMINARY MATTERS

A. Approval of Minutes

1. Regular City Council Minutes – October 2, 2018

Mr. Sykes made a motion to adopt the minutes of October 2, 2018. Mr. Young seconded the motion and it passed unanimously.

B. Agenda Additions, Deletions, and Adoption.

Mayor Howle requested that items 8-A) through 8-D) under City Manager's Matters be moved up and heard directly after item 2-D) – Staff/Consultant special reports and information items.

Mr. Jim O'Connor, City Manager, asked that under City Manager's Matters that they discuss people requesting to be allowed to serve alcohol at an event he be allowed to give them permission instead of having to come before the City Council.

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

C. Proclamations and recognitions by Council.

1) Centennial Quilt – Sunbonnet Sue Quilt Guild

Ms. Diane Miller presented the Centennial Quilt.

2) Presentation of check by Karen Franke/Treasure & Space Coast Radio to the City for the July 4th Event

Mrs. Karen Franke from the Treasure & Space Coast Radio presented the City of Vero Beach with a check for \$3,000 for the Fourth of July event.

3) Presentation of check by American Legion Post 39 for Goldstar Grove

Mr. Bruce Cady, Veterans Council presented a check to the City of Vero Beach from the American Legion Post 39 on behalf of Goldstar Grove.

4) Mr. Kurt Bressner, ICMA/FCCMA Senior Advisor, to present the City with a Certificate of Recognition for the City's 67th year operating under the Council Manager Form of Government

Mr. Kurt Bressner, ICMA/FCCMA Senior Advisor to present the City with a Certificate of Recognition for the City's 67th year operating under the Council Manager form of government.

5) Proclamation honoring the Garden Club on their 90th Anniversary

Councilwoman Moss read and presented the Proclamation.

6) National Long-term Care Residents' Rights Month – October 2018

Councilmember Young read and presented the Proclamation.

D. Staff/Consultant special reports and information items.

1) Florida Power & Light Agreements – Outside Counsel Nat Doliner (this item was moved up on the agenda. Originally to be heard as items 8-A) through 8-D).

Mr. Nat Doliner, City Outside Counsel of Carlton Fields, reported that the City of Vero Beach and Florida Power and Light (FPL), have made a lot of progress in getting the deal to its conclusion. Obstacles have been overcome with the Orlando Utilities Commission (OUC), as well as with the Florida Municipal Power Agency (FMPA). He reported that in the initial version of the Asset Purchase and Sale Agreement the outside closing date for the sale of the Electric System to FPL is December 31, 2018 and they hoped to close by that date. But, because the proceedings before the Public Service Commission (PSC) have been prolonged in order to give some safety to the closing they have recommended to the City Council an amendment to the Asset Purchase and Sale Agreement that would extend the closing date to March 31, 2019 in case they need it. That is one (1) of the documents before them today, which basically does two (2) things. It extends the closing date to March 31, 2019 and it allows a middle of the week closing. He reported that he sent to the City Council a memorandum dated September 26, 2018 and provided with the memorandum a draft of the first amendment to the Asset Purchase and Sale Agreement and a redline showing the changes (on file in the City Clerk's office). He reported that

Mr. Dan DeCubellis, of Carlton Fields, is present to discuss the other documents in the City Council's backup information.

Mr. Dan DeCubellis explained that what they are doing today is asking for the City Council to approve the general form of two (2) of the leases that the City has negotiated with FPL. The reason they are bringing them back before the City Council is because they have made a few changes to them. He reported that the City negotiated a smaller area of the Airport Warehouse to lease to FPL, which the area to be leased has been changed. Also, the City obtained an appraisal for each of the properties at the Airport and the amounts of the rent have been included. Also, FPL takes advantage of some specific provisions of the Florida Administrative Code relating to cleaning up hazardous spills and FPL wanted that included. Those are the changes to the Airport Warehouse lease. They also had a little bit of a change to the Substation 5 lease because the description of the access to the Substation turned out not to be the actual driveway used to get to the Substation. Therefore the City Surveyor created a legal description and sketch to the access parcel to be attached to the lease. The same change is in all the leases with regard to the cleaning up spills. He noted that they are not asking for anything to be signed today and there are likely to be further changes to dates, times, etc., but not the rent. He reported that the City Attorney suggested that they request City Council approval for the general form of these leases. They also would like to receive City Council approval of the form of the memorandums, which will be made to match the leases with the time that they will be signed at the closing. He explained that the purpose of the memorandums is to give notice to the public of FPL's leasehold interest in the properties. Also, they added the legal description of the Power Plant site as they didn't have that information in the beginning. He didn't think there was anything to be done with the Power Plant site; it was simply that they didn't have the information and needed to have it attached to the documents.

Dr. Zudans said that he understands the prudence of extending the deadline in the event they cannot close sooner than that. His question is that they were planning on closing on October 1st and this is costing the community \$2 million dollars every month that they are not out of the electric, if for some reason they can close sooner than that is that still what FPL wants to do. He asked are they going to end up waiting until March 31st or is this something that is going to happen in a month or a month and a half from now.

Mr. Doliner felt that the hope is that they could have a closing in the middle of January. The representatives from FPL are present today and he felt that everyone wants to close this deal as soon as possible. But, they need to get past the PSC hearings and the PSC decision to make sure they are in a position to be able to close. He said that everyone wants to close as soon as they can.

Mr. O'Connor explained that the March 31st date coincides with the FMPA date so that is the reason that date was chosen because the City's contract with FMPA would have to be renegotiated beyond that date.

Mr. Young said as he understands what he is hearing is that it is in the City's best interest to close this as soon as possible.

Dr. Zudans asked other than the PSC is there any reason why they wouldn't close. He asked whenever the PSC issues expire, could they close the next day.

Mr. Doliner said that he didn't think they could close the next day. He explained that there is some planning that takes place to get the closing done, there are some timing issues, etc., but they are trying to get this closing as soon as possible.

Mr. Young asked is he correct that the lease area of the warehouse was smaller than originally anticipated.

Mr. DeCubellis said that is correct. He explained that the City's Public Works Department needed more space than what was originally anticipated. Therefore, the area was changed slightly in order to allow for the City to continue operating as it does now.

Mayor Howle opened public comment at 3:39 p.m.

Mr. Brian Heady asked can any Councilmember explain why \$140 million of the proceeds of the sale is not going to the people who paid for the Electric Utility; the City ratepayers and the City taxpayers. He said back in Mr. Young's grandfather's era it was decided to build an Electric Utility and in the last 15 years they have been criticized heavily because of rates. He said the rates went to build this Electric Utility and the people who paid to build the Electric Utility probably should get the proceeds. He asked can any Councilmember tell him why \$140 million of it is not going to the people who own this utility. He said the silence is deafening, but he hopes the public realizes that they own the Electric Utility and not one (1) Elected Official can on the public record explain to the public why their money is being divvied up in some smoke-free back room. He said this is heist on the taxpayers and the ratepayers and there are not many of them who care enough to come to the public podium. He said the good Doctor states that he knows the answers, but he doesn't have to tell him and states just because he doesn't answer the questions doesn't mean he doesn't know the answer; he just doesn't have to answer. He said there were two (2) names on the ballot to give the voters a choice on who to vote to put on the City Council to replace three (3) Councilmembers, but the names were taken off the ballot. He said the Canvassing Board, the Board with the authority as to who should be on the ballot said that Mrs. Linda Hillman's name should be on the ballot and Mr. Brian Heady's name should be on the ballot and yet those names are not on the ballot. He said that he received a mail-in ballot today from the Supervisor of Elections and he was at the Supervisor of Elections office and asked to inspect the public record to see what the direction was from the City as to whose names should be printed. He said it is interesting because that wasn't shown to him. He hopes that the public realizes that this is not about Mrs. Hillman or about Mr. Heady. It is about some powerful people having an impact on rigging the Election. He said you don't have to go to Russia and you don't have to go to Washington to find Election fraud. You can look right here in Vero Beach. He said that he is not hearing any Councilmember being as

upset about it as he is. He said if the voting public doesn't have a choice anymore as to who will be on the ballot; that someone pulls the strings; then they are going to have situations like FPL coming in and stealing from them. This has been a heist. He said when he sat on City Council FPL wanted to continue to use the Substation and after he was off the City Council there was talk about moving the Substation to where the condominiums are and to where the old Post Office was, that they just needed the back corner of the property.

Mayor Howle asked Mr. Heady to summarize...

Mr. Heady continued stating that without even so much as a vote the City Manager told the City Council that they need the whole property.

Mayor Howle said your time is up, Mr. Heady.

Mr. Heady said I hope your time is up sooner rather than later as he was leaving the dais.

Mayor Howle said thank you sir.

Councilwoman Moss said as a point of information she has asked the City Attorney to address this. She said they were instructed not to engage in conversation about pending legal matters. Mr. Heady filed a complaint with the PSC, which since has been dismissed and he has also filed multiple lawsuits against the City; including a period of time when he was serving on the City Council quite a number of years ago so she has asked the City Attorney to address that. She thinks they were advised not to engage in conversation.

Mr. Heady approached the dais.

Mayor Howle said your time is up, Mr. Heady.

Mr. Heady said and the lawsuits happened because the City Council refused to turn over public records and you Laura Moss right now have several hundred record requests and you have refused to cooperate and Mr. Zudans is in the same situation...

Mayor Howle said Mr. Heady, your time is up.

Mr. Heady continued stating it is unbelievable how you guys break the law, hide the public records ...

Mayor Howle said Mr. Heady you are out of order.

Mr. Heady continued stating the lawsuit nonsense that he sued the City. He said that he sued the City to get public answers to public questions.

Councilwoman Moss said that she is asking the City Attorney to address this with regard to the lawsuits.

Mr. Wayne Coment, City Attorney, said they have litigation regarding the Election situation that was brought by Mrs. Hillman, not by Mr. Heady and yes, he would advise the City Council that they should not be discussing the matter.

Councilwoman Moss said yes, she was referring to that. She thanked Mr. Coment.

Mayor Howle entertained a motion.

Mr. Coment said they need two (2) motions; one (1) is on the amendment of the Asset Purchase and Sale Agreement, which would be final today and executed and the other is to approve the form of the documents.

Mr. Sykes made a motion to approve the Amendment to the Asset Purchase and Sale Agreement and authorize the Mayor to execute. Councilwoman Moss seconded the motion and it passed unanimously.

Mr. Sykes made a motion to approve the Airport Substation 5 Lease Agreement and Memorandum of Lease with respect to that Lease Agreement; the Airport Warehouse Lease Agreement and Memorandum of Lease with respect to that Lease Agreement; and Power Plant Site Property Description as presented or in substantially similar form and to grant authority to each of the Mayor and the City Manager to make necessary revisions to those documents and to execute such documents on behalf of the City to complete the closing of the transaction with Florida Power and Light. Councilwoman Moss seconded the motion and it passed unanimously.

2) Update on the Recreation Department and an overview from each of their sites – Mr. Rob Slezak, Recreation Director

Mr. Rob Slezak, Recreation Director, gave an update and an overview of recreation activities (please see attached memorandum).

Mr. Young said the documentation and recommendations that Mr. Slezak has put together is amazing. He said that they are looking at opportunities where they can take advantage of the citizens to support what they are doing as a kind of partnership with the community. He felt that it worked well in the past and will work well in the future. He said there was a demonstration on how the government should work yesterday with regards to the Red Tide because the Red Tide is something that impacts the community and with the coordination between the people on the ground, which are the lifeguards, the Recreation Department, the City Manager, the City Council, and the County Commissioners, it is a coordinated effort. It's not just as simple as saying it is merely the Red Tide because the governmental agencies reach out to the Fish and Wildlife Service and the Health Department and the criterion for that is not a knee jerk reaction. It is something that has to be dealt with and the fact that the County and the City has anticipated that it reflects what they want to see in municipal and community governing.

He said this implies that they have a Recreation Director who takes care of his lifeguards and communicates with the City Council and they have a City Manager who speaks to the Press Journal Newspaper so that they have coverage to let people understand what is being done. He said this really reflects the quality of government they have in Vero Beach and it reflects the quality they have in the Recreation Department. He thanked Mr. Slezak stating that he has done a good job.

Mr. Slezak said they are waiting for the Fish and Wildlife to give their affirmation. He said there are a number of reports out their but the City and the County are waiting on the Fish and Wildlife report, which they should receive tomorrow.

Mr. O'Connor reported that if the report comes back that it is officially Red Tide they will be putting yellow tape along the walkways down to the beach. They have had double red flags out on the beach for the last two (2) days to discourage people from going to the beach.

Dr. Zudans said that he appreciates Mr. Slezak's presentation. He said in the last year there has been a total change in the direction for the Recreation Department and commended Mr. Slezak for doing that. He said that he is very happy with what Mr. Slezak is doing. He said another thing that has happened in the last year or two (2) with the Recreation Department that has been what he thinks is exactly the way government should operate and that is things like the Cole Cappola Fishing Pier, the Royal Palm Pointe docks being repaired, the Dog Park, Vero Beach Rowing, Youth Sailing, etc., all these private non-profit organizations working together with the City to provide services without costing our community any amount of money. He encouraged Mr. Slezak to continue building those relationships because that is what is responsive for letting simple society solve problems for the community without it costing the taxpayers a lot of money. He said that he has seen a lot of that, especially in the past year. He likes the direction the Recreation Department is going. Also, during the budget process they discussed having an overall Master Plan for what they are trying to do with the Recreation Department and he hopes to see over the next six (6) months that they can work on that and present it to the City Council.

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

1) Mr. Bob Jones to speak on parking – Sponsored by Councilwoman Laura Moss

Councilwoman Moss said as a point of information, Mr. Bob Jones serves on the City's Finance Commission.

Mr. Bob Jones gave a Power Point presentation on Ocean Boulevard Parking Challenges (attached to the original minutes).

Mr. Sykes said item 4B-1) on today's agenda is on parking systems and he suggested that they have a short dialogue because they are going into public comment and there are members from the public present to make their comments on this.

Mayor Howle explained to the audience present for today's meeting that under public comment they have three (3) minutes to discuss whatever they want and if they want to use this time to discuss the parking issue rather than later on in today's agenda that would be okay.

Dr. Zudans said that heard about what Stuart, Florida, was doing about a year ago, before he was running for City Council, and was impressed with the idea and thought it should be something that they should look at. He thanked Mr. Jones for taking the time to come and present an idea that was a little different than what they have been discussing because that is useful information for them in making the right decision. It is his understanding that the reason why it works in Stuart is that they have three (3) hour parking zones, but they also have a bunch of all day parking zones and a shuttle system that connects the all-day parking to the areas of the three (3) hour parking zones. He said they have to consider the employees too and they need a place to park. If they implement a three (3) hour parking zone, but don't have an alternative parking zone with a shuttle that employees can get to then where are the employees supposed to park. He understands that it works well for Stuart, but they have a different situation than they have here. He said we don't have an all-day parking zone for 250 employees.

Mr. Bob Jones said they could define the parking district that has two (2) or three (3) hour parking. He said acknowledged that they don't have centralized parking, but thinks it is a tool that could be applied in a slightly different way to free up enough spaces where their businesses don't die.

Dr. Zudans said that he seriously looked into this and asked Mr. David Currey, Police Chief, to look into how much it would cost to have the electronic software and have a three (3) hour zone. Dr. Zudans said the software doesn't cost that much. He thought it was about \$70,000 the last time that he asked about this. He said they can totally enforce the three (3) hour parking, but then they have the issue of where the employees are supposed to park.

Mr. Young said it was his assumption from listening that in addition to the restriction as far as times, a part of the solution was that there was transportation afforded to the people who were not going to stay there for three (3) hours. He said they do have some locations where a shuttle could take employees.

Dr. Zudans said they have about 250 parking spaces at Jaycee Park along the boardwalk. But, where would they get the funds to pay for it. He said his point is that they have to have a comprehensive solution. The reason why this hasn't been solved in the past 10 years since people have been talking about it is because there is no easy solution. They have to look at the big picture.

Mr. Young agreed. He felt that if transportation is available and they have the parking regulation capability that might be the solution. He said in the past the transportation aspect failed because there was no enforcement. He said they have an enforcement mechanism here, so now the challenge is how to pay for the transportation segment of it.

Dr. Zudans asked how would they pay for a parking garage.

Mr. Young said then they would come down to a graduation of costs and risks associated with the alternatives. They have an alternative for a meter system, an alternative for transportation, and an alternative for a parking garage.

Mr. Bob Jones said clearly they could on one (1) of his slides all the spots along Ocean Drive. He said they wouldn't have to make every one (1) of those part of the special district.

Dr. Zudans said then every space that they have as a non-part of the system is where the employees are going to park and so they still would not have enough spaces. He said without having more parking spaces they cannot solve the problem.

Mr. Bob Jones said they can't solve it with kiosks either.

Dr. Zudans said if they have a kiosk that generates enough revenue to run a shuttle then they do.

Mr. Sykes thanked Mr. Jones for the time that he spent on this.

Councilwoman Moss also thanked Mr. Jones very much.

Mr. Sykes said that he appreciates his (Mr. Jones) time and due diligence in doing this. He said as a couple of updates, some of the City Councilmembers attended a recent community meeting that was organized by Mary Sue, Barbara Thompson, and others, which was very informative. One (1) suggestion that came from that meeting was to go back to two (2) hour parking everywhere. He felt that a better solution to tailor that would be to limit Ocean Drive to two (2) hour parking and Cardinal Drive and the side streets would be three (3) hour parking. The justification in that is that hopefully they could push more employee parking back to the side streets. He said there are some all day parking lots on Bougainvillea that are taken advantage of early in the morning to the evenings. He felt if they limited the parking that it should encourage people who are planning to park all day to move a little west. He said that they have been talking about parking garages for some time and it seemed to him that there is an overwhelming drive from the community to build one. He felt this is something they seriously need to look into and figure out how to pay for it. He said for him, while he is typically always in favor of looking to a public/private partnership to solve these problems, he felt the true economic viability of that happening on the Sexton/Tripson family property, the parking lot at Ocean Grill, at this point does not seem to be feasible based on the economic structure of the proposed leasing of spaces at a proposed cost where the numbers don't

seem to work. He said they were quoted \$19,000 per space. So it would be under \$3 million to add 150 spaces on a piece of property that the City already owns, which is adjacent to Seacoast. He felt that ultimately that is where they need to be focusing a lot of their efforts in how do they pay for it. He said if they build a parking garage and make it a paid parking garage and there is free parking everywhere else then that obviously is not going to work. People are going to choose to park in the free parking. He said a couple ideas to pay for a parking garage is by bonds. He said one (1) suggestion, which is his least favorite suggestion, is to have some sort of an assessment on businesses. He said they hear constantly about shared parking and having in the past giving credit for on-street parking, which has been a primary problem. Perhaps they could have a fee imposed on new development for a deficit of parking, which could help offset costs for a parking garage. Another idea that has been talked about is allowing business owners to purchase spaces in front of their businesses. They would be assigned appropriately for that business and that money used to purchase those spaces could go toward the parking garage. He is open to any and all ideas, but he would really like to see them put as much effort as possible into figuring out how to build a parking garage. He said if they can keep parking free all the better. He would love to find solutions that would allow them to do that.

Mayor Howle said that he also heard the idea about having two (2) and three (3) hour parking, which sounds good. But, questioned how would they keep Cardinal Drive from becoming the employee new parking area.

Mr. Sykes agreed that could become an issue in the future, but it is his opinion that the biggest issue they are facing right now is on Ocean Drive. That is where the highest concentration of retail businesses who are thriving on turnover of those spaces. He said Ocean Drive has significantly more businesses and that would be his argument on proposing three (3) hour parking on Cardinal Drive and the side streets and leaving two (2) hour parking on Ocean Drive.

Councilwoman Moss said that she is in favor of three (3) hour parking on the beachside so she will take him up on that offer.

Mayor Howle said they have all expressed the fact that they don't want to kick the can down the road. Having a garage on the property adjacent to Seacoast he is not opposed to. But, in his mind that solves a very small problem. It solves some of the problems to the south and will remain a problem to the north.

Mr. Sykes felt that they would solve some of those issues with greater enforcement when they have a parking garage and aggressively start monitoring parking on-street. If they do that then he could not see any reason why they would not see employees choosing to park in a garage where there is no risk of getting a ticket. He is hoping that a combination of an increase of more frequent fines with the community working together to encourage employees to park in the garage will alleviate the issues they are having for several years down the road.

Mayor Howle said with regard to businesses purchasing their parking spaces, he would assume that would be more similar to a lease situation with a yearly fee or a monthly fee.

Mr. Sykes said it doesn't matter how they structure it as long as they understand the concept that the businesses would be paying to have explicit spaces in front of their business and that money would go towards the concept of paying for the parking garage.

Dr. Zudans said that he is a little frustrated with this whole thing. He said they keep saying that they are going to fix things and he doesn't think this is a fix. He said even with building a parking garage they are building it over a parking lot that they own so they would have to subtract those spaces from the new spaces. He said to him it is like they are really fixing the problem. They are just kicking it down the road again, which he does not want to do. He is not happy with the status quo. He said that he wants to find the solution to it. He thinks the businesses deserve it, the community deserves it and they should be looking for a more comprehensive solution. He felt that they actually have a more comprehensive solution that they should thoroughly be reviewing whether it works or not. He doesn't think this is the solution. He doesn't think those things are going to change the problem.

Mr. Sykes said there are a lot of points that he doesn't disagree with him (Dr. Zudans) on, but everyone in the community has a lot of great suggestions. He felt that at the end of the day they need to look at what is the cost of parking spaces. He said they have received some numbers from Mr. Monte Falls and they have a study that was done in 2006, and there are some discrepancies between the numbers and the cost per block to do Center Street Parking on Cardinal Drive. Based on the initial numbers from Mr. Falls it appears that it is going to be very costly. But, it is worth a lot to the City and to the businesses. So, ultimately they can enforce all they want, but at the end of the day they have to create more spaces. That to him is a bigger solution. He said they can do other things in the interim, but to him the end goal is how they can create more spaces. He said the only way to do that is to create a parking garage, to get every last space that they possibly can, even if that means decreasing the width of some parking spaces. He is still an advocate for removing additional no parking signs on City right-of-ways that are in close proximity to some of the areas where they are having more congestion. He said to get any single space that they can and work towards putting in money to building new spaces.

Dr. Zudans said there are 250 spaces at Jaycee Park and along the boardwalk. He said there is nothing else anywhere around there that has anywhere near that kind of amount of spaces. If they have a shuttle that runs to these spaces, then that solves the problem. He didn't understand why they want to spend money on 100 parking spaces in a parking garage or a few spaces here or there on the side streets.

Mr. Sykes said if they can get an agreement from the hotels and all the businesses that they are going to make their employees park somewhere else, then great they have solved the problem. But, he didn't know how to do that.

Dr. Zudans said have electronic tagging of license plates and have a shuttle that runs back and forth. That is the solution. The question is how do they pay for it.

Mayor Howle said they don't know what kind of revenue would be generated from a kiosk system. He said at one (1) point in time they had an idea of what that might be. He asked is that correct.

Mr. Monte Falls, Public Work's Director, said they estimated it...

Mr. O'Connor suggested that they discuss item 4A)-1, Parking Systems, at this point because that is exactly what they planned to discuss.

The City Council agreed.

Mr. Falls said it is all based on the utilization of the spaces and the numbers they looked at was somewhere in the 50% to 60% range, which was about \$1.8 million. He noted that was the utilization rate that they are unsure of. They discussed at their last meeting if they did a utilization study in off peak times and peak times they could narrow that number down and would be more confident on what they estimate for revenue.

Dr. Zudans asked are you stating that a kiosk system would generate \$1.8 million a year.

Mr. Falls said that is what they looked at with the number of spaces in that district at 50% to 60% utilization.

Mr. Sykes questioned and that is all of Ocean Drive, Cardinal Drive, and all the side streets.

Mr. Falls said it is all of those 755 backing out the handicap spaces.

Mayor Howle said it also depends on how they structure the time limit and costs associated with that.

Ms. Cindy Lawson, Finance Director, explained that they were based on a \$1.00 an hour before they discussed the 1/2 hour for free, 12 hours a day. The vendor staff spoke with told them they could figure about \$2,500 per meter per year. She said it is the utilization data that is critical because when she used the \$2,500 it came to about 50% to 60% a year. Also, they have no idea how much the cost side of that is so they have the vendor working on a response to if the City did this what they would charge for the turnkey where they manage it, do the enforcement, etc. She said they really only have half the answer at this point. She said all the vendors told staff with confidence that they didn't have a problem with the City generating enough revenue to afford the \$200,000 shuttle.

Dr. Zudans said it is not just the \$200,000 for the shuttle, but that sounds like enough money to fund a parking garage and a shuttle service.

Ms. Lawson said staff gave the vendors more information and the vendors are going to give staff both sides of the equation, revenue and the cost based. She didn't want anyone to get excited about the revenue until they get a full picture of the cost.

Mr. O'Connor said they are going to invite a vendor to come before the City Council.

Mr. Sykes said the concern that he would have is if they go with the \$1.00 per hour model and regardless of the argument about what employees make on the beach, he felt they still would have a lot of people who would park in front of the hotel rather than pay the \$1.00 per hour, \$12 per day.

Dr. Zudans said that was not the proposition. The proposition was \$1.00 an hour if people want to pay to park, which that was going to fund the shuttle for free parking. He said if they have a shuttle running every 10-minutes from the Jaycee Park area where there is free parking then people don't have to pay. He said that he is not for paid parking. He is for a comprehensive solution. He said they have to have a place where employees can go and park for free, they have to have a shuttle, and they have to have a place where people of this community who don't want to pay a \$1.00 to park can go. He said the question is, is the community willing to pay \$1.00 an hour or are they willing to park and walk.

Ms. Cindy Lawson explained that the \$1.00 hour was on the assumption that they would have the ultimate limit. They would have three (3) hours within that district and then they would have to move. Another alternative was that people could park there all day, but the rate would be tiered where it would begin at \$1.00 and then it would go to \$2.00, \$3.00, etc. She noted that employees would not want to do that, but people who want to shop might be willing to pay. She said that she is not advocating this, but just saying that this is the revenue side that goes with potentially a shuttle, garage, and all the other elements they will need to make this comprehensive solution work.

Mayor Howle asked how many spaces do they have at Jaycee Park and at South Beach.

Mr. O'Connor said there are 110 spaces at South Beach and 61 spaces in the parking lot at Jaycee Park. He noted that does not count Conn Beach or the large parking facility at South Beach.

Mr. Monte Falls, Engineering Director, said they are the two (2) overflow parking areas.

Mayor Howle said everything mentioned here are great ideas. He felt that before anything can be decided, they need to get all the information.

Mr. O'Connor said they will be getting more information and would not be making a presentation on November 6th because that is Election Day so it would be a meeting after then. He felt from a Council standpoint and a policy decision standpoint in order to address this that they have to identify a revenue stream, whether it is a kiosk, a taxing district, etc. Once they identify the revenue stream then they can identify the solutions.

He said they have to figure out what it is that they, as a community, will tolerate for a revenue stream because this is going to be an additional cost. There is no way around it.

Mayor Howle said if they had a tax on the City as a whole they are going to have a blowback from people who will say they are doing this to benefit Ocean Drive, etc.

Mr. O'Connor said the key is if they are going to address the problem they have to find a revenue stream to address it. There is no zero cost to address the parking problem. He said somebody somewhere will have to pay for a parking space and they are very expensive.

Dr. Zudans said in looking at this from what should government do; how should government structure costs when there are costs, the fairest way to do that is in idea of user fees. The idea of the kiosk fits exactly with that idea, that if you are the person who is using the parking services, you are the person paying for the parking services. If they keep it reasonable and at a level that people are not bothered by it then he thinks this is the solution that is going to be most accepted by the community. He said there is no solution they can come up with that they are not going to have a large part of the public or a significant vocal part of the public who is going to be opposed to it. He said they (City Council) have to do what they think is the right thing. They have to think it through and do their research and at the end they have to make the right decision, even if people are going to complain about some of the choices. No one is going to be happy with everything they decide. That is their responsibility as an Elected Official, to represent the community and do everything they are supposed to do.

Councilwoman Moss said you are going to be wrong about something to someone no matter what they do. She said as she has stated at other meetings, she is in favor of the three (3) hours. She thanked Mr. Sykes for suggesting that and she supports that. In addition, she knows that they are waiting for other information from Mr. Falls and she will take a look in the meantime, as they know one (1) of her favorite pursuits is the Tourist Tax and she thinks they are getting closer to that with the County in an agreement in terms of a more reasonable share of it because as they know the City already generates a huge amount of tax and are just not spending it on infrastructure. She thanked Mr. O'Connor for talking about the revenue stream because that is what got her thinking about Tourist Tax because he is right; what is the revenue stream to pay for this. Perhaps they already have one (1) because by State Statute it can be used, as they know, for beach Park facilities. She will check on that in the meantime and make it as a conversation worth having, worth pursuing. She thinks the County is more amenable at this point and she appreciates that from the County, so she will look into that while Mr. Falls is looking into other options.

Mr. Young said his thinking is if this is an area that wants to be supported for additional spaces then there needs to be a commitment towards funding for it. He said they have an alternative where they can be incentivized or it falls on the entire community to absorb the cost. If they are expecting the entire community to absorb the cost, then they need to have a voice in that decision.

Mayor Howle asked Mr. O'Connor to place three (3) hour parking signs on Cardinal Drive and the side streets and to leave Ocean Drive as two (2) hours as suggested by Mr. Sykes to see how that works.

F. Public Comment (3 minute time limit).

Mr. Caesar Mistretta said that he started out as being a fan of the idea of kiosk parking, but the more he hears about it there is a very strong voice against it. Without saying what side, he is on he thinks this is something the City Council needs to explore. He said \$1.00 an hour is no deterrent to employees and he is not looking to penalize the employees and feels that it is the employer's responsibility. He said there should be some way, an Ordinance or something, to get employees to cooperate and pay for parking in a parking lot. That will free-up 50% of the parking problem immediately. The biggest problem they have is the employees are parking on the streets eight (8) to 12 hours a day. He noted that he is not blaming the employees. If there is a way to get the big businesses, such as the hotels, to pay for a parking lot or a shuttle they would solve the financial problem. He said another thing is if they received part of the Tourist Tax money they deserve and are entitled to they would have the money for a parking garage. Also, he has been asking for shared parking to be eliminated for two (2) years now. He said it is ridiculous. The Stuart idea is great, but if they limit people to stay in Vero Beach for three (3) hours they are going to hurt businesses. If they make it longer they are allowing the employees to stay and they will be right back to the same situation. Therefore, he does not think what works in Stuart is going to work here.

Mrs. Julie Knight said that she and her husband own four (4) businesses on Azalea Lane, which is a side street. She said that she doesn't want three (3) hour parking on the side street, she doesn't think it is right. She said they can't take parking from Ocean Drive and shove it to all the other businesses on the side streets. They moved off of Ocean Drive three (3) years ago because parking was a problem. They love their side street and the two (2) hour parking. She wants it noted for the record that if they want to make it three (3) hour parking, then it needs to be three (3) hour parking everywhere. It is not fair for the City Council to decide what businesses are more important than others. She said three (3) hour parking is not a problem if it is monitored, which it is not. She said the parking person cannot make the rounds so they can hire another person and make it three (3) hour parking.

Mayor Howle said his problem with that is that Cardinal Drive is very unused and if everyone has three (3) hour parking or two (2) hour parking then there is no incentive to park on Cardinal Drive.

Mrs. Knight said that she would feel bad to say that they make Cardinal Drive three (3) hour parking and to leave Azalea Lane at two (2) hour parking because that makes it seem that it is all about her. She thinks that having two (2) hour parking on Azalea Lane works.

Mr. Sykes said there are certain areas that have heavier traffic where people come and go all day long, such as on Azalea Lane because of Casey's Restaurant.

Dr. Zudans said there is also a bank in that area that is heavily used. He said they would have to go through and look at every single business. The whole reason they decided to sunset the three (3) hours for the summer months was to force the City Council to do something. He said they need a comprehensive solution. They can't keep doing these little tiny fixes. He said if they are going to change the time then he would say to have two (2) hour parking on Ocean Drive and on the side streets and have three (3) hours on Cardinal Drive, but then they will be back here with all the businesses on Cardinal Drive complaining that all the parking spaces are taken in front of their businesses.

Mr. Sykes said that he doesn't disagree with Dr. Zudans, but even if they were to implement a paid parking system or look towards a parking garage that is down the road. He said they haven't even heard the full proposal yet and so he is doing whatever they can in the interim to help the businesses. He said this is the only control they have at this point.

Mrs. Julie Knight requested that the side street parking stays the same as Ocean Drive.

Mayor Howle said that he didn't have a problem with that.

Mrs. Knight said they keep talking about the shuttle and Jaycee Beach, but what they are not discussing is that they did try the shuttle and the hotel employees didn't want to use them. She questioned in season would Jaycee Beach have enough parking spaces and will the shuttle work this time and how can they make it work better. She said these are things to think about when thinking about the Stuart plan.

Dr. Zudans said those are good questions and the primary reason why the shuttle didn't work was because there was a much easier alternative for workers and that was to park in front and go out and wipe off the chalk every three (3) hours rather than park at Riverside Park.

Mrs. Knight said it was her understanding from the last City Council meeting that the reason the shuttle didn't work was because the hotels said they had to clock in their employees and that they had to pay for liability.

Dr. Zudans said that was another reason that they couldn't force their employees to do it.

Mrs. Knight read into the record one (1) of the emails that was sent to the City Council because this really does affect her and her husband's businesses (on file in the City Clerk's office).

Mrs. Mary Sue Walker, owner of Cravings, said that she is here representing the general public, as well as herself and several businesses. She said that she met with every hotel manager on the beachside yesterday and today. She is also representing the 368 petitions

that they don't want a kiosk, but a parking garage. She referred to copies of emails that she placed on the table (on file in the City Clerk's office). She asked the City Council if they have read all 442 of the emails that they received. Three (3) Councilmembers responded answering no.

Mrs. Walker said that she has read each of them and categorized them. She said the majority is not from the Driftwood Inn. She said there is one (1) common denominator in all the emails that were sent to the City Council to please not take away their relaxed welcoming community away from them with paid parking. She then thanked Mrs. Nancy Cook, Ms. Cathy Padgett, Mrs. Melinda Cooper, and Mr. Caesar Mistretta for tirelessly working on a solution for the parking problem. She said they are getting the brunt of the problem because of the hotels. She said it is not their fault, it's not the hotels fault, it's not the employees' fault it is the City's fault for not looking forward years ago and thinking that this place was going to grow. The businesses and hotels are only for a solution that will provide more parking for the community. The City needs to build the beachside community a parking garage and they can find the money to do it. She said the employees deserve a place to park and the hotels are not to blame. Business owners and hotels need to educate their employees on the importance of customer preferred parking. Until the garage is completed there needs to be an employment agreement, which the Holiday Inn already does. She said employees can utilize the all day parking at Humiston Park, which is a four (4) block walk to the Vero Beach Hotel and from Jaycee Park a five (5) block walk. There is all day parking behind Cravings and the Lemon Tree. A little creative scheduling is all that is needed and the hotels can help their employees with complimentary rides to and from the parking lots if needed. She said the City needs to place mandatory parking enforcement signs stating the new increased ticket price so employees who park in the two (2) hour parking area are warned and do not abuse the law. She said that Mr. Sykes brought up a premium parking pass for merchants, property owners, and City residents during peak season, which is not a bad idea and something they can approach after they get a garage built. The City Council and City Manager need to go after the bed tax because it is not being distributed fairly. She said that \$600,000 went to the Chamber of Commerce to bring more people here and yet the City is not doing anything to accommodate parking for that. She said this community is angry.

Dr. Zudans asked Mrs. Walker if she was opposed to or in favor of an assessment for the businesses to fund a parking garage.

Mrs. Walker said that she is a property owner and if she has to pay more taxes she will pay them. She said if this City Council has done everything that they can either from grants or bonds or getting their fair share on the bed taxes and they have exhausted those opportunities and also getting double the money in parking systems for using the LDR system then she will pay.

Mr. Sykes asked Mrs. Walker if she was able to get any sort of commitment from the hotel managers when she spoke to them.

Mrs. Walker commented that Chad at Costa d'este seemed very informed and concerned. He is willing to work with the City and his employees. She said that she has spoken to so many employees from the hotels who said they don't like doing what they are doing. The employees have said that they would park down at Humiston if there is a parking garage. She said these employees are risking their jobs sneaking out moving their vehicles and eventually won't be allowed to do it at all.

Mr. Young asked if an interim solution to the parking garage would be to provide the same enforcement she is talking about, but have the area designated as the access lot near Jaycee park at another location as a free parking lot for the employees as they sort through how they are going to finance the garage.

Mrs. Walker said the employees can park there now for free. Mr. Young said that there is no incentive for them to do that. Mrs. Walker felt that it was the hotels job to help and get involved.

Ms. Barbara Thompson commented that in 2006 when they had the hurricanes and beaches washed out Gloria Estefan came in and wanted to help rebuild their community. She said they shouldn't be throwing stones for the people that were on Council at that time. Now we are in this stage that the hotels are the culvert. It is time that the hotels got informed. She said that Council should go in there and say that the City is demanding this. Have some force and some type of class action if it is not done. She said the hotels could get courtesy vans and take their employees up to Jaycee Park. It is not asking to much. She is in favor of a parking garage.

Mrs. Barbara Munday mentioned the bed tax money. She said if they continue ignoring this then they should just remove the word "Beach" from "Vero Beach." She said they need a parking garage. They are desperate. Many of the retailers are fighting because people shop on Ebay or Amazon. She employs many employees at her businesses and feels that a parking garage would be a huge benefit to this community.

Ms. Sherry Discorry was a strong proponent of keeping Vero/Vero. She asked why take away Jaycee Park for parking.

Dr. Zudans said that is not what they are doing and he doesn't like being accused of doing things that are not true.

Mayor Howle asked Ms. Discorry to address the Council in whole.

Ms. Discorry continued by saying that she is an employee of Cravings and she can walk or ride her bike to work and when she does drive she rarely has issues finding a parking space. She said most people unless they are handicapped can walk a couple of blocks. She read some quotes from some of the emails that Council received.

Ms. Terry Higdon, was at today's meeting representing the Petite Shop on Ocean Drive. She was not in favor of kiosk parking. She would like to have a parking garage. She read a couple of the emails that are on file in the City Clerk's office.

Dr. Zudans asked Ms. Higdon if she was in favor of an assessment in order to pay for a parking garage.

Ms. Higdon said that she was the wife of the owner so she could not answer that question.

Mr. Lee Olsen, Manager of Waldos, thanked the Council that came out on Saturday to hear the voice of the people that were at Grind and Grape on Saturday. He said if they still have two (2) hour parking his customers would not have time to eat and shop. He said going back to three (3) hours gives the people an opportunity to come to the beach side. He said that Waldos was voted #2 restaurant of the Treasure Coast and Captain Hiram's was voted #1 because they get more tourist tax.

Dr. Zudans explained that the City has no control over the bed tax.

Mr. Olsen felt it was time that they get some of that money and build a parking lot.

Dr. Zudans asked Mr. Olsen if he would be willing to pay an assessment fee for a new parking garage.

Mr. Olsen said that he would be attending a Board of Directors meeting at the Driftwood and he will ask them that question and get back to the City Council with the answer. He looked in to getting a shuttle, but it cost over \$42,000 a year for insurance because of the liability.

Mr. Brian Heady questioned if the City Council thinks that parking or having a clean ocean is more important. He said according to the news the government is the biggest person that dumps more stuff in the lagoon. He discussed the electric issue. He once asked the City Manager to give him his notes he took during the negotiation meetings. He was told by the City Manager that he doesn't have any public records and doesn't carry a pen into those meetings. He said they could pay for the parking garage from the money they get for the sale of the utilities. He didn't want to see the community charged with an assessment to pay for it. He felt that increasing the parking fines to \$250.00 would make them one of the most hated City's around. He has heard that the City is not be in the electric business, but they are spending hours trying to be in the parking business.

Mrs. Shelia Hunter said that Costa d'este is opposed to the kiosk and Kimpton hotels are opposed to kiosk. She works at Costa d'este and loves the businesses across the street. They want to help the businesses and employees and are looking forward to having a parking garage.

Dr. Zudans asked Mrs. Hunter if she would be willing to pay an assessment to have a parking garage. Mrs. Hunter could not answer that because she was just an employee, but would send the information to the City Clerk.

Ms. Ann Groves, Manager of Cravings, read a letter into the record.

Mrs. Nancy Cook said that musical cars is not any fun. She said if there are not parking spaces that is all the employees are doing. She has customers come to Vero Beach to shop and they don't go to Stuart because of the time constraints. The whole issue is about more parking spaces. She agrees with having a parking garage. She brought up that Center street parking on Cardinal Drive is immediate. A study was done by Gladding Jackson and their plan shows a different number of spaces and dollar amount to implement this then what has been given to City Council by their Public Works Director.

Mr. Sykes stated that according to this plan "Cardinal Drive On Street Center Parking," there would be more parking spaces generated then what Mr. Falls numbers look like.

Mrs. Cook asked Council to please look at this study. She said that a lot of money was paid for the study and these people are professionals. She said in the plan they did not include diagonal parking on the commercial property right-of-ways on the side streets like what was done in front of the church that was built. She said there are a lot of spaces to be gained there also. She said this can be done on property that they already own and can be done much quicker than building a parking garage, which she is in favor of. She questioned taking employees to the beach parking lots because those lots were bought and paid for by people going to the beach. She said that they cannot go with shared parking because two (2) people cannot park in the same space. She asked Council to please consider parking to every extent that they can with property that they already own.

Dr. Zudans asked Mr. Falls to give them an explanation of what the disparity is.

Mr. Falls explained that he used this plan as the basis of the work and numbers that he provided to Council. He said that this was a plan that was laid out was not an engineering scale, but was done for planning. He said it is a very good concept to put parking in the center. But what that plan does not consider is that at each intersection if you push the parking in the center and the road to the edges at each intersection you have to modify that intersection for all the radiuses turning into the other roadways. He thought that there would be more net parking gained when he laid it out on the scale. The drawings and the numbers are what they are. He can't make them materialize. He does not want anyone to be the under the impression that they can get more than they can get. The cost in that study was for 2006, which is 12 years go. He took their numbers and inflated it to these dollars based on the CPI for each year and that is where his number came from. He did a reputable and professional job that he could with the information that he had.

Mr. Sykes told Mr. Falls that he agrees with his assessment and appreciates the numbers that he came up with. He asked Mr. Falls what was the number that he came up with for each block. Mr. Falls said it was \$134,000 per block and they (Gladdings and Jackson)

used \$100,000 to a \$115,000 and he just inflated it for 12 years. Mr. Sykes asked if that same number would apply to Ocean Drive. Mr. Falls said that Gladdings and Jackson has the same number in there for Ocean Drive. However, he has not laid Ocean Drive out. He said included in the numbers will be streets scaping and landscaping improvements. He said it is Gladdings and Jacksons project.

Dr. Zudans asked Mr. Falls if he did the engineering scale for Ocean Drive does he think that there would be the same kind of issues or might it come out differently if they looked at Ocean Drive.

Mr. Falls said that there would be probably less spaces than they proposed but he has not done the design work. Dr. Zudans asked Mr. Falls how much time would it take him to do that. Mr. Falls said that Ocean Drive is twice as long as Cardinal Drive so it would probably take him three (3) days. Dr. Zudans asked him if he would mind doing that just so they have the information. Mr. Falls said he would be happy to do it.

Mr. O'Connor noted that there is the engineering scale and there is a planning scale. He said that document is a planning scale and the engineering scale is when you have to put the actual footing in for a parking space.

Dr. Zudans asked what about the streets being one way instead of two way streets. He asked if that would make a difference. He wondered if having Ocean Drive just going South and then Cardinal Drive just went North would make a difference.

Mr. Falls stated that on Ocean Drive diagonal spaces could be installed if it were one way. He said Cardinal Drive is already diagonal now. On Ocean Drive they would eliminate the parallel parking spaces and put in all diagonal spaces and limit the traffic flow to one way.

Dr. Zudans asked Mr. Falls how long would it take him to find out what kind of affect one way streets would have and how much would it cost.

Mr. Falls said this project would be the least expensive to do and he will let Council know how many spaces will be gained by going one way.

Mr. Young wanted to know what is the traffic ability assessment as a result of one way traffic.

Councilwoman Moss told Mr. Falls that he was doing a wonderful job and she thanked him.

Mrs. Linda Hillman gave her apologies to the City Council and the Police Officers for her outburst at the last City Council meeting. She would like to address not City Council members, but candidate applications as hers was addressed. She asked Council to please keep that in mind. The application from Mrs. Moss her treasurer campaign application was filled out on May 25, 2018 and she was able to file three (3) Treasury Reports –

June, July and August. However, her application was not signed and completed until the last day of filing, which was September 7th. The question was who called her to tell her that her application was not complete and why was that not caught and are those three (3) Treasury Reports legal. She said there are three (3) date stamps on these and everyone else only has one date stamp. She said Mrs. Moss's statement of financial interest has two (2) date stamps, which is very unusual. One is dated May 18th when she filed the application and the other date stamp says Supervisor of Elections, May 29, 2010 at 9:15 a.m.

Mrs. Hillman stated that Mr. Young filled out his application, however he does not have his voter's registration number on the form, which is not a requirement by the City, but a requirement by the State. Mr. McCabe has no date stamp whatsoever on any of his filing papers and on the bottom of his campaign treasurer he has none filled out and just a scribble. Because there is no date stamp who verified his signature. She said it obviously was not the City Clerk. She said with Mr. Brackett he has no date stamp. On September 7th he had a notary notarize his signature and the notary is not Mrs. Bursick, who is the notary that puts your date stamp on when the application is filed. She said all four (4) applications are incorrect and they should be looked at and her question is should they be disqualified.

Mr. Roger Sherman lives in McCansh Park and wanted to bring something to Council's attention that bothers him. He said it is paving equipment being parked on the canal bank and taken across a little Park at 27th Avenue at Atlantic Avenue. He said several years ago that was deemed to be surplus property by another Council and he asked this Council to look at it and reverse it back and do something about access to that canal bank. He asked that this land be put in conservation. He distributed a letter that he had to the City Council (on file in the City Clerk's office).

Mayor Howle asked Mr. O'Connor if the City still owns that piece of property.

Mr. O'Connor explained that the City does still own the property. He said the reason that it was declared surplus at the time was because it was going to go to the adjacent property owner and the property went up for sale and sold before the transfer took place and the new property owner is not interested in the property. It is also an access to the canal for the St. John's Water Management District. He thinks that it is Ranger Equipment that parks there and he was told they are doing work on the State Highway.

Mayor Howle asked if the equipment has been removed. Mr. O'Connor did not know. He said that he has not been by there in the last couple of weeks.

Mr. Sherman said some of the equipment has been removed. He said that he has nothing against Ranger Construction. He just doesn't want them bringing their equipment in at 4:00 in the morning and blocking traffic and everything else that goes along with that. He said the easement that is there has apparently been there for a very long time. They just need to open up the access from 27th Avenue right on to the canal. He said this needs to be put into conservation, rather than turning into a mud pit.

Mayor Howle told Mr. Sherman that they would look at the letter that he has provided.

Mr. Rey Neville commented that he sold the Majic Market to Mrs. Thompson some years ago. He said that the Council could make arrangements with her to lease parking spaces. He said that the parking area behind Merrill Lynch is enormous. When he moved to Vero Beach in 1950 there was a parking area north where the old lifeguard station was and that could be reactivated.

Mrs. Cook stated that she is a property owner and she would be very happy to purchase parking spaces that are priced at the same price that they would cost to build them in the parking garage continuous to her property. The discrepancy in the drawings from Gladdings and Jackson is probably because they did include Center Street landscaping and underground lighting. She said the other thing that was not discussed was is there any minimum or maximum when it comes to curve cuts. She said the curve cuts are what is taking the public parking spaces.

Mr. O'Connor said that he would check with Mr. Falls on the curb cuts.

It was the consensus of Council to change the parking on Cardinal Drive to three (3) hours.

Councilwoman Moss commented that they understand that they are not solving the problem by changing the parking to three (3) hours on Cardinal Drive. It is just a stop gap measure. She said it is not an emergency and that Mr. Falls needs to take care of the red tide situation first.

At this time, Council took a break and the meeting reconvened at 6:20 p.m.

3. CONSENT AGENDA

A) Award of Contracts/Change Orders for Taxiway E Extension (FDOT #434602-1-94-01) and Rehabilitate North Apron (FDOT #43798-1-94-01)(Bid #:110-18/JO)

Mr. Eric Menger, Airport Director, reported that there is an increase with this project because the bids came in higher.

B) Amherst Consulting Company, LLC. – Change Order 1 to Work Order 2 for Taxiway E Extension (FDOT #434602-1-94-01) and Rehabilitate North Apron (FDOT #43798-1-94-01)

Mr. O'Connor reported there is 80% funding by FDOT on this project.

C) Cultural Council would like permission to serve alcohol at the Celebrate the Arts Festival on January 5, 2019

The Cultural Council wishes to serve alcohol at their event on January 5, 2019.

Mr. Young made a motion to adopt the consent agenda. Mr. Sykes seconded the motion and it passed unanimously.

4. CITY COUNCIL MATTERS

A. New Business

B. Old Business

1) Parking Systems

This item was heard earlier in the meeting.

5. PUBLIC HEARINGS

A. ORDINANCES

B. RESOLUTIONS

6. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING

7. CITY CLERK MATTERS

A) Reappointments to City Commission/Boards

Airport Commission

Mrs. Carole Jean Jordan's term on the Airport Commission expires on November 15, 2018 and she would like to be reappointed.

Marine Commission

Mr. Bill Walker and Mr. Bill Johnson's term on the Marine Commission expire on October 15, 2018 and both members would like to be reappointed.

Application on file:

Mr. Alan Keith Drewett

Recreation Commission

Mr. Dick Yemm's term on the Recreation Commission expires on November 15, 2018 and he would like to be reappointed.

Dr. Zudans asked that these reappointments be announced at today's meeting and then they be brought back at the next City Council meeting for consideration by the Council to approve the reappointments. The Clerk was also asked to include the absentee records for all of the members wishing to be reappointed and revise the Commission/Board application to include the number of times the applicant has attended Commission meetings.

Mrs. Bursick announced that currently there are two (2) alternate positions open on the Code Enforcement Board. On the Fire Pension Board there is one (1) full time position open. On the Historic Preservation Commission there is one (1) alternate position open and on the Tree and Beautification Commission there is one position open.

8. CITY MANAGER MATTERS

Florida Power & Light Agreements – Per Attorney Nat Doliner

- A) Amendment to Asset Purchase and Sale Agreement and Memorandum**
- B) Airport Substation 5 Lease Agreement and Memorandum of Lease**
- C) Airport Warehouse Lease Agreement and Memorandum of Lease**
- D) Power Plant Site Property Designation**

This item was moved up on the agenda and heard as item 2D-1).

Add on Item – Alcohol request approval be approved by the City Manager

Mayor Howle suggested that they give the City Manager the authority to allow him to approve requests from different organizations to serve alcohol at their events instead of having to bring each one before the City Council.

Councilwoman Moss asked if there were any legal considerations in doing that.

Mr. Coment explained that they would need to change the Ordinance. He said that this would be very similar in the way that the City Manager is able to approve a right-of-way license. It will just take a minor change from City Council to City Manager, giving the City Manager the authority to sign off on these requests.

Mr. O'Connor explained that if he rejects a request that person could always appeal to the City Council.

Mr. Coment said that he would bring back an Ordinance to Council for their consideration.

Mr. O'Connor reminded Council that their next meeting would be held on November 6th and will be a two (2) hour meeting because of the Election.

9. CITY ATTORNEY MATTERS

None

10. COUNCILMEMBER MATTERS

A. Mayor Harry Howle's Matters

- 1. Correspondence**
- 2. Committee Reports**
- 3. Comments**

There were no comments made.

B. Vice Mayor's Lange Sykes's Matters

- 1. Correspondence**
- 2. Committee Reports**
- 3. Comments**

Mr. Sykes read into the record two (2) letters that he received from Mrs. Maryellen Cooper (on file in the City Clerk's office). He said that he was devastated to see the Red Tide here in Indian River County. He said generally they have been very lucky not to have gotten it. He extended his prayers and condolences to the lives lost in Hurricane Michael.

C. Councilmember Laura Moss's Matters

- 1. Correspondence**
- 2. Committee Reports**
- 3. Comments**

Councilwoman Moss announced that Gallery 14 is selling raffle tickets for a painting done by a local artist (Mr. Sweeney) for the Children's Home Society transitional homes. This plays an important role for teenagers who have been in foster care because at age 18 they are removed and left on their own. She said that she has already purchased a raffle ticket and they will be for sale until the end of October.

Councilwoman Moss spoke about the 12th annual Jake Owen Foundation benefit concert that is coming up on December 8th. She said tickets are on sale now and the event will be held at the Indian River County Fairgrounds. The concert is Jake's final stop on his "2018 Life Is What You Make It Tour" and he will be joined by Joe Diffey, Chris Lane and Morgan Wallen. She said one of the things that she found very interesting is that are on his website. She said if you go to Jakeowenfoundation.org on the face page there we (the City of Vero Beach) are. Since Jake is one of their hometown heroes she read a quote from him about his foundation. *The Jake Owen Foundation is one of the most fulfilling things I have ever been involved with. What matters is the kind of person you are. Your character, your legacy. What have you done for others. Music in my life has been great, but the one thing I will always be proud of and look back on and be able to share with my daughter are things that compliment character. Giving back has always been important to me in everything I do. And locally the Jake Owen Foundation has given to the Boys*

and Girls Club of Indian River County, Hibiscus Children's Center, Riverside Theater, Education Foundation, Youth Guidance, Indian River Golf Foundation, Live Like Cole, Autism Speaks, Florida Institute of Technology, and the Learning Alliance. Councilwoman Moss said this is just locally. They are also involved in other things beyond the local. She recommended that everyone one go to the concert. It will be fun.

D. Councilmember Anthony W. Young's Matters

- 1. Correspondence**
- 2. Committee Reports**
- 3. Comments**

Mr. Young commented that last week there was a Centennial kickoff event held at the IG Center. He thanked the Mayor for kicking that off and City staff for making that happen. He appreciated that the County provided the facility and hosted it. He said that this morning the County Commission provided a Proclamation in celebration of the City's 100th Birthday. He reiterated that the County is joining with Vero to make this special. He said that next week begins the week long tree dedication at the different schools in the area. Then on Wednesday of next week the banner will be unveiled. Then on Friday night the football game will kick off the event and on Saturday there will be a time capsule and flag presentation at Waldos. He also reminded everyone that next week is early voting. There will be a candidate forum for candidates at the Taxpayer's lunch then some of them will be going to Tallahassee for the Public Service Commission hearing.

E. Councilmember Val Zudans's Matters

- 1. Correspondence**
- 2. Committee Reports**
- 3. Comments**

Dr. Zudans said if you want to pray for the future of the City then pray for what happens in Tallahassee next week. This is a financial impact on the City like nothing else. He said hopefully that goes well. This Saturday they will have the ribbon cutting ceremony for the Live like Cole fishing pier. He said there are still 36 treads available. He said for \$300.00 anyone can get a tread on the pier.

Mr. O'Connor announced they would be closing the beaches tomorrow because of red tide.

12. ADJOURNMENT

The meeting adjourned at 6:48 p.m.

/tb