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# **PARKING INFORMATION**

Mrs. Hillman commented that when they held the community charette they had drawing renditions of what they wanted the two (2) neighborhoods to look like and what they wanted the City to commit to in order to help the neighborhoods. It was street signs and lights. She said lighting is crucial to a neighborhood for security. She has always felt confident to rely on their local Police Department. It took her five (5) years to get the Go-line bus hub moved from their neighborhood because there was a lot of crime going on in the alley ways. She suggested maybe setting an amount for lighting and then see how much the property owner is able to fund.

Mr. O'Connor said that he would provide Mr. Daige with the cost of lighting for the pole, the cost of the lights, and the cost to make the signs.

Mrs. Hillman expressed that there is not an association in her neighborhood anymore because of the lack of attention so the membership dwindled down. She now sits on the Planning and Zoning Board and has to tell people that call her that she cannot discuss these things with them because of her position on the Board and the Sunshine Law. She loves the ideas for the Edgewood neighborhood and the attention that the Cultural Arts Village is getting, but she is jealous that Original Town and Osceola Park are out of the limelight.

Mayor Moss brought up that the City spent \$10 million to purchase the Dodgertown golf course, not to mention the cost of signage involved for that area.

Mrs. Hillman commented that the Churches she mentioned earlier have offered to help doing something for her neighborhood. She said that is another avenue for the City to reach out to for some help.

Mr. Howle asked Mr. O'Connor to get the prices for the signs and lighting.

Mrs. Hillman would like someone in her neighborhood to find out what the neighbors could contribute to pay for the signs and lighting. She said that now that she is on the Planning and Zoning Board she has to be careful on what she can do because of the Sunshine Law.

Mr. O'Connor said that he would get the pricing per intersection for naming of the streets then price per light and for installation. He would get this information to the City Clerk and she will send it to Mr. Daige.

Mr. Ken Daige said that he is an alternate member on the Planning and Zoning Board and he is familiar with the Sunshine law. But, would speak with the City Attorney and anything that he sends out will go through the City Clerk and the City Attorney.

↓ Mrs. Nancy Cook stated that she is passionate about Ocean Drive. She thought that the former Visioning Committee was disastrous. She said the consultants were eroding the foundation of this community. They had an agenda. Mayor Moss told Mrs. Cook that this Council was not planning on bringing anyone from the outside. Mrs. Cook thought that the plan was flawed. The Vision Committee could not speak because of the Sunshine Law and could only talk when the consultants were present and the residents were not being heard because of the Sunshine Law (she had some problems with the consultants hired to do the Vision Plan). One of the first issues that came out of the Visioning Committee was shared parking. She said that herself and Mr. Mark Mucher (also a member) did not vote in favor of shared parking. Then after the Visioning Plan was adopted down the road the Overlay

District was approved. She talked briefly about what this allows on Ocean Drive. She said restaurants that have outside dining don't have enough parking. If they continue to allow hotel employees to park on Ocean Drive the commercial area will be turned over to commercial business (t-shirts and french fries being sold). She said if Council doesn't do something about the parking issue there are not going to be any business left. She also felt that they needed to respect the residents in the area. The noise containment needs to be done to protect the quality of life in this community. She has already lost over \$30,000 because she had to soundproof her building because of the noise that comes from Grind & Grape. She suggested having paid parking on Ocean Drive and have meters there. She doesn't know how the Council expects them to survive in business if they don't have parking. She said if they did the center street concept on Cardinal Drive they would get about 80 additional parking spaces.

Mr. O'Connor told Mrs. Cook that they have looked at the most parking spaces that will be generated and it is between 32 to 35 spaces. He said it would not give them 80 parking spaces. Also, if they do the center street concept then people backing out onto traffic would be even worse than Ocean Drive. It does pick up a few parking spaces, but there are challenges. He said right now people can go to Cardinal Drive and find a place to park. He said people parking on Cardinal Drive are not going to walk down to Ocean Drive if that is their destination. He agrees that parking is an issue and it needs to be addressed. They have looked at the cost of building a parking garage, which could go across from Humiston Park and would cost \$3.7 million.

Mrs. Cook felt that the hotels should provide parking on their property. She has nothing against the hotels on Ocean Drive, but hoped that they could appreciate the quality of life for the people that live in this community and the people who own businesses in the community.

Mr. Howle commented that every time he brings up having metered parking he practically gets his head chopped off. He agrees with building a parking garage.

Mr. Winger agreed that by having a parking garage and allowing employees to park on top for free could possibly work and maybe it would pay for itself.

Mr. Howle felt that they would have a bigger problem if businesses on Ocean Drive had to close their doors because of the parking problem.

Miss Catherine Walker commented that she loves the historic houses in Vero Beach. She referred to some houses that her mother has lived in.

Mr. Ken Daige said that he would like to see that the lead be taken to get this parking matter on the agenda and do something about it. They talked about it a few years ago, but nothing happened. The meter parking would not work, but something has to be done.

Mayor Moss expressed that the parking issue will be on a future agenda. She said they do have a quasi-judicial meeting coming up next month and they need to be careful when discussing parking.

Mr. Winger stated that he was not in favor of parking meters.

Mr. Daige expressed that his point is that this parking situation is difficult in that it is affecting a lot of people. The public is looking for this City Council to do something.

Mr. Sykes commented that the vision of this community is being driven by the property owners and citizens and not by tourists. He is concerned with the businesses in the Vero Beach area. He knows what is going on with the parking problems and said that it is a lot worse than some people imagine that it is. He was in favor of reviewing their options. He was not opposed to meter parking. He said there are some creative ways to do that. He asked that this item be put on a future City Council agenda and let Council dive into the situation and come up with a solution.

Mr. O'Connor recalled that parking meters have been discussed in the past. The problem that they have is when it is not "season" that people usually don't have a problem finding a parking space on Ocean Drive. He said there is a lot that can be done with having a parking system, but someone will have to pay for the system to be installed.

Mrs. Cook said that she found that the three (3) hour parking gives the employees another hour before they have to move their cars (referring to when they had two (2) hour parking).

Mr. Winger requested that more information be provided concerning the Cardinal Drive concept and having a parking garage.

Mr. Mark Tripson felt that the meters sounded "cool," but said if you don't have parking it doesn't matter if you have the meters or not. He said the City Police Officers come by and chalk your car and give you a ticket if you are parking in a space longer than two (2) hours. He asked if he wanted to build a parking garage how high could he go.

Mr. O'Connor told Mr. Tripson he could build the parking garage up to 50 feet or three (3) stories.

Mr. Tim McGarry, Planning and Development Director, stated that a parking garage could be built 50 feet or 3 or 4 stories. He said that the Planning and Zoning Board is supporting looking at meter parking with a system that makes money. He said hopefully the parking system would help pay for itself and then maybe help towards paying for a parking structure. He said by having parking meters it might encourage employees to use the shuttle service and park their cars at Riverside Park. He said but the businesses can't force their employees to take the shuttle. He said that the Planning and Zoning Board would like to be their standing Board in discussing this matter.

Mr. O'Connor commented that this is a matter that Council could discuss at their first meeting in June. He agreed that the Planning and Zoning Board was a good place to send this matter to.

Mr. Sykes commented that they just had someone step up and say he is interested in building a parking garage.

Mr. McGarry said things would need to be changed in the Code to allow private parking, but he said that was doable.

Mayor Moss agreed to come back to this issue.

Mr. Tripson explained that it has to be a profitable deal in order for him to do this.

Mr. Sykes thanked Mr. Tripson for bringing that up. He said that it was extremely generous.

Mr. Mark Mucher suggested that if Council was going to have a meeting about parking, particularly bringing in system vendors that they hold a workshop.

Mr. Eric Menger, Airport Director, pointed out that there was a news article that came out and said that the Airport was going to grow three (3) times in size. He said that was incorrect. He said the Airport is not going to grow three (3) times in size. They have also been looking at parking at the Airport and have been looking at a company called Resivore. The Chairman of the Airport Commission could not be at today's meeting and asked him (Mr. Menger) to point out a few things. She suggested that Council form an Ad Hoc Committee for the visioning process. Maybe having 15 people sit on the Committee and have representation from each of the interest groups in the area and maybe one (1) City Council member could serve on the Committee so the City Council will not have to meet so often. He offered his site as a place to hold the meetings. He was glad to see the youth at today's meeting and hearing their thoughts. He said that was great. He said speaking as the Airport Director and a long time resident of Vero Beach that Vero Beach is a beautiful community. He passed out an executive summary of the Airport Master Plan (attached to the original minutes). He said the Master Plan goes out for 20 years and there are a lot of things in that Plan that are also in the Comprehensive Plan. He wanted to make sure that the Airport Commercial Village is considered in the Vision Plan because they all overlap. He told Council that he was glad to see that they are doing this vision planning.

Mr. Winger commented that one (1) way they could afford the Dodgertown property would be to make it a part of the Airport.

Mr. Menger said that it could possibly be purchased through a grant.

Mr. Winger felt that parcel was an integral part of the Airport and it would be a way to join it in the Vision Plan for the Airport. He said this needs to be considered.

Mr. Menger commented that it is hard to lease long term to developers. He said they like to buy the land and build on it.

Mr. O'Connor added that with FAA involved there would be a limit to what could be done.

Mr. Sykes expressed that they have to have some revenue stream. He said it is crazy to continue talking about all of these giveaways.

Mr. Young asked Mr. Menger to talk about the consortium going on at the Airport on Friday.

Mr. Menger reported that the Airport would be hosting a statewide consortium of colleges on Friday. The event will start at 10:00 a.m. It is not open to the public and there will be State Colleges participating.

Mrs. Cook agreed with Mr. Sykes' comments. She said they need to develop some of these City owned properties and put them back on the tax rolls. It would be beneficial for everyone living here.

#### City of Vero Beach Charter

It was agreed to postpone discussion of the City Charter.

Mrs. Frey asked what was the tall smoke stacks at the Power Plant in the Code. She asked is that land zoned for a height as tall as those stacks.

Mr. O'Connor said they did conform with the Code, but those stacks would be coming down. He noted that the property is under the Charter so before they could sell the property for anything other than recreation or cultural use, they would have to put it to a referendum.

Mr. Howle thought what Mrs. Frey was asking was can someone come in and build a building as high as those stacks.

Mr. O'Connor answered no.

Mayor Moss asked does the Marine Commission or Recreation Commission have any response to the TCRPC issue.

Mr. Juliano answered no. He appreciated the input. He felt that Mr. O'Connor spelled it out well in that just like anything else they need to know what they were getting into before they do it.

Mr. Winger felt that the work done by the Marine Commission and Recreation Commission was an excellent start. He felt that the job the City has now is to put it in an organizational form and hire someone to carry it forward.

Mayor Moss said that she knows there are people present who want to discuss parking issues. She noted that the City Council has a quasi-judicial hearing coming up so they can listen, but cannot respond.

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Mr. Cesar Mistretta, of J.M. Stringer Gallery, said they are concerned about the parking issue on Ocean Drive and now they are being told that a restaurant is going to be built on the property of his landlord. He said they understand that it meets Code, but they don't understand it and would like some type of explanation. He said the parking lot has 70 spaces and they are going to lose between 14 – 20 spaces when the restaurant is built. He said they are going to have problems with garbage in that the current garbage disposal is not sufficient for a restaurant. He said the parking is going to be reduced to 40 – 50 parking spaces and he doesn't understand how a restaurant with 140 seats, as well as employees, meets Code. He said his building consists of six (6) tenants and he has exhibits seven (7) times a year in the evening that can bring in between 60 to 70 people. He asked how is it possible for them to accommodate their customers with the restaurant. He said they signed a lease with the understanding that they have proper private parking and now they would be losing that. In addition, parking is an overall problem along Ocean Drive. The hotels tell their employees that they cannot park at the hotel so their employees are constantly parking in their (businesses) parking spaces. He said there is something drastically wrong with the parking situation. He is asking the City Council to give some serious thought on how to correct this. He said they are probably too late to not allow the restaurant and he is going to have to deal with his landlord because his landlord is going to have to provide them with monitored parking. He said the overall problem is that there is no parking along Ocean Drive. He did not believe that they have proper police monitoring. He said that he has spoken with Mr. O'Connor and with the Police Chief and they are very cooperative and try very hard, but he did not feel they have sufficient police monitoring in this area.

Mayor Moss said after the quasi-judicial hearing they plan to have this issue on a future City Council agenda. She said the City Council has agreed to address this issue in June. She reported that the quasi-judicial hearing will be heard on Wednesday, May 31, 2017, at 4:00 p.m., and it is open to the public.

Mrs. Nancy Cook said the parking issue is a serious issue and there is not just one (1) solution. She asked the City Council to consider a moratorium on any permits for commercial use in central beach. She said that she attended the Planning and Zoning Board meeting when the restaurant was approved and she received the seating plan. She felt that the Vision Plan was lacking in a lot of ways. She said paid parking is a necessary reality and is part of a solution, as well as center street parking on Cardinal Drive and tiered parking on hotel properties. She said another thing that she wanted to address was the Noise Ordinance. She said that she would like noise containment as part of the Vision Plan. She then referred to the property on the corner of 17<sup>th</sup> Street and Indian River Drive. She said it might take a referendum, but in order to keep the City funded and the people who live here to afford single-family housing, they have to consider how they are going to raise revenue. She said these valuable pieces of City property could be partly returned to the tax rolls and partly for public use. She said the offer for the substation of \$10 million for a 99-year lease was not a good deal. She said it compromises the integrity of the entire property. She asked the City Council to also consider mandatory recycling for the commercial entities.

At this time, Dr. Val Zudans approached the dais.

Mr. Winger noted that Dr. Zudans is a member of the Planning and Zoning Board that was involved in the quasi-judicial hearing that is coming before the City Council.

Dr. Val Zudans said that he is on the Planning and Zoning Board and after their meeting there was an article in the newspaper by Mr. Larry Riesman about the parking situation. He said that he does think it is a major issue for the businesses in that it is not fair to have their business disrupted due to a lack of planning. He said the reason they have planning is to make this community a better place to live. He said they want businesses to succeed and they also want people to enjoy the different areas in the City. He said that he spoke with Mr. Riesman after the article was written about what they have done in other communities that solved this issue. One of the things they discussed was electronic chalking. He explained that rather than chalking the tires on vehicles, the Parking Enforcement Officer can scan the license plates. He said the system keeps track of the vehicles so someone cannot just wipe the chalk off their tires or move the vehicles so the chalk cannot be seen on the tires. He said other areas did this in conjunction with golf carts. He said these golf carts could loop around Cardinal Drive and Ocean Drive to pick people up so they won't have to walk to wherever they were going. He felt that they should speak with other cities to see whether these solutions work. He felt that paid parking was a way to discourage employees from parking in these areas, but some people don't want paid parking. He said that when he was googling this to see what other cities were doing, Worth Avenue was having almost the same problem. They were complaining about employees parking in the prime spaces and it was his understanding that their solution was to have frequent shuttles, as well as have two (2) parking companies with parking garages that did valet parking. He was glad the City Council was going to address this. He felt it was important to the quality of life in this community. He said this has been neglected too long and it needs to be addressed.

Mayor Moss said that was a good idea and they will contact other communities that have solved this issue successfully.

Mr. Bob McCarthy, owner of Bobby's Restaurant on Ocean Drive, said that he has been a tenant there since 1981. He currently pays \$300 per month to the property owner next door for a place for his employees to park. He said they put in a hotel next to him with just enough parking for the rooms. They have two (2) restaurants, a banquet facility, and a day spa with no parking on the property. He said they are parking in front of his business. He said they tried the shuttle system here and it did not work. He said they need to think about the future. He suggested that they look at valet parking.

Mayor Moss asked if there was anyone else in the audience who wanted to speak regarding Ocean Drive/Cardinal Drive or any of the commercial districts.

Ms. Adrianna DeCanter said that she has attended all the vision meetings and has read the Vision Plan. She felt this was a very important exercise. She said that she has listened to what people have had to say and has been working with the Democrats of Indian River County on issues concerning the community, but especially on efforts for working families. She said that she has been looking at the statistics that have been provided by the United Way in the Alice Report. She said they paint a hardship story for many households. The basic survival budget in Indian River County for a family of four (4) would need to bring in about \$50,000 a year and the median income in Indian River County is \$49,000. That means in Vero Beach 51% of the households are below basic survival. In the County about 43% are below the basic survival threshold and in Vero Beach south the rate is 47% below the threshold. She said these percentages represent the incomes of their heads of households and they are barely scraping by. They are service industry workers that cater to the tourist industry in hotels and restaurants, they are construction workers, they are healthcare workers, and they are former members of the armed services. She said the situation is not much different than the 2004 analysis that was done for the original Vision Plan. She said they need to consider how they can help all of their families. The Vision Statement reflects the broad values and desires of the community to be the best place to live in Florida's Treasure Coast and in 2005 the Citizen Survey indicated that the public felt Vero Beach was a great place to raise a family. She said the agenda for these vision meetings are primarily centered on what to do with land areas around the City, which is very important, but she hoped that they consider how to bring in good jobs that support economic growth. She said that she had an idea regarding the parking issue, although it is not a parking idea. She suggested bringing bicycles to Vero Beach, especially for the tourists. She said they might not take up parking places if they have bicycles. She said this could ease the problem and delight the tourists.

Mr. Young thanked Ms. DeCanter because the Vision Plan is beyond just restricted items and what she was discussing speaks to where they want to be as a community. He said there are countless people on a habitual basis that are receiving assistance to allow them to survive. He said there are different classes of economic strata within this community and the simple statistics are there for everyone to look at. The opportunity for them as a community is that they are a very generous community with a lot of charitable organizations.

Mayor Moss said the Veterans Council has a program that reaches out to needy service families. She thought there was someone in the audience who wanted to speak on the Cultural Arts Village. She said anyone can speak on any topic. It does not have to be on the agenda.

Mr. Malcolm Allen, owner of Orchid Island Bikes and Kayaks, said that he originally started his business on Cardinal Drive and moved from the beach for financial reasons, parking, rent, etc. He said they are a bicycle and kayak retail shop, but they also have a very large rental operation. He said their rental fleet exceeds 500 bicycles and many times they are booked out. He said that he is also present as a member

for long time taxpayers of this City and County. In the name of progress they now have TSA invading their privacy at the Regional Airport. They have more buses then ever before with low ridership being subsidized with their tax dollars. When she asked one (1) of their County Commissioners if they were going to continue getting more and bigger buses before she even finished her sentence the answer was yes. They have increased minimum wage jobs by bringing in more fast food restaurants and the five (5) Dollar Stores they have in this small community. She said who do they thank when they can't find parking at their own beach. She felt that it would be reasonable to give residents parking passes. She had some concerns about the little construction companies being put out of business with all of the big corporations that are coming into this community. She felt that they were squeezing out the small class and small businesses. She asked Council not to pass this Comprehensive Plan 2035. She said they need to use their local talented Planners and Business Owners for those decisions.



Mrs. Nancy Cook stated that she was here to take back home rule. The experience that happened last week at the quasi-judicial hearing that was held was that parking was being taken away. She said Council never saw where the parking spaces were going to be as outlined in their backup material. If a restaurant is built they will be relying on shared parking. She asked if the permit included a time when the restaurant would be allowed to be open. She asked Council to put a moratorium on any permits until they get a plan in place that is applicable to their community. She said that Mr. McGarry was operating under constraints on what could be done on Ocean Drive, which is anything. She said lets make a halt here and take back home rule.

Mr. Caesar Mistretta stated that as a business owner on Ocean Drive he strongly disagrees with the decision made last week, but he has to accept it. His main focus and problem has to do with parking. He came before the Council about three (3) years ago and voiced his comments on parking, but received no feedback whatsoever. He said if there is a Parking Committee formed he would like to be on it. He said one (1) of the biggest problems they have is hotel employees. He said that something has to be done to have hotel employees have parking for their employees. He said that no one wants meters, but they have to do something. He would agree with Mrs. Cook that a moratorium is important.

Mr. Ken Daige told Council as far as Ocean Drive goes Council can make modifications and recommend other things that could take place. He said the majority of things that he has heard is how the businesses are being affected. He told Council that they need to hear from their residents and business owners on what is happening. He questioned if introducing more businesses will create a problem. He said as an elected body if they choose to make some modifications or get some clarity, it is very helpful if they all agree on it, especially if the decision is taken before a Judge. They have heard about the Cultural Arts Village and he asked them to go through the Edgewood area and take a look at it. Those people are reaching out because a lot of nasty things are going on there. Investors wanted to come in and not protect the neighborhood. The people that live there are reaching out on what they can do to make their neighborhood better. There is a plan that has been developed that will make changes in this neighborhood. He said housing

trends are changing around here and there are younger people moving into apartments. He expressed that there are some struggling neighborhoods on the mainland that could be wiped out.

Mayor Moss commented that she reached out to the people who spoke at the quasi-judicial hearing who were not in favor of the Council approving that application. She explained to these people that Council thanked them for being so gracious and they are listening to what everyone has to say. She thanked Mr. Mistretta for volunteering to be on a Committee. She said Council takes their job very seriously and they were obligated by the law to enforce that Code whether they agreed with it or not. They were not there to pass legislation. She stated that they do not want to harm existing businesses. It is a balance. While they want to welcome new businesses, they do not want to harm existing businesses. She will continue to be in contact with the current business owners and she thanked them publically for being so gracious and being prepared for being constructive in moving forward to help solve this problem.

**F. Public Comment (3 minute time limit).**

Mrs. Susan Mehiel had some questions and concerns about the Comprehensive Plan.

Mayor Moss asked if anyone else would like to speak under public comments.

Mr. Brian Heady said hello Councilmembers, during that last item a couple interesting things, mostly participation at the one (1) meeting that Mr. McGarry talked about and somebody said you can't put a hotel on Miracle Mile. He asked has anyone driven over near Miracle Mile in the past couple of years. He said I think the Hampton Inn is ... what do you mean you can't put a hotel on Miracle Mile. He said and annexations, does any Councilmember know what property is looking to get annexed. He said it's interesting. Planners said that there is annexation and people that want to annex into the City and are having problems, but nobody knows what those properties are. Anyway, Mr. Young I've worked with you before. More than once and I remember on one particular thing we worked together for a year. You met with me and I told you, you really were pretty contentious because there was no handbook or anything at the time. You met with me every week. You know, we'd sit down and have coffee for a couple hours ...

Mayor Moss said Mr. Heady technically your remarks should be addressed to the Council as a body ... Mr. Heady said I invite you to listen ...

Mayor Moss said if you want to speak to Councilman Young you need to make an appointment ... Mr. Heady said I invite you to listen.

Mr. Heady said anyway, you were very contentious and when I looked at the bills for the attorney for the electric issue ... Mayor Moss said Mr. Heady I'm going to ask you to make an appointment with Councilman Young. She asked do you have other comments that apply to ...

ask for a lot of information and currently staff has the capability of providing it. He said they don't have to be that responsive and that is just a function of man hours. He said that he thought what they did a few years ago was a good exercise. He felt that they had a high level of service compared to trying to get something done from the State in a timely manner.

Mr. Sykes asked with the expenses of owning and operating the Electric Utility, which they won't have as a result of completing the sale, is there a dollar figure on what that is.

Mayor Moss said this came before the Utilities Commission over one (1) year ago and it was \$21 million over the next 20 years and it increased after that to what she thought was \$27 million. She said they don't have to spend that.

Mr. O'Connor said the operation of the Electric System is a minus \$5 million that is transferred to the General Fund. The rest of it is the cost of carrying on that function.

Ms. Lawson said because the City has central functions for the Finance Department, the Human Resource Department, the City Attorney's office, etc., there is actually an allocation of those cost centers to the Enterprise Funds. She explained that there is no separate Finance Department for Electric, Water and Sewer, Solid Waste, etc. Therefore, there is an administrated allocation of the centralized functions out to the Enterprise Funds, which is about \$1.7 million that is transferred from the General Fund into the Enterprise Funds. She said if they cut one of the administrative departments they would not necessarily achieve a dollar for dollar decrease in the expenses in the General Fund because some portion of that is charged out to the Enterprise Funds.

Ms. Lawson said they also gained some revenues in franchise fees. She said they have done some analysis in the past of what she thought at the time the gap would be between revenues and expenditures based on the current budget in the absence of the Electric Utilities because there are losses and gains in things like franchise fee revenue and ad valorem taxes. She said that she would be happy to do that analysis again.

Mayor Moss clarified that the amount that she was talking about would be considered a capital improvement amount, the \$21 to \$27 million that was going to have to be spent over the next 20 years, which is not an administrative expense. She said it was front loaded. She suggested that they receive a copy of that information.

Mr. Winger said that went in the electric bill. It had nothing to do with the General Fund. The rates would be higher to accomplish that amount.

↓ Mayor Moss said that she would like to go back to discussing the parking situation.

Ms. Lawson said that she would provide Council with the document they prepared earlier, as well as prepare something similar for the Budget Hearings.

Council took a break at 11:56 a.m. and the meeting reconvened at 12:07 p.m.

Mayor Moss said that she would like to power through today's meeting as Mr. Winger has an appointment. She said if they don't have to discuss the Vision Plan "action items" at today's meeting, they could schedule another session to discuss them. She felt that they could get through the other items on today's agenda pretty quickly.

Mr. Sykes said that as tedious as this work may be, he wanted to remind the public that today is the 73<sup>rd</sup> Anniversary of D-Day and asked that they all remember the sacrifices that were made.

Mayor Moss referred to the parking issue. She asked Mr. Coment if they are able to have committees for different areas of interest. She said previously when they talked about it there was some concern about the Sunshine Law and how formal these committees should be.

Mr. Sykes said that he was not in favor of starting any new committees. He felt that it continually adds a lot of process that is not worthwhile and he would like to see the Council make some decisions on these matters and move forward with some resolutions.

Mr. Howle agreed.

Mayor Moss thought that the committees were viewed as a way of collecting input from the community.

Mr. Sykes said they just held three (3) Vision meetings and they know there is a parking issue. He said they have not had the opportunity to discuss their suggestions for remediation of these issues. He suggested that before they create a committee that they see if they can figure it out themselves.

Mr. Winger said if they are talking about parking on the beach, it is more than just parking. It is parking and zoning. He said zoning is part of the parking problem.

Mr. Young said if there is a formalization of a committee at the municipal level that the parties' interest in a specific question come together and at that point numbers count and they could come to the Council individually or as a group with their ideas.

Mayor Moss asked if they want to have a Parking Committee would they be allowed to do it. She said it doesn't have to be a formal committee.

Mr. Coment explained if the Council creates a committee they are under the Sunshine Law. If they appoint one (1) person they could technically be creating a committee of one (1), which is still under the Sunshine Law. He said citizens can create their own committee and bring their ideas before the Council.

Mayor Moss said then they should encourage the community to create their own committees.

Mr. Sykes said they call what they have now "free" parking, but felt that it could be argued that it is not because there is a time limit on it. He said there is a real enforcement issue that he felt needed to be addressed. He asked how many employees enforce parking.

Mr. O'Connor answered one (1).

Mr. Sykes asked and that is for the beach area and 14<sup>th</sup> Avenue.

Mr. O'Connor said that is correct.

Mr. Sykes said from his observation, the Plaza at Humiston Park does not have two (2) hour parking and that is a significant portion of parking spots that are not being monitored and the vehicles are not moving as frequently as they should. He said that he knows people would argue that two (2) hours was too short of a time, but he didn't think it was. He said they are not asking anyone to pay anything to do that currently. He wondered if they could look at Mr. Winger's suggestion of incorporating some of the new technology into the enforcement process and looking at each and every available public parking space on Ocean Drive and Cardinal Drive and figure out a better way to enforce turnover. He felt that there needs to be some work done, whether it is a liaison for the City Council or staff, to go and visit the various businesses that the general public feel are contributing to the parking congestion issue. So if they say the hotel employees are having a major impact on the availability of parking spaces, then they need to go and speak to the owner to understand what agreements they can come to that will alleviate parking issues. He felt there were simple and equitable solutions just by approaching these businesses and asking them to self enforce in conjunction with streamlining the process with the new technology.

Mr. Winger said they don't know for sure what the improvement would be, but he felt that if they could enforce the business employees not to park on the streets, they would see some improvement. He doubted that it would solve the problem. He explained that with the new technology, the Police Officer would zap the license plate with a gun where the information goes into a computer and if the car is moved to another parking space they would still receive a ticket. He said that personally he did not like two (2) hour parking and said they could go with three (3) hour parking. He felt that they should at least try it.

Mr. Sykes said that he has some friends in south Florida who choose not to pay for parking meters because enforcement there is so bad that it is actually cheaper to get a ticket every once in a while than it is to pay for parking. That tells him that enforcement is an issue because if they were handing out more tickets more people would be paying for parking. He was in agreement with incorporating the new technology, but they should also look at outsourcing the enforcement to a private company.

Mr. O'Connor said staff has been to all the hotels and there are even employers on Ocean Drive who pay the tickets for their employees. He said that he spoke with the City Manager and Assistant City Manager in Stuart and they have a very good system. What the system does is it takes a geographic area and all the tag numbers are taken down and the next time they go by the machine automatically prints out a ticket for the vehicle if it is within the geographical area. He said there are people in Stuart who receive three (3) and four (4) tickets a day. Stuart also has three (3) vehicles where they run people to and from a parking space. But, that is three (3) people and three (3) pieces of equipment. He said last year their parking tickets generated about \$35,000 in revenue and that doesn't pay for three (3) people and three (3) pieces of equipment, but it does keep people from parking in the parking spaces.

Mrs. Nancy Cook said the shortage of parking spaces is part of the big issue. She said the hotels and the stores cannot operate without their employees. If they are going to electronically ticket every two (2) hours they will be ticketing the shoppers as well because a lot of their shoppers come from Palm Beach, Orlando, etc., and they come for the day. She asked where is it that they want them to park. She said that she has previously mentioned center street parking on Cardinal Drive. The Costa D'Este hotel has plenty of property to build tiered parking where they could accommodate all their employees and their customers. She felt that there was a combination of issues.

Mr. Howle felt that there were good intentions with the "shared parking" concept, but he didn't think it was working out the way they had hoped. He said that is one (1) of the things they need to do away with because it is hindering the parking situation. He said that he would not be completely opposed to the metering system, but with a geographical area that large, the time would need to be extended and they would have to somehow keep Mrs. Cook and her employees from getting ticketed.

Mr. O'Connor said they cannot treat Mrs. Cook's employees any differently than they treat someone else's employees.

Mr. Winger felt that the electronic parking system was far cheaper and far more effective.

Mr. Sykes said they keep discussing parking garages and he felt the solution was going to come from the private sector for something like that. He would anticipate that there would have to be some sort of an exemption made on one (1) of those parking garages that would be in conflict with their current Code to make it economically viable.

Mr. Howle liked the idea of a parking garage. He felt that it would be a great idea. He said if they were to put one (1) across the street from Humiston Park, for example, it would help the southern end of Ocean Drive, but not the northern end. So essentially they will need another parking system on the northern end, but he did not know where because there is not any land there.

Mrs. Cook said that Mr. Tripson stated at a previous meeting that he would consider that on the property that he owns, which is near the Ocean Grill. She questioned would anyone pay to park in a parking garage if there is free parking on the street.

Mr. Howle said as a matter of convenience he would pay to be able to park, rather than driving around looking for a space.

Mr. Young said the challenge is that they are trying to answer a difficult equation without all of the variables at their disposal. He said that he doesn't know the number of parking spaces owned by the Ocean Grill, the Costa D'Este hotel, the Spires, etc. He felt there were opportunities there if they could get an agreement.

Mr. Cesar Mistretta, of J.M. Stringer Gallery, felt that the idea of the technical system was not fair to the shopper who wants to go to his gallery for an hour or two (2) and then wants to go to Mrs. Cook's store for an hour or two (2) and is given a ticket. He said they were really going to hurt the businesses. He said that he was not trying to penalize the hotels, but they are causing the problem. If they get their employees off the street, the parking problem would be partially solved. He agreed that there were private parking lots available on various parts of the beach area. He thought the City should explore purchasing some the properties that are for sale and provide parking.

Mr. O'Connor asked Mr. Mistretta if he felt the businesses on the beach would accept some type of a parking overlay fee. He explained if the City was to purchase property and establish an overlay that allows for collections from all the businesses and property owners.

Mr. Mistretta did not think it was a bad idea, but he felt it should be on the owners of the property.

Mr. O'Connor said the solutions are going to cost money and the question is how the City would collect money from those benefiting and in this case he felt everyone on Ocean Drive would benefit from new parking spaces.

Mr. Sykes said there is obviously not one (1) "silver bullet." He sees the onus being both on the City to solve some problems and the business owners alike.

Mr. Winger said they can't forget about the zoning issues, which will need to be fixed.

Mr. Mistretta asked is there a way for a moratorium.

Mr. Winger said they could place a moratorium, but that wouldn't be fair unless they had a solution underway.

Mr. Mistretta understood they want to change the Code, but questioned how long was it going to take. He felt that the large businesses that do not provide parking for their employees have to somehow be financially responsible to find parking for their

employees. He felt that they need to explore options because one (1) option is not going to solve the problem.

Mayor Moss agreed.

Mr. O'Connor said if the City Council wants staff to address the shared parking issue, the Planning Director could bring back some ideas of eliminating it.

Mayor Moss agreed with Mr. Howle in that shared parking was not functioning as designed.

Mr. O'Connor said the Planning Director will show Council the pros and cons. An example is that non-shared parking creates a parking lot similar to Publix.

Mr. Howle said they have zoned areas throughout the City where someone might want to put in a hotel for example, but they can't because the area is not zoned for it. He said they have to make some tough decisions and if it is a moratorium, then so be it.

Mr. Young said on a cautionary note, it is his understanding that they cannot arbitrarily segment a specific portion of the community for a moratorium because it could be looked at by the Courts as discriminatory. Therefore, it would have to be community wide.

Mr. O'Connor said what they were saying was if they did away with shared parking, they would basically be putting in a moratorium because there is no place to create parking so they wouldn't be saying "moratorium," but doing it through their Code.

Mr. Coment said before they wholesale eliminating shared parking, there are other things that could be looked at. An example is the new restaurant that was previously before the City Council. He said they were given credits for on-street parking and the City Council could eliminate those credits, which would increase the restaurant's obligation to provide more parking. These are some of the things Council might want to look at. He said shared parking agreements do work, but it is important to have time limitations as to who uses them and when. He suggested that the Planning and Development Department look at different options.

Mr. Sykes asked Mr. O'Connor if he spoke with the City Manager of Palm Beach about how they were able to resolve some of their parking issues. He said to him, the Island of Palm Beach is very similar to the Island in Vero Beach. He said parking is not a huge issue for Palm Beach anymore and it was his observation that a great deal of that was metered parking and offering some sort of transportation to various areas.

Mr. O'Connor said that he has not spoken with the City Manager of Palm Beach. He does know that the parking systems are very flexible on how to set them up and that has been the solution to most of the parking problems.

Mr. Winger suggested that they ask the Planning Director to look at the zoning and shared parking. He would also like a proposal from the City Manager regarding Cardinal, as well as a proposal on the Stuart parking system.

Mr. Sykes said the question has always been, is the community okay with metered parking on the beach.

Mr. Young said there is a lot of resistance. He said that everyone that he spoke with, their feelings are that they don't want to become Palm Beach and putting meters on the barrier island is not what they want.

Mr. Sykes said that he has had both sides come to him as well, but there are only so many ways to solve this. He did not think the onus was completely on the City of Vero Beach. They have to have some cooperation from the business owners. He said there were a lot of business owners that he spoke with that meter parking has been one (1) of their suggestions. He said they could take the Seacoast parking lot and try metered parking for one (1) year.

Mr. O'Connor said the parking systems are a little expensive to try out for a year. He said the company will come in and give them a demonstration.

Mr. Winger felt the system Stuart has is better because he did not think Council would run into the resistance they had three (3) years ago when they talked about parking meters. He said that he was not opposed to four (4) hour parking. He said what they were trying to do is keep the employees who are there six (6) to eight (8) hours from clogging the parking spaces, and four (4) hour parking would still do that.

Mr. Sykes said it is not doing it now with two (2) hour parking.

Mr. Winger said they are moving their cars to a different spot.

Mayor Moss felt that Bobby's Restaurant solved the problem the best by renting space for their employees to park in.

Mr. Sykes said not everyone has that opportunity.

Mayor Moss said that she was talking about the larger businesses. She would not suggest that for the smaller businesses. She felt that was a great way to solve the problem.

Mrs. Phyllis Frey asked Mr. O'Connor if he has an accurate count of how many employees there are on the beach.

Mr. O'Connor said there was a survey done about three (3) years ago and the major employers represented about 125 employees at any given time. What they did in the survey, which was actually the Oceanside Business Association (OBA), they sent it to the hotels and major restaurants as to when their shift changes were. Therefore, theoretically

125 parking spaces are occupied by major employers on the ocean side if all the employees park in those spaces.

Mrs. Frey said having a shuttle go back and forth was tried and it failed. She asked Mr. O'Connor if they thought about revisiting that idea.

Mr. O'Connor said that he met with the owner of Magic Carpet and his thing is if they had an automobile that was more attractive than a bus there would be more participation from the businesses to help pay for the system and encourage people to use it. It also would help move customers from one (1) end of the beach to the other, as opposed to the concern from a lot of the small businesses that their customers are older and don't walk a lot.

Mrs. Frey said that she attended a meeting where people of the Holiday Inn mentioned underground parking. She asked is that structurally possible.

Mr. O'Connor answered yes. He said in concept they were discussing how to maximize the number of spaces on their site and still make it a type of hotel that they are looking for. He noted that Holiday Inn also owns most of the stores on the north side of Sexton Plaza, as well as the Mulligan's Restaurant.

Mr. Ken Daige said the Council is currently discussing parking. He asked when can the public speak on the other items under item 4A-1).

Mr. Sykes said now is the appropriate time.

Mr. Daige said that when he went through their action items he was hoping Council would have included what he considers a very important element, which are their neighborhoods. He then read a prepared statement (attached to the original minutes). He asked if a Councilmember would add to their bullet points the concerns and issues of the neighborhoods.

Mayor Moss said that she would.

Mrs. Mehiel asked on behalf of the merchants, why don't they start a moratorium today. She said six (6) months would get them to the tourist season.

Mr. Sykes asked how much new development is planned for the next six (6) months.

Mr. O'Connor said they don't have anything at this time. He said they have only had two (2) real projects of new buildings in six (6) years.

Mr. Sykes said that they do need to start taking some action on the parking issues. He said let's get a quote on the parking system and see if they can implement it.

Mr. Howle said they want to hear from the Planning Director as well.

Mr. Winger suggested that they get a cost proposal for Cardinal Drive.

Mayor Moss thought they had that.

Mr. O'Connor said they have a plan and it is somewhat expensive.

Mr. Winger said it would add something like 35 parking spaces.

Mr. O'Connor said the bottom line is that it will also create traffic issues.

Mr. Howle was not sure the Cardinal Drive project was the most cost effective plan.

Mayor Moss felt they have addressed her bullet points, with the exception of infrastructure. She said that she invited Mrs. Ruth Stanbridge and Mr. Monte Falls to address the Council with regard to stormwater priorities, which will be on their next meeting agenda. She said that she wanted to have a separate discussion about it prior to Budget Hearings.

Mr. Howle said what he wanted to go over the most today was the parking issue, which they have. He wanted to be sure they follow up on it during meetings as they go forward.

Mayor Moss said a number hurricane preparedness items and the stormwater is going to be on their next meeting agenda. She asked if they want to put the parking issue on that agenda.

Mr. Howle wanted to hear from Mr. McGarry at their next meeting.

Mr. O'Connor suggested that they go through the Planning and Zoning Board. He said staff would prepare some proposed Ordinances to go before the Planning and Zoning Board and then bring it before the Council.

Mr. Howle said in moving forward they should implement what might help that they could do quickly first and then as time goes on, figure out what to do next.

Mr. Winger felt that they should look at the electronic parking.

Mr. Winger said that he didn't have any outstanding items on his list. He said his number one (1) item is the Lagoon, which will come up as funding for the stormwater utility in the budget. He said that is the one (1) thing they need to do and they are only at 37% of catching water before it goes into the Lagoon. But, it comes down to the City not having the infrastructure and for that they need the funds.

Mayor Moss said they can spend time talking about it at their next meeting since it will be on that agenda.

Mr. Ken Daige suggested to the Council that they speak with the Police Chief and the Indian River County Sheriff before they make their final decision.

Mayor Moss felt that the City chose the right location to have the facility at and in the last election, the electors voted in favor of having it.

Mr. Sykes reiterated that by passing this Ordinance they are inviting a lawsuit, they are going to get sued and it is going to be overturned.

**Mr. Winger made a motion to move the Ordinance forward to a second public hearing at the next-regular City Council meeting. Mr. Young seconded the motion and it passed 4-0 with Mr. Young voting yes, Mr. Sykes yes, Mr. Winger yes, and Mayor Moss yes.**

↓  
**2. An Ordinance of the City of Vero Beach, Florida, Amending Provisions of Chapter 63, Off-Street Parking and Loading Requirements; Providing for Conflict and Severability; Providing for Codification; and Providing for an Effective Date. – Requested by the Planning and Development Director**

The City Clerk read the Ordinance by title only.

Mr. McGarry reported that the proposed amendments to Chapter 63 in this Ordinance are based on the recommendations of the Planning and Zoning Board resulting from their review of parking regulations. He said that this will not take care of the problem that they have, but it might help. In Section 63.03 it would eliminate the credit for all on-street parking spaces abutting the property line of a lot or parcel located within the Ocean Drive/Cardinal Drive Overlay Commercial District and limits credit only to those parking spaces privately-built abutting the property line of the lot or parcel. In Section 63.04(b), it talks about parking ratios where it increases the required parking for hotels from one (1) space per room and one (1) space per 20 rooms to 1.25 spaces per room. In regards to parking agreements they added some provisions: *1. Requires that specific operating hours for uses on both the sending and receiving properties be identified in the parking agreement with provisions for modifications to handle temporary events and 2. Requires the specific signage and other measures be identified in the parking agreement to ensure off-premise parking spaces are fully utilized.* He said that signage and other measures have been identified.

Mr. Winger asked how this would affect the church on central beach.

Mr. McGarry explained that the church is grandfathered in.

Mr. Sykes suggested looking at parking time limits for the area at Humiston Park near Citrus Grill and also the area around Seacoast Bank.

Mr. McGarry commented that the City has been looking at the parking for the last two (2) years and they haven't come up with the perfect fix.

Mr. Sykes commented that he was not a proponent of having paid parking everywhere, but suggested installing a test situation to see how it works during the season. He said in the summer months they could always take it out and then reinstall it again for the season months. The feedback that he has been getting from the public is that they are not opposed to a seasonal paid parking situation. He said this is something they (City Council) could talk about.

Mayor Moss opened and closed the public hearing at 2:31 p.m., with no one wishing to be heard.

**Mr. Winger made a motion to approve the Ordinance. Mr. Young seconded the motion and it passed 4-0 with Mr. Young voting yes, Mr. Sykes yes, Mr. Winger yes, and Mayor Moss yes.**

## **B. RESOLUTIONS**

- 1. A Resolution of the City Council of Vero Beach, approving the transmittal to the State of Florida Department of Economic Opportunity a package of proposed Evaluation and Appraisal Amendments to the Vero Beach Comprehensive Plan; Providing for Conflict and Severability; and Providing for an Effective Date. – Requested by the Planning and Developing Director**

The City Clerk read the Resolution by title only.

Mayor Moss commented that staff has recently made additional changes to the Comprehensive Plan and these changes are on the website. She said that you can find them in the tab on the left hand side of the website. There are also comments that she has made, which consists of three (3) different documents, comments made by Vice Mayor Howle and comments made by Councilmember Winger that are now on the website. She felt that staff has been working with them on the Comprehensive Plan, but it is not ready to go out the door yet, but will be soon. She has listened to the community. She knows a lot of people have concerns that they have not been heard. The Planning and Zoning Board discussed the Comprehensive Plan nine (9) times with no one from the public attending their meetings to comment on it. Six of the meetings were prior to this Council. There was no public comment. She said that no one is being held in handcuffs to pass this Resolution today. She said that she would love to have another workshop to discuss the Comprehensive Plan. They could hold the workshop early in December and focus on the facts. This would enable the entire community to be heard. If the community wants that, she would do it.

Mr. Tim McGarry, Planning and Development Director, gave Council a briefing on how they got to where they are today. He gave a Power Point presentation (attached to the original minutes).

(Board, Commission, City Councilmembers) can know it is an issue without forming an opinion just by the people coming to them. He felt that they would be doing a better job representing their constituents if they are communicating with them and are able to talk with them. He said that he is in favor of this and felt this was a good thing.

Mr. Young asked Mr. Lauer if he stated that the Planning and Zoning Board is recommending this.

Mr. Lauer explained that the Planning and Zoning Board recommended that he come before the City Council to present the issue by a 3-2 vote.

Mr. Young asked and they are in favor of this.

Mr. Lauer said three (3) members were in favor of him bringing the matter to the City Council.

**Mayor Howle seconded the motion.**

Mr. Coment clarified that the motion is for staff to bring back before the City Council an Ordinance.

**The motion passed unanimously.**

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

- ↓
- 1) Mr. Lee Olson is requesting that parking on Ocean Drive be returned back to three (3) hours. – Sponsored by Colonel Tony Young**

Mr. Lee Olsen, of Waldo's Restaurant, introduced to the City Council Mr. Chad Olson, of Costa D'Este, and Mr. Lee Hunter, of Vero Beach Hotel and Spa. He thanked the City Council and the City on behalf of Waldo's Restaurant and the Driftwood Inn for being chosen as the location for the City's Centennial Time Capsule. He said it is an honor to be chosen. The purpose of them being before the City Council today is to request that they return their area to three (3) hour parking. He said it is making it difficult for lunch business. He said people have a choice. They can come over to the beachside to shop or dine. They cannot do both. With the two (2) hour parking limit many people, himself included, have been ticketed. He questioned how many times are people going to go beachside to try to shop and have lunch and get ticketed before they finally just stop coming. What they are looking for is the same consideration as the businesses downtown. They have three (3) hour parking and more and more restaurants are going into the downtown area so it is becoming more difficult for them to compete when people can go downtown, have lunch, go to the art galleries, etc. He said they are not looking for anything special. They are just looking to be treated equal with downtown.

Mr. Chad Olson supported what Mr. Lee Olsen stated. He said their community is growing downtown with a lot of fine restaurants going in, which is wonderful. But, in

the end it is competition. He said they are losing business, specifically during lunch. He said at the Wave and Costa business has been down about 20% to 30% from last year. They are having record breaking numbers elsewhere and they are seeing it in the bed tax. Occupancy is at an all time high, which compresses the parking even more. He said if they could at least have an even playing field it would help.

Mr. Lee Hunter said that he lives and works on Ocean Drive and a lot of his friends who want to come and experience the beachside won't come because they only have two (2) hours to park. They don't want to worry about moving their car. He said that he sees this at his business at Cobalt and at Heaton's Reef, but personally when people ask that he meets them downtown. He said that he is seeing a lot of people that just won't come beachside because of the parking. He said it not only affects businesses, but it is also affecting the local people who want to go beachside.

Mayor Howle said the two (2) hour parking has been in effect for two (2) years now. It is his opinion that if he is going to have lunch, two (2) hours is plenty of time. With that being said, they are all big players on Ocean Drive and so a lot of the traffic going there is because of their good businesses that they all appreciate. He said that every few years they have a group who wants three (3) hour parking and then another group comes in and they want two (2) hour parking and this goes on and on, which is the reason they keep both the two (2) hour signs and the three (3) hour signs. It is his opinion that they do have a consensus of three (3) businesses, if he was to put the man hours in to trade out the signs knowing full well that in one (1) to two (2) years they are going to trade them out again, he would like to have a larger consensus from the smaller business owners in the area before making a decision.

Mr. Lee Olsen said if they had time to attend today's meeting and talk about it the people from the hair salons, nail salons, and real estate offices would be here. He said if the real estate agents don't have a place for their clients to park and they have to park on the street, that gives them two (2) hours to go and show a house and get the clients back in order to move their cars or they would have to leave their keys with someone in the office in order to move it if they don't get back in time. He said we are the "beach" in Vero Beach. People come here to shop. He said the Oceanside Business Association (OBA) has banners that state "shop, dine, and stay." He said what they need to do is put a little marker down below it that states "but do it in two (2) hours."

Councilwoman Moss agreed that they do need three (3) hours.

Mr. Lee Olsen said he knows they have gone through this with the new retail associations who state that people can shop in two (2) hours. But, his focus is that he would love for the person who is visiting Vero Beach to have lunch at one (1) of their restaurants, go browse the shops, and stop and get ice cream without it costing them \$20 (parking citation) to do it. He asked how many times are people going to pay that \$20 before they stop coming and decide to go to the downtown area or go to another city.

Mr. Sykes thanked them for attending today's meeting and bringing their issue forward. He said that he frequents all three (3) of their businesses and appreciates the tax revenue that they bring to Vero Beach. But, from his perspective while they are huge producers for the beachside community they also have the smaller mom and pop businesses that they have to worry about. He said the issue really is that there is a finite number of parking spaces in the central beach area and they have to figure out a way to create more spaces. He agreed from a convenience factor for the beachgoer to be able to spend more time and not just go to one (1) place, but frequent other businesses would be nice. One (1) issue that has been brought to his attention for years and he has seen it first hand is that given the size of the three (3) of their businesses they have a lot of employees and employee parking unfortunately is not on site of the businesses. Because of that employees are taking up spaces that the general public would otherwise be able to use to frequent and spend money. He said that is an issue for the City Council. He would be inclined to agree to go to three (3) hour parking if they would come to the table and push their employees to park at Riverside Park and take a shuttle. He said they all have to work together as a community to find a solution because the current status is unattainable. He said they have tossed around the idea of paid parking and perhaps having seasonal meters. There are a lot of people who like some of these ideas and there are people who hate some of these ideas. He questioned if they could find a way to put in a new parking garage on the beach. He questioned who would pay for it. He said they have to do something to create more space. He said there is a ton of curbs throughout central beach that are taking up two (2) or three (3) spaces that could be removed. He said that he would be happy to sit down with them to bring some ideas to the table to see if they can figure out a way to create more spaces because employee parking is an issue.

Mr. Lee Olson said that he understands, but with all due respect they want to be on an even playing field. He is not present today to resolve the parking issue on the beachside or the parking problem in the downtown. All they want is an even playing field.

Councilwoman Moss said that she did not think it was their responsibility to solve the parking problem before the City Council gives them three (3) hour signs.

Mayor Howle said having two (2) hour parking signs for everyone is an even playing field.

Councilwoman Moss said they are comparing it to downtown. Downtown has three (3) hour parking and the beach does not.

Dr. Zudans said that he liked what Mr. Sykes said and he was going to say the same thing. He feels there are some solutions and he has heard some ideas. He said that he would also like to sit down with the Oceanside businesses to try to figure this out. He does think they need three (3) hour parking in order to spend some time on the beachside in the end. But, they have to solve the issue with the hotel employees, who are the bulk of the people taking up these spaces. One (1) solution that he heard, which he really liked, was that they could have parking at South Beach in the overflow parking lot and they could have it at Jaycee Beach and have a golf cart shuttle running back and forth.

He thinks there is a solution. It is just a matter of sitting down and thinking it through. If they just go to three (3) hour parking someone will be back before them asking to go back to two (2) hour parking.

Mr. Chad Olson said that he didn't want to speak for the other two (2) businesses, but a point a few months ago that he and the General Manager of the Vero Beach Hotel and Spa spent a few weeks with the gentleman who runs Magic Carpet Ride in trying to explore different solutions, as well as discussed why the past shuttle failed miserably. He said it failed miserably because there wasn't a study done to digest the needs of the hotel staff.

Dr. Zudans said it failed because employees could go out and wipe the chalk off their tires or move their car, as well as there is an area of all day parking in front of Humiston Park. He said none of the employees are going to park at Riverside Park and take a shuttle when they have an alternative that works for them. Therefore, they have to eliminate those two (2) things before they will be willing to use an all day parking lot at South Beach or at Jaycee Park.

Mr. Chad Olson said they have his commitment and he is sure that Mr. Lee Olson and Mr. Lee Hunter would work with the City on a study to get that in place. He said there is a way to do it back at Riverside Park from a shuttle perspective if the times work. He said that he was new to his job at the time they tried this, but he thought the shuttle stopped running at 6:00 p.m. and half their staff didn't get off work until 11:00 p.m., so it was never designed to be successful.

Mayor Howle thought that the Vero Beach Hotel and Spa contributed \$20,000 to try to make this happen.

Mr. Chad Olson said the public is being impacted by not being able to experience the entire Oceanside businesses.

Dr. Zudans said they should address this and do something about it. But, they have to figure out how to do it right.

Mr. Young asked is there an opportunity to get this resolved in the near future with Mr. Sykes and Dr. Zudans's input. He said that he didn't want to send them away if Mr. Sykes and Dr. Zudans's calendars are already jammed.

Mr. Sykes said that he is prepared to meet this week. He said that this has to be solved. While he understands and respects their argument wholeheartedly, he felt that it was going to exacerbate the problem until they, as a accumulative whole, figure out another solution. He said for him to move the parking to three (3) hours right now it is going to be a no, but if they can come up with a solution he is all for it.

Dr. Zudans said there is another issue, which is electronic chalking and he has spoken with Chief Currey who is looking at systems that would totally enforce the limit, as well

as encourage their employees to use whatever all day parking lots they do designate. He said it really will change behavior if they do that.

Councilwoman Moss thanked the three (3) of them for being willing to work with the City to help solve the parking problem. She did not think it was their responsibility to solve the parking problem. She felt it was their responsibility as City Council, but she appreciated their willingness to work with the City. If she understands it correctly they came here today in good faith to make a simple request, which is that the signs be changed to three (3) hours so that they will be on a level playing field to compete with businesses downtown. She asked is that correct.

Mr. Lee Olsen said that is correct.

Councilwoman Moss said that she did not have any problem with granting that request today. She does not feel the need to hold them hostage until the City Council solves the parking problem, before granting a simple request. She said that she would say yes right here, right now.

Mr. Lee Olson said they have walked down this road many times, as far as where do the employees park. He said this isn't the time to answer that question. All they are asking for is equal consideration to the businesses downtown as the downtown continues to grow and continues to add restaurants and they are being put at a disadvantage. He knows employee parking is an issue. He is looking at strictly the business aspect.

Mr. Sykes said he respects that, but he has to be given time to talk with the small business owners who have a different opinion. He said they have to respect all businesses regardless of their size.

Dr. Zudans said that he brought this issue up with the City Manager and questioned what are they going to do about the parking issue and he was told that this year was different than previous years. He asked Mr. O'Connor to comment on what is different this year.

Mr. James O'Connor, City Manager, said first this season they have given the highest number of citations that they have given in any other season and second this is the least number of complaints that he has received about parking.

Dr. Zudans said that he is hearing another side of this in that there are businesses that are dissatisfied. He does not want to wait until next season to address this again, but he does think they have a little bit of time as the season is dying down to think this through. He does not think they should just do the three (3) hour parking. He felt that they should address the whole thing in a comprehensive fashion.

Mr. O'Connor said there is a history as Mr. Lee Olsen stated. He said they have had demonstrations on parking systems, they visited the City of Stuart's parking system, etc. He said that he has had conversations with merchants and one (1) of the concerns is that the person who receives three (3) tickets is going to be less likely to go back to their store

than it would be for the person who receives one (1) ticket. He said there are some businesses that actually pay the parking tickets for the people who are shopping in their shops.

Mr. Lee Olsen said he does have customers who have stopped coming to his restaurant.

Dr. Zudans felt that part of the solution is to extend the parking to three (3) hours, but to also encourage customers that they know are going to be there for longer than three (3) hours to use the shuttle.

Mr. Lee Olson said when they started the bus program he was the only the person who marketed that on the radio. He said that he designated an entire month worth of radio spots pushing the shuttle, not only for employees, but for the people who were visiting beachside. He said that as soon as his ads stopped so did all the marketing for it.

Dr. Zudans said that he wants to meet with them and knows that Mr. Sykes wants to meet with them as well noting that they cannot meet at the same time.

Councilwoman Moss asked if Council was denying their request. She felt that was very unfortunate.

Mayor Howle said they need to take public comments before they make any decision.

Councilwoman Moss said every day they delay this they are handicapping these businesses; every single day.

Mrs. Nancy Cook, owner of the Twig Shop, thanked them for attending today's meeting and bringing this issue up stating that they are all in this together. She said the problem is there are not enough spaces to handle all the employees and shoppers. She had a survey done by a firm from Orlando that did the drawings for center-street parking on Cardinal Drive, which adds innumerable parking spaces. She said the residents are the ones who are mostly being affected by not being able to use these businesses. She said all the public parking is being taken by employees, including her employees. She said every decision that has been made lately has compounded the problem, such as putting in additional businesses without enough parking. She said parking meters and tickets don't really help. She said that she could not tell them how many times a day she hears people say that they came to the beachside to go shopping, but could not find a place to park. She said that she has no idea what it is costing her, but she knows it is because of the lack of parking spaces. She said they can't move their stores, they can't move the beach, and they can't move the Park. She suggested that they stop allowing the Farmers Market to take all the public parking on Saturdays, which is the day people go to the beach. She asked the City Council to reconsider center-street parking on Cardinal Drive. She said that she would be happy to sit on a committee or speak with them at any time. She would like for the City Council to do something to add more spaces.

Mayor Howle suggested to the City Council that they do away with the shared parking agreements.

Mrs. Cook said that she was on the Parking Committee that voted for the two (2) hour parking to go to three (3) hour parking. She said that she did not vote in favor if it because she hadn't interviewed the majority of the people that would be affected. She said when she found out is when they went back to the two (2) hour parking because the small businesses were being affected because of lingering employee parking.

Dr. Zudans said they cannot make a decision based on what three (3) businesses say without speaking to the other businesses. He said that he just wants to fix the problem.

Mr. Sykes said the other unfortunate thing is the privately owned parking garage on the beach at one (1) point was allowing employees to park there.

Mr. Lee Olsen reported that the property manager of the parking garage told him two (2) weeks ago that if he finds one (1) more of his employees cars parked there they will be towed. He agreed with Mrs. Cook in that Saturdays are brutal. He said when the Farmers Market began there was no Saturday enforcement and it worked. It worked for all the businesses. Then Saturday enforcement was put into place, then the two (2) hour parking was put into place and he has had employees tell him that they are not coming in because they can't find a parking space. He said the parking lot has 47 spaces with two (2) handicapped spaces and then they take into account all the parking spaces in front of Humiston Park that the Farmers Market is using because they outgrew that parking lot. He suggested that they use the parking area at Jaycee Park for the Farmers Market.

Mr. O'Connor suggested that before they make a decision about the Farmers Market that they have the OBA come before them and make a presentation.

Mr. Chad Olson agreed with Mrs. Cook that there are not enough spaces, but this is not an issue about that. This is an issue about them losing business. He said they are just asking to get their revenue back.

Councilwoman Moss said they have the signs available.

Mr. O'Connor said that is correct. He said it is just a function of putting them up.

Mr. Chad Olson said that he would sit on any committee. He is in it for the community and will support the City Council in any way he can.

Mr. Chris Woodrow said that he owns a paddleboard and kayak company and he has walked from the hotels to Riverside Park and it is a little less than one (1) mile and he also has walked from Jaycee Park and it is about six (6) miles. It is kind of the elephant in the room. He said that he would love to see the parking at three (3) hours to make it an even playing field. He felt if they are going to make a rule on the mainland, it should be

the same rule on the island. He is also happy to hear that they are talking about a real change.

Mr. Herb Whittall said that he goes to the Farmers Market every Saturday and if it was moved to another location he would still go.

Mayor Howle suggested that they take the recommendation of Dr. Zudans and Mr. Sykes in that they speak with the other businesses and see what kind of options might be available before they make a decision.

Councilwoman Moss disagreed entirely. She felt they were punishing the Oceanside businesses for their (City Council's) leadership in this regard. She felt it was unfair. She said they have already agreed to cooperate and she appreciates that offer. She felt that they (City Council) need to meet their needs today, not tomorrow. She said that she would be discussing the Tourist Tax shortly in this meeting and she knows that Ocean Drive is an economic engine that drives this City and to deny the request of some of the largest businesses on Ocean Drive harms the City. Frankly she was surprised that it was coming from the three (3) of them because they are always saying how important business is. The three (3) of them are in business, they are businessmen, they understand the importance of business, and yet they are the three (3) who are putting off a simple request from businessmen to keep their businesses successful.

Dr. Zudans asked Councilwoman Moss if she has talked to the OBA members about this and with the other people who are not present.

Councilwoman Moss said that they just heard from some of them.

Dr. Zudans said the only one (1) they heard from stated that she was not in favor of it and the last time she checked most of the businesses wanted to keep it to two (2) hours. He said that he would prefer if Councilwoman Moss didn't put words into his mouth. He said that he wants to find a solution that is good for all the businesses. He wants to solve the problem and not just bandage it. He said every time they change the parking times it creates a new problem. He asked why don't they actually think this through and solve the problem to make their businesses better. That is his opinion. He said that he will speak for himself.

Mr. Sykes said that he will make a commitment that the City Council will put this on their next agenda and if they haven't found an amicable solution he would be moved to go to three (3) hours. But, he wants an opportunity to sit down with the three (3) of them and talk about what they can do with employees and he will go directly to some other avenues to see what they can do about additional parking for their employees.

Councilwoman Moss said it is likely that the solution will be seasonal in affect. That is a high likelihood since it changes and traffic fluctuates.

Mr. Lee Olson reiterated that they are not looking to solve the problem of parking today. All they are asking for is for their businesses, restaurants, and retail to be on the same playing field as downtown.

Mayor Howle said this is becoming repetitive.

Mr. Lee Olsen said it is because the City Council keeps going back to the parking issue.

Mayor Howle said they go back and forth on the time people can park on the beach every couple of years and that is his point. He likes what they have talked about today.

**Mayor Howle made a motion to postpone the decision to be made until such time the City Council has had time to speak with other business owners and the OBA and explore some of these avenues. Dr. Zudans seconded the motion and it passed 4-1 with Councilwoman Moss voting no.**

At this time, the City Council took a 10-minute break at 4:46 p.m., and the meeting reconvened at 4:56 p.m.

**F. Public Comment (3 minute time limit).**

Mr. Herbert Whittall said that he was present at their last meeting and he was bothered that the Indian River Lagoon was never mentioned. He said they have a real problem with the Lagoon. He said baffle boxes don't take toxins out of the stormwater that they get off the roads. He said they talk about saving taxes. He said the taxes he pays to the City is 11% of his yearly real estate tax. If the City raises taxes 10% or reduces it 10% it changes his property tax by 1%, which is nothing. If the Lagoon dies his house value drops in half. He said they need a stormwater utility because they need to filter the water that goes into the Lagoon. Last week he went to Spoonbill Marsh and they put in a crab trap the evening prior and when he pulled it out there were 10 of the most beautiful big Blue Crabs and a five (5) pound Grouper. That water is the way the Lagoon should be. He said they need to do more and he is willing to pay for it. He said they need to put the money into saving the Lagoon. Another thing is the Marina. He questioned if all the boats have holding tanks. He asked does any of the boats pump out at the Marina. He said if not, they are doing damage to the Lagoon. He then reported that this past Sunday he and his family walked the boardwalk on the beach and there was seaweed that was four (4) feet wide and one (1) foot deep as far as you can see.

Mr. O'Connor reported that the City cleans the beach three (3) times a week. He reported that they cannot drag the seaweed at this time because they are in turtle season.

Mr. Ben Trautman said that he is present today representing the Red Cross. He invited the City Council to their Hangar Party, which is a free community event to promote hurricane preparedness. He said that he is the Elected Official liaison for when they do have a major disaster. He reported that the Emergency Operation Center (EOC) is running the operations and the Red Cross follows their lead. He hoped to see everyone at

Vice Mayor Sykes noted that as a Council they want the Marina to perform as they feel that it should. He said it is a gem for this community and they are not ruling out any possible continued management by the City. They have asked for a proposal to find out how they can better run that asset that they have.

Mr. Mark Mucher said this is a momentous day in the life of Vero Electric, but he thinks it is a good time to remember and thank all the employees of Vero Electric for all their hard work and to recognize the fact that their lives will be and have been turned upside down by just the possibility of the sale. He said they all have to change jobs and some of them will have to move. He said hopefully FPL will keep their promise and offer them as good or better jobs.

Mrs. Nancy Cook reiterated that the big problem is that there is not enough parking spaces. She said lets work on a solution of more parking spaces. She said reconfiguring the parking that they already have is a great solution. She recognizes the plan and knows where they got the figure of 32 spaces on Cardinal Drive, but she differs with the document. She said if they reconfigure the space they already have they then could go to parking garages, paved parking, etc. She said first let's do something with the space they already have. She hoped that they will move forward with this instead of kicking the can down the road. She said going to three (3) hour parking does not solve the problem. There are still a limited amount of spaces.

Mr. Ryan Bass said that he loves marinas and grew up in the yachting industry so he understands marinas. The one (1) thing that he would tell them to consider from a finance standpoint with the comment of being profitable, is they need to consider that there is a \$338,000 a year of debt service weighing the Marina down. He said there is an outstanding loan that impacts the Marina Fund. This is something they need to keep an eye on in regards to the profitability of the Marina.

↓ Mr. Bobby McCarthy, of Bobby's Restaurant, said there are four (4) hotels that are within a quarter of a mile of each other that probably have 1100-125 employees. He questioned where are they parking. He said obviously they are parking on the street. He said this is a problem that is going to get worse. He said there are no parking signs on the adjacent streets. He questioned why do they need no parking in those commercial zoned areas. He said there are almost 30 parking spaces that they have thrown out the window. He said the Park Place building has a beautiful parking lot and he thinks the City should address the management. He said there are three (3) levels of parking that could be used for employee parking for the hotels. He said do whatever it takes even if they have to pay a fee. He said the ground floor is full during the day and after 5:00 p.m. there is no one there.

Vice Mayor Sykes said that he and the City Manager have discussed this at length and he is working on it.

Mr. McCarthy said that he had lunch at the Ocean Grill the other day and he had a vision. He said this is a big piece of property that the Sexton families own. He thought what

about putting a parking garage there. He said that he did speak with Mr. Charlie Sexton about this and this would not infringe on his business. This is a vision 10 years down the road.

Mr. Mark Tripson said that he is the President of Sexton Inc., which owns the Ocean Grill. He said they do have a big parking lot there with 80 spaces and the City tells him they would need 110 parking spaces if they make any changes. He said if he builds a five (5) story parking garage in the area it would hold about 250 cars, which he would need 110 of those spaces and the rest he could lease to the City. He said that he would be happy to do this if the City would allow them to have a five (5) story building.

Vice Mayor Sykes asked Mr. Tripson if he would be willing to meet with himself and the City Manager. Mr. Tripson said anytime.

Ms. Colleen Symanzki, said that she is a business owner on the beachside. She said her vision of owning a business and living on the beachside is not a five (5) story parking lot. There is an issue that they need to address, but having something like a five (5) story parking lot so close really needs to be considered.

### **3. CONSENT AGENDA**

- A) Approval of License for the Florida Department of Transportation's SR60 Project at 43<sup>rd</sup> Avenue for City-Owned Dodgertown Property**
- B) Approval of the Purchase and Sale Agreements for City-Owned Real Property Adjacent to 601 Banyan Road**
- C) Plat of Airport Drive Right of Way**
- D) Conn Beach and Humiston Park Dune Restoration Hurricane Irma Project #2017-32 – Bid 380-16/JO – Contract C-2-2017 – Recommendation of Final Pay and Acceptance – (Cost – Final Pay - \$27,369.14; Total Project - \$257,491.38)**
- E) Police Department Elevator (Cost \$58,715.00)**
- F) Change Order #1 – Janitorial Services – Contract 1722C – (Change Order Amount - \$31,200; Total Contract Amount - \$135,200)**
- G) Mrs. Joy Heath requests permission from the City Council to serve alcohol at her daughter's wedding on December 29, 2018 at Royal Palm Pointe.**

Mr. Connor briefly went through all of the consent agenda items.

Mr. Young referred to item 3-G) and asked is this a normal request.

Mr. Rob Slezak, Recreation Director, said this is for a private event and they have allowed this before.

Vice Mayor Sykes opened public comment on the consent agenda at 6:54 p.m.

Mrs. Joy Heath said that she is the one making the request to serve alcohol at her daughter's wedding. She said that her family has been a part of Vero Beach since the 1930's. She said that her son just graduated from Vero Beach High School 77 years after her father graduated Vero Beach High School in 1941. Her daughter is also a Vero Beach High School graduate and is currently a Duke Law student. She reported that it will be an afternoon wedding where she thinks they will do a champagne toast and then the reception will be held at a hangar at the Airport.

**Colonel Young made a motion to approve the consent agenda. Dr. Zudans seconded the motion and it passed unanimously.**

#### **4. CITY COUNCIL MATTERS**

##### **A. New Business**

##### **1. Parking Matters – Requested by Councilwoman Laura Moss**

##### **a.) 3 Hour Parking Beachside**

Vice Mayor Sykes said that he wanted to talk about some of the solutions that he has been working on over the past couple of weeks and then rope all of that into the discussion about changing the hourly parking limit. They left it at the last Council meeting that they were going to discuss some of the solutions.

Councilwoman Moss said that this is very brief and is new information. She reported that she spoke with the three (3) people who attended the May 15, 2018 City Council meeting two (2) days later and she and Mr. O'Connor met with them one (1) week after that. She said they understand that the issue is employee parking and even agreed to work with the City. The next day she met with Mrs. Georgia Irish who sent out an email to the members of the Oceanside Business Association (OBA). She then read a direct quote from the email, "Are you in support of a six (6) month three (3) hour parking leniency or no." She quoted from Mrs. Irish's follow-up email, "Hello everyone again. After hearing from all of you and understanding a compromise of six (6) months only, from June to December, for the three (3) hour parking all of you but one (1) agree to a compromise to allow for the City and others to come up with some kind of resolve. I believe a compromise is fair and courteous and I will expect all parties to be the same throughout this process." Councilwoman Moss said that she wrote back and quoted from her email, "I reiterate here the commitment that I have made to you that I shall work with City Manager, Mr. Jim O'Connor, to an acceptable resolution of this matter during the six (6) month period." She said what she had sought to do and what they did was bring the two (2) sides together to this compromise where they didn't have to continue to deny the three (3) hour parking. She said that Mr. O'Connor is ready to move on this and might want to add a comment.

Mr. O'Connor said they did have three (3) hour parking there in the past and still have the signs so they could be put up quickly if the Council chooses to do so.

Councilwoman Moss said that Mrs. Irish is present if she wishes to speak. She said that she was sorry that she didn't see her and she is quoting her.

Vice Mayor Moss said before they ask anyone to come up to speak, he would like to have Council discussion. He understands that Councilwoman Moss is interested in making a motion to change it to three (3) hour parking and he would appreciate it if they could have this internal discussion with the public about some solutions before they make a motion for any vote on this.

Councilwoman Moss said that she didn't want to get too far afield from this because this is the one (1) matter that was a follow-up to a previous meeting. That is why she wanted to address it before they get into all kinds of new models or new considerations. She is just trying to follow-up from the last meeting because frankly they said they would.

Vice Mayor Sykes said that he understands and if she will allow him the opportunity to speak about these solutions he felt she would find that it is all tied together. If she recalls at their last meeting it was a 3-2 vote not to change it to three (3) hour parking. He said that he is interested in finding solutions and in supporting all the businesses in the City of Vero Beach. Not just the hotels, but the small businesses as well. He understands the complaint from the large hotels and he has also spoken with not only the hotel owners, but the small business owners as well, which is why he is asking for the opportunity to discuss some potential solutions. He would like to lay out a few items that he thinks potentially could have some legs. None of this is set in stone, but are general responses to ideas that he has received from businesses in the community and he would like to float it by the Council. One (1) of the things that he thinks has been overlooked in the past is the viability of valet parking on the beachside. Technology in this industry has advanced dramatically. Technology is such that a smart phone user can request their car 15-minutes prior to leaving. He said they could go out for RFP's for companies that would come in and set up a series of valet stands, both on Ocean Drive and Cardinal Drive and work in tandem with the City for designated parking, such as Riverside Park, South Beach, etc. He said if someone was to drop their car off in front of Waldo's and walk down to another business they can request that their car be dropped off at their current location in that it is a GPS system. Where he thinks this gets interesting is that one (1) of the problems with parking in central beach is that the employees are taking up space for retail customers. It is a double edged sword because these are public spaces and they have every right to park there and move their car if they choose to do so. He said they are all proud of this community and the way they work together that certainly they can find some solutions. He said that he spoke with Mr. Lee Olson, of Waldo's, about the concept of valet parking and bringing in the hotels and hotel employees in the fold of this concept. He said perhaps the way this works is that the individual business that want to take advantage of this would help subsidize the costs for their employees to park. He said with the shuttle system the employees can request 15-minutes prior to their shift ending that they want to be picked up. This is a potential solution where they have technology that can provide some answers. He would like to consider going out for an RFP for valet companies to get some proposals back and have staff direct in the RFP that

they want to understand how they could potentially work with hotel staff and employees in the larger picture of this system.

Vice Mayor Sykes said another item that he has floated to a lot of the business owners with good positive feedback, which is the concept of selective paid parking. He explained that this is not paid parking beach-wide on Cardinal and Ocean Drive, but would potentially be a situation where an individual business would be responsible for purchasing the equipment and could designate a certain amount of parking spaces as "store" parking. However, it is still open to the public and anyone can park there. If the storeowner chooses to validate the parking for their customer they can. But, what they might do is keep a few parking spaces in front of these businesses open. There will still be unpaid parking adjacent to these spaces. This is another concept where the cost is not borne by the City.

Vice Mayor Sykes said that he and Mr. Monte Falls, Public Works Director, have met and walked around central beach and there is a lot of wasted space, such as curb cuts that are taking up parking spaces. He showed a new schematic that he received from Mr. Falls (attached to the original minutes) and they were able to find an additional eight (8) spaces. He reported that they are currently looking at the cost associated with opening up these additional eight (8) spaces. He said there might be a way to work with a couple private property owners to potentially add additional spaces in this area.

Vice Mayor Sykes said in working with the business owners for shared parking, such as a professional office space that closes at 5:00 p.m. there is an opportunity for the general public to park in those spaces. He noted that the business owners does not have to allow this, but he felt there could be a way where the City would indemnify the business owner and allow a release of liability for the general public to park there during a specific period of time. This would at least accommodate a dinner crowd.

Vice Mayor Sykes said that he agrees with a lot of the public that they need to find solutions first that are readily available to alleviate the stress of lack of parking spaces before they, as a City, consider building something else. He said that he would like to see a partnership with land owners and businesses working together to find solutions. He said that he is interested in hearing the Councils' feedback on these.

Councilwoman Moss thought the RFP for valet parking sounded fine, but she was not sure what that had to do with the three (3) hour parking. She thinks that they need to address that and make it available to the businesses. She said in talking about being business friendly, which she thinks is a good start.

Vice Mayor Sykes said where it has to do with the three (3) hours is the fact that there are other businesses beside the hotels.

Councilwoman Moss said that she understands that and that is why she spoke with the OBA.

Vice Mayor Sykes said that he spoke with the OBA as well. He said they are on the same page.

Councilwoman Moss said that she didn't know when he spoke with them, but at the time she and Mr. O'Connor met with the three (3) hotel managers no one from the City Council had contacted them and that was 10 days after the meeting. She said that she certainly was not trying to step on his (Vice Mayor Sykes) toes. She said that is what she was told, that no one had contacted them and she knew that they needed to follow-up on this.

Dr. Zudans said that the focus is they have to solve the employee parking problem. He said the reason why the Riverside Park shuttle failed was because there was a much easier alternative for those employees, which was to either go to the south end of Humiston Park where there is all day parking. He said having those spaces relatively close by and they can park there all day means that is an easy place to park and take up those spaces. The other problem that has been brought up is going out and wiping the chalk off their tires. He said that he spoke with Chief Currey who is looking into the electronic chalking system. One (1) thing that they don't bring up very frequently is that they do have relatively close by a lot of unused parking. If they get rid of the all day parking and they have a golf cart shuttle that goes back and forth between Jaycee Park and South Beach Park what they can do is the employees can park at the overflow parking at Jaycee Park and South Beach Park and take the shuttle. He said they could even include that in the valet system. These are two (2) existing parking lots that are available and are all day parking. He would encourage them to include this. He said in order to make it truly work there can't be a spot there where they can bypass the system. He said there are some solutions and if they actually think through this they can make it better for all the businesses at very little cost.

Vice Mayor Sykes agreed. He said one (1) of the reasons the shuttle system failed was because of the times it was running. It didn't accommodate the employees and in speaking with the some of the hotel owners it appears they need to have a service again that runs from 7:00 a.m. to 2:00 a.m. He said that he could see this as a potential solution that costs the City a lot less because they have subsidized the cost by the business owners. He said that he has received some assurances that they will work to incentivize their employees to use the valet system as opposed to parking on the street. He said there is no precedent for them to require their employees to do that, but if they could make it easy for them hopefully they can find some success.

Mr. Young said they were trying to define what the issues are and the issues are predicated on different things. He said a part of it is a seasonal impact. He said the other thing is defining what the demand type is. He said they have employee demand, customer demand, beach visitors, and the Farmer's Market. He said people have discussed bicycles as a way of mitigating some of the types of demand and there is the regional parking. He said what came to his mind as they were going through this was is there a mechanism that they could identify for employees to have on their car an employee identification, which that identification would mandate that they have to be in a

certain location. He said the suggestion of valet parking, the idea of a shuttle, selecting parking areas, etc., is the quilt that needs to be in place to address the problem. He said they need to pick the low hanging fruit, which in his eyes is to create additional spaces that are right at their fingertips.

Vice Mayor Sykes said a lot of other communities in the State are parking on the mainland and they are much further distances than what they are talking about here. He said that he doesn't know if they can mandate an employee putting a sticker on their car. But, there might be a way where when an employee fills out their employment paperwork there could be a license plate number that could be passed along to the electronic chalking system.

Mr. Young said that he was just throwing out ideas.

Vice Mayor Sykes asked Council for their support in submitting an RFP for valet parking, which would include how they manage employee parking.

Mr. Young said that he supports that.

Councilwoman Moss felt that there was a consensus.

Mr. O'Connor said staff can do that and what he heard is that they would like to have a few different stops for the valets and some type of automatic system, similar to the uber app.

Mr. Young asked what is stopping them from getting the additional eight (8) spaces (referring to Mr. Fall's drawing).

Mr. O'Connor said they can do that.

Vice Mayor Sykes said that he would like to look at the property that Mr. Bobby McCarthy mentioned.

Mr. O'Connor said that they will look into it.

Vice Mayor Sykes said they would look to Mr. O'Connor on how they speak with some of the private businesses about shared parking opportunities during certain time blocks.

Councilwoman Moss said shared parking is on the agenda and they will get into that.

Mr. O'Connor thought the Vero Beach Hotel and Spa does have a formal agreement with the parking across the street.

Mr. Young asked do they have a consensus on the three (3) hour parking.

Councilwoman Moss said that she spoke to all parties involved and everyone has come to an agreement that the three (3) hour parking is fine with all of them. She said there are some isolated individuals, but they are never going to get 100% on everything. She said that Mrs. Irish is present.

Vice Mayor Sykes invited Mrs. Georgia Irish to speak.

Mrs. Nancy Cook said that she would love for them to move the Farmer's Market. She said that she is in favor of the Farmer's Market, but it takes all the public parking. She said that she is opposed to electronic ticketing because ticketing makes people mad. She asked that they find another solution because that is going to make everyone furious. She said as far as employees are concerned, they can't work without their employees.

Councilwoman Moss said they can never be 100%. She said that with regard to the OBA, it is important to them that the Farmer's Market remains where it is.

Mrs. Georgia Irish, President of OBA, said it has been her experience that Vero wanted to be a place on the map and they are, but with that comes change. She said the OBA has tried to hear everyone's demands and frustrations and have tried to deal with them in the best way that they can. She said the three (3) hour parking was brought to her by several different individuals, not just the City Council or at a meeting, but people out on the street or by telephone. She said the City wanted to have a six (6) month compromise from the two (2) hour to the three (3) hour parking and the OBA has really tried to figure out ways not take away from the City, but with the City's help and the OBA's help they received signage to push people that were coming to the beach to each of the beaches where there would be ample parking, restrooms, and guarded beaches in order to take the issue off of Sexton Plaza. She said at one (1) time they were trying to define how many parking spaces they could find and they did take out some of the bump outs and made a few more parking spaces. She said that she loves all the ideas that have been brought up today and she is sure there will be a result that they can help make happen, but it is going to take the commitment from everyone. She said that she loves the things that Mrs. Cook had to say, that Mr. Sexton had to say, and that Mr. Sykes had to say. She said as far as the OBA, they want to work with everyone in the community. They want to help make things better. She said if it is not a problem she thought it might be nice to have a compromise and give them six (6) months to have the three (3) hour parking to get the result together. Laura came to me first to see about it, then I did start hearing from other people. She said they can't make everyone happy, but she would still like to make the majority of the people happy.

Councilwoman Moss said that they also agreed to leave the Farmer's Market where it is and for the six (6) month period go to three (3) hour parking. She felt the RFP for valet parking sounded fine.

Mrs. Irish said that she didn't know they were going to be talking about the Farmer's Market, but she knows on behalf of the people who attend the Farmer's Market that it is a wonderful thing that they brought to the community. She said it has been brought up that

they find another place for the Farmer's Market, but there really isn't another place. She said the Farmer's Market is held in the morning before a lot of the business start and they are supposed to clear out by noon.

Dr. Zudans asked have they looked at Jaycee Park as a possible location.

Mrs. Irish answered yes.

Mr. O'Connor said the biggest issue with Jaycee Park is they would be putting them in the parking lot and they have all kinds of bicycle riding events and so they would be exchanging one (1) type of an event for another. He said they looked at Riverside Park and they cannot guarantee that every Saturday would be available.

Vice Mayor Sykes said everyone in the community loves the Farmer's Market. He said two-thirds of the Farmer's Market is in the City owned parking lot and the rest is on Ocean Drive. He asked is there any reason that they couldn't utilize the balance of the space on Ocean Drive and put overflow in Humiston Park. He said they were talking about 10 to 15 tents max that would be utilizing that part of the Park.

Councilwoman Moss said at the meeting they had with the three (3) hotels, they were not complaining about the Farmer's Market. She said it is not an issue.

Vice Mayor Sykes said they are not just talking about the hotels. They are talking about the other business owners.

Councilwoman Moss said that she was just reporting. She said they are all concerned about all the businesses.

Dr. Zudans said with regards to Humiston Park it is something that the OBA could look at.

Mrs. Irish answered yes. She said they are a true Green Market and they haven't allowed anything else come into the market to take away from it. She said it is a very nice community event that they have and the restaurants really enjoy it for their fresh produce. She said during season is when all the crops are in and that is the highlight of their Market. She asked are they asking that they move everything over into the green area of the Park.

Vice Mayor Sykes explained that they would continue to use the sidewalk and then the overflow that exists in the parking lot would go into the Park.

Mrs. Irish asked Mr. Sykes and Mr. O'Connor to attend their next OBA meeting, which is held on the second Thursday of the month, to discuss this.

Vice Mayor Sykes said that he will be happy to do that. In his mind there is no reason why they couldn't move the Farmers Market to the Park. He said they are using City property now and he doesn't see the difference.

Councilwoman Moss thanked Mrs. Irish for attending tonight's meeting.

Dr. Zudans commented that the OBA said they want the three (3) hour parking to be temporary. He felt that it has to be temporary because they cannot just kick this down the road again and not deal with this issue. He said that it really is not going to make a big difference to the businesses during the off season whether the parking is two (2) hours or three (3) hours. His concern is that he feels six (6) months is too long and the reason is because they are in June and in four (4) months it will be October and that is when people are coming back. He said that he also wants the pressure to be on the City Council to solve this problem and not have six (6) months to figure this out. He said that he would be in favor of three (3) or four (4) months.

Vice Mayor Sykes agreed. He said that he was going to say the same thing. He thinks the beginning of October they should go back to the two (2) hour parking.

Mr. O'Connor asked if three (3) hour parking will be the first in existence until the first or the end of October.

Dr. Zudans said four (4) months from today, which would be October 5<sup>th</sup>.

Councilwoman Moss asked, do we have consensus on that? They've (hotels) already waited three (3) weeks. We told them to wait two (2) weeks and it was three (3) weeks. Last time it was 4-1 (four (4) against; one (1) in favor of three (3) hour parking) and I was the one (1). So we have consensus right now. Good.

The City Council agreed.

**b.) Shared Parking**

Councilwoman Moss said that Mr. Coment has some new information on shared parking and Mr. McGarry is also going to speak on it.

Mr. Wayne Coment, City Attorney, reported that the City Council received copies of some different material on what shared parking is, of the Code Sections, and a sample of an actual shared parking agreement (on file in the City Clerk's office).

Mr. Tim McGarry, Planning and Development Director, reported that shared parking has been in the City for almost 30 years. He said that they have never really received any complaints with shared parking. The problem that he gets concerned with is when the parking is at a satellite site. He reported that the shared parking with the Churches works fine. He said shared parking increases the opportunity for pedestrian traffic in the community. He said almost every jurisdiction in the State has some sort of shared

parking. He said it is something they need to keep, but they need to carefully manage it. He said that he has no problem coming back before the City Council with Codes that are not working right.

Dr. Zudans asked do they need to revamp their matrix to make sure it is appropriate. He asked should they make it more restrictive so that they are less likely to have conflicts.

Mr. McGarry felt the matrix was fine. He said it is a similar matrix that is used throughout the Country. He said the problem with the property on Ocean Drive is the City gave them credit for on-street parking, but they got rid of it.

Mr. Coment said the shared parking is one (1) of the concepts that Mr. Sykes was discussing in that the hotels using office building parking spaces. He said that is shared parking whether they have a formal agreement or not. He said that he would be very reluctant for the City to indemnify any property owner for letting someone else use their parking lot because then they would be getting into the insurance business.

Dr. Zudans said they talked once before that the City could lease parking lots if that was in their interest.

Mr. O'Connor explained that once they lease property then they take the responsibility.

Mr. Coment said in any lease they require the people to indemnify the City for their use of it.

Councilwoman Moss thanked Mr. Coment and Mr. McGarry for the additional information.

Vice Mayor Sykes said they could bring this up at the OBA meeting.

Mr. Young asked Mr. O'Connor if he was aware of the situation on the south end of Main Street as far as the necessity for additional parking.

Mr. O'Connor answered no. He said the City was receiving concerns about lighting in that area and so the City put some lights on the south end of Main Street.

Mr. Young asked Mr. O'Connor if he was aware of any kind of demand for additional parking in the area near the Blue Star Restaurant.

Mr. O'Connor said the number of spaces available are pretty adequate in that area. He noted that the Blue Star Restaurant has a large parking lot for their customers. The only time he hears concerns about parking at the Blue Star Restaurant is when there is an event being held and the street is blocked off.

## **B. Old Business**

within the guarded beaches since VBLA started tracking attendance in 2011. In July the beach attendance record was broken. The previous record was set in July 2017 with 84,500 patrons and this year there were 92,649 patrons. They are really to be commended. They have an event coming up and she will be the official starter. It is at 7:00 a.m. on the Sunday (September 2<sup>nd</sup>) of Labor Day weekend at Waldos. It is called *Race to the Wreck*. After that at 5:00 p.m. they are having a poker stroll bar crawl and at 7:00 p.m. is the barefoot beachball, which she said is a lot of fun. She recalled last year she attended as the Mayor and she asked one of the little girls doesn't she want to be Mayor when she grows up and the little girl said no she wants to be a mermaid. She said who wouldn't want to be a mermaid.

Councilwoman Moss invited the community to a Town Hall event, which is not a fundraiser, but that is privately sponsored and will to be held at the Vero Beach Chamber of Commerce at the Masonic Lodge in conjunction with first Friday Gallery Stroll and will begin at 5:00 p.m. There will be refreshments catered by Wild Thyme and everyone is welcome.

**D. Councilmember Anthony W. Young's Matters**

1. Correspondence
2. Committee Reports
3. Comments

Mr. Young thanked the Mayor for a letter that he recently sent. They had the opportunity of having one of their local heroes join the Secretary of Defense for a reunion in Washington D.C. He said that Sylvester McIntosh took this letter to General Mattis inviting him to come to Vero Beach for the Centennial. His response back to Mr. McIntosh was that if he is on the continent next year, he would like to be here.

Mr. Young commented that he did send a letter to the PSC (on file in the City Clerk's office), which he read the first paragraph. He wanted to get this deal closed and move forward.

Mr. Young invited the community to take a look at the sign that is near the tennis courts on where the plaque for the Next Generation Veterans will be going. He said that these veterans have served their Country and they deserve everyone's support.

**E. Councilmember Val Zudans's Matters**

1. Correspondence
2. Committee Reports
3. Comments

Dr. Zudans asked Mr. Sykes if there has been any updates concerning parking.

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Mr. Sykes commented that the business owners and residents and people in the County that he hears from on a daily basis want to see something done. He thinks that perhaps where there is some room for improvement is on a few of the streets north of Beachland

where there are no parking signs on City easements. He said it has been historically the position of the City that the businesses take over maintenance of those easements and as a result, the City has put up these no parking signs. He doesn't care if it is seasonal or not, but in that northern part of Ocean Drive he encourages Council to talk to some of the businesses where this applies because they would benefit from pulling some of those signs out. In the very least allow people to park on the grass. He knows that Mr. Falls has been working on plans and starting to add the eight (8) additional spaces beachside that they have discussed, but more has got to be done.

Dr. Zudans asked how many more spaces are they talking about.

Mayor Howle said probably at least eight (8) spaces per street.

Dr. Zudans asked what would be the reason not to do this and if there is a good reason not to do it, what do they have to do to make it happen.

Mr. O'Connor explained what they have to do is tell him that they want it to happen. He said initially what they have done is people who own a business and request a no parking sign, the City puts the no parking sign up in their grass area. This comes at the request of the adjoining business and they maintain the property. They have done this for years. The City can always take those signs because it is a street right-of-way that they have.

Councilwoman Moss asked for a list of these places.

Mr. Sykes said that he respects the businesses, but there are other businesses that need parking. He felt that they needed to move forward in the future to offer these spaces.

Dr. Zudans said that they do not want people parking in people's yards. Mr. Sykes suggested putting out some of those concrete barriers at an angle so people would not park on the lawns.

Mr. O'Connor said there is two (2) weeks before the next meeting and he recommended that the Council go and look at these streets because they will hear from these people, which is fine because it is the City's right-of-way. He said a lot of people do not like a no parking sign in their front yard.

Dr. Zudans asked what happened with the valet parking concept.

Mr. O'Connor said that he has not received any response back yet.

Mr. Sykes asked Mr. O'Connor about the Oceanside Business Association meeting that he went to and was there anything discussed about the potential of moving the tents that go up at the Farmers Market on Saturday into Humiston Park.

Dr. Zudans said it happened and it is great.

**1) Hunger Action Month – September 2018**

Mr. Young read and presented the Proclamation.

**2) Suicide Awareness Month – September 2018**

Dr. Zudans read and presented the Proclamation.

**D. Staff/Consultant special reports and information items.**



**1) Beachside Parking Information for City Council – Monte Falls, Public Works Director**

Mr. Monte Falls, Public Work's Director, passed out a map showing the central beach public parking spaces (attached to the original minutes). He said that the City has added 52 spaces in beachside parking district over the last couple of years. He talked about the centerline parking spaces and what it would look like if they chose to do that. He said we could gain nine (9) spaces to the south. He mentioned the report done by a consultant and he talked about the spaces it will provide, which he determined to be 13 spaces. The report discussed the disadvantages of doing this. It is costly to implement this project and would cost around \$134,000 per block and they have six (6) blocks. He wanted to show the Council that the study was done and that the City has added 58 parking spaces in this area since 2008. He said 13 spaces is not a huge increase for what this will cost.

Mr. Falls commented that the possibility exists to add additional spaces within the right of way adjacent to private properties. The City's long standing policy is to post "No Parking" signs in front of any property at the request of the property owner. This policy is based on the premise that excessive parking on grassed areas within the right of way and against the owner's wishes would damage the turf causing expense to the property owner. He said that he has contacted all of the property owners north of Beachland Boulevard about removing existing "No Parking" signs and only one (1) business on Banyan Road was in favor. As a result, they removed the signs and space exists for seven (7) parallel spaces and there would be room for 10 more parallel spaces in front of the businesses that objected to removing the signs. To date they have not contacted any property owners south of Beachland and west of Cardinal Drive in regard to allowing parallel parking in the right of way. This area west of Cardinal Drive seems to be too far away from the commercial areas as evidenced by vacant spaces on Cardinal Drive.

Dr. Zudans did not want them to go into the residential area of Arcadia and Cypress. He suggested going back to the businesses about this.

Mr. Young asked if there were any other City property looking to the south that could be utilized for parking.

Mr. Falls said that there was some commercial use west of Cardinal Drive. He said the parking spaces on Cardinal Drive don't seem to be utilized.

Mr. Sykes commented that this is the reason they need to explore some options that appeal to the business owners. He said there is a significant problem with individuals being able to access the businesses and use the beach. He said there may be an opportunity to explore some shared parking with some of the businesses near the Laughing Dog.

Councilwoman Moss mentioned that the area near the new church takes up parking spaces that used to be used by the Farmers Market. They are beginning to see the revenge of infill.

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

**1) Mr. Caesar Mistretta would like to discuss parking on Ocean Drive – Sponsored by Councilwoman Laura Moss**

Mr. Caesar Mistretta stated that he has been at his location for the last seven (7) years and very little is being done to take care of their parking problems. He doesn't understand how hotels get a Certificate of Occupancy (C.O.) without having to provide parking for their employees. He believes that the City has to do something to get the businesses to provide parking for their employees. He took pictures in September and there was not one (1) parking space available in front of his business because all the spaces were taken up by hotel employees. He asked if the hotels in the area have come up with any sort of solutions because the three (3) hour parking was only for a short time. He appreciated parking being provided on the side streets. He said that valet parking has to be explored. He is not effected by the Farmers Market so he won't speak on it. He said that there are many different parking problems and many different solutions. He asked the City Council to please do something for them. The businesses are suffering terribly. He asked Council to explore having a parking kiosk. He is not looking to hurt the hotel employees, but the employees are not going to park in parking spaces where they have to pay.

Mr. James O'Connor, City Manager, reported that there were two (2) valet companies that looked at offering their service, but they could not determine how they could get it to work.

Dr. Zudans commented that hotel employees tend to use up all day parking spaces because they don't have to go out and move their cars every three (3) hours. He said part of the solution would be to have a shuttle that runs back and forth between South Beach and Jaycee Park for employees. However, this will only work if there are not any parking spaces in the area where they can park for free. He wants to see a solution.

Mr. Mistretta recalled that years ago they tried having a shuttle take employees back and forth to Riverside Park for their employees, but the employees were not forced to use the shuttle. The shuttle service stopped because no one was using it.

Dr. Zudans said that he would as well as Mr. Sykes, would continue working on the parking problem to come up with a solution.

Councilwoman Moss went over the many benefits of having the Farmers Market. She said that the Farmers Market is sponsored by the Oceanside Business Association (OBA) and the proceeds from it help with the annual Christmas Parade among other things that occur on Ocean Drive.

Mr. Sykes wanted it made clear that no one has said anything along the lines to do away with the Farmers Market. He said it is a tough job trying to solve these parking issues for businesses and different events taking place in this area. It is not the intention of the City Council to kill the Farmers Market. They are looking for solutions from the public and not here to take away the Farmers Market.

### **Discussion of Parking – Requested by the City Council**

Mr. Al Benkert, Vice President and Treasurer of the OBA, said that there is a lot of information flying around. He said that OBA was founded by retailers with the objective of bringing people to Ocean Drive. Obviously, the Farmers Market has been successful because there is a parking problem. He reiterated that the Farmers Market was put on Ocean Drive to bring people there. The idea is to make Ocean Drive a destination for the people. The confusion started when OBA recently received a phone call saying that they were not going to be allowed to use the parking lot anymore for the Farmers Market. They took a look at it and tried to figure out how to keep the Farmer's Market going if they don't have that parking lot. He said they didn't think that they could. Their crowds in the season are four (4) to five (5) times bigger than what they have now. He said there are 64 vendors and they don't know where they would put all the vendors without that parking lot. He called the City Council to ask them to meet him at the Farmers Market on Saturday morning so he could show them the area. He said that Mayor Howle and Councilwoman Moss met him out there (separate times). He said on the south end of the Park, which does have electricity, but is only four (4) feet wide on the sidewalk does not give people enough room to walk. As far as the vendors are concerned it would also be a problem for some of them to get their supplies to their booth. There needs to be a big open space for people to walk. He said in talking to Mayor Howle they did come up with a proposed solution in having the Farmers Market on the north end of Humiston Park, but there is no way that they could have that area ready by October 1<sup>st</sup>. Also, by doing the work needed to have this area as the Farmers Market it would take money and someone investing in it. He said if they have to cut back the Farmers Market in order to be sustained during the season then they are in trouble. He doesn't know where they would find the extra funds for parades and concerts, which is where the funds from the Farmers Market is going now.

Mayor Howle recalled at the last Council meeting they discussed having the Farmers Market be located on the sidewalk on the same side as Humiston Park and the overflow go into the Park. He went to the Park and surveyed the area and realized that there is an issue with the sidewalk not being wide enough. He talked to Mr. Benkert about other

alternatives to where the 60 vendors could go and it is just a matter of figuring out the logistics, but it won't be able to happen before season.

Mr. O'Connor referred to the proposed solution that was brought up by Mr. Benkert and said that it was just a function of money. He said it could be very expensive putting in underground utilities in that area. He said pouring concrete in the Park could be done.

Mayor Howle did not think that it could be done that quick (by October 1<sup>st</sup>) if it is done right.

Mr. Benkert felt that this new proposed location would be great and could be used for other uses.

Mr. O'Connor asked Mr. Benkert to get him a drawing of what he is proposing and he would have his Engineer look at it.

Mr. Benkert agreed that this was a great idea, but had some concerns on how to implement it. For this season they are going to need the parking lot. He recalled it was his idea to move the vendors across the street in the summer time. But, there is no way they could have all the vendors in that area during the season.

Mr. Sykes expressed it was not Council's intention of having the Farmers Market move from the parking lot until a viable solution is in place that the people are happy with. He liked the idea of this proposed project and that it could be used long term. They need to know what the cost would be to implement this.

Mr. Benkert agreed through planning that they could find a solution.

Mr. Sykes continued by saying that no one was suggesting that the Farmers Market be moved out by October 1<sup>st</sup>. He felt that if they find the money to do this project that it could be accomplished by January 1<sup>st</sup>.

Councilwoman Moss agreed that this might be the best way to proceed.

Mr. O'Connor asked Mr. Benkert to give him a sketch that includes what their vendors need (water and electricity) and he would have his Engineer look at it and meet with Mr. Benkert on it.

Mr. Young suggested looking at the whole parking situation when doing this design.

Mr. Benkert commented on how the public made a loud scream when they heard that the parking lot was being taken away from the Farmers Market.

Mr. O'Connor explained that he was the one that made the call to OBA because he was not sure that he was going to be allowed to issue them a license to use the parking lot for next year's Farmers Market.

Mr. Bobby McCarthy, Bobby's Restaurant, figured that there were probably about 25 parking spots on the different side streets. He said in thinking about Morgan Stanley and Wells Fargo and questioned why can't the hotels make an agreement to use their parking at night. He has an agreement with someone for parking and has been doing it for two (2) years now. He also went over a vision that he had of having a parking garage on Dahlia Lane. He said it would alieve a lot of parking problems on Ocean Drive. It could be done in a way that it is not bad looking and it would not interfere with the Farmers Market.

Mayor Howle thought that was a great idea and he was not opposed to it find a way to do this that will not impact the Farmers Market.

Mr. McCarthy suggested that the Farmers Market be moved to Riverside Park.

Councilwoman Moss commended Mr. McCarthy for paying for his employee parking. She noted that the Vero Beach Hotel and Spa paid for the shuttle that once went back and forth from Ocean Drive to Riverside Park.

Mr. Jeff Agmire (spelling may not be correct) suggested getting the employees license plate numbers to make sure that they are not parking in the public parking spaces. He mentioned that the parking garage across from Humiston Park is hardly ever used and people could park there. He said that he parks there every Saturday when he is at the Farmers Market.

Mr. Sykes appreciated Mr. Agmire's suggestion and said that they are looking into the legality of whether or not they can ask the hotels for an employees license tag number. If the hotels were allowed to furnish this information to the City it would make a lot of sense to do it.

Mr. Mike Gaylan a vendor at the Farmers Market said that the Council has a big responsibility to take into consideration the safety of the people.

Councilwoman Moss thought that the Farmers Market may have to hire a Police Officer to have at the Farmers Market during season to ensure safety for the public.

Mr. O'Connor said that would be something that OBA would have to pay for.

Councilwoman Moss suggested to Mr. O'Connor that when he is having the discussion for the "pavers" in part of the Park that he include the safety issue in that discussion with OBA.

Mrs. Nancy Cook commented that she was in favor of a lot of the different ideas that she heard today. She has people coming up to her and saying that they cannot go to the Farmers Market because they can't find a parking space. She was in favor of the

commercial right-of-ways being parked on. The problem is finding a place for employees to park. She was all in favor of trying some real solutions.

Dr. Zudans suggested making the two (2) free parking lots a kiosk where people have to pay to park there. He said employees and the public could take a shuttle back and forth from South Beach or Jaycee Beach so they would not have to pay.

Mrs. Cook thought that the problem was when an employee has to leave in a hurry that parking that far was not going to work.

Mayor Howle said that the only way it was going to work was if the parking was enforced by the employer.

Mr. Sykes brought up the concept of business owners installing and paying for parking spaces. Then anyone from the public, who uses that parking space they would have to pay the hourly rate.

Mr. O'Connor said that he could put the business owners in touch with people who have parking systems and do that. He said the person putting in the parking system is going to operate it and wants a return on his investment.

Mr. Young thought that there might be a way for some of the businesses to work together in defraying the cost.

Mr. O'Connor said that he would be happy to set up those meetings.

Mayor Howle commented that they have people that are for some things and against some things. He said there are some tough decisions that have to be made such as having a kiosk.

Mr. Lee Olsen, from Waldo's Restaurant, loved the idea of the Farmers Market moving either into Humiston Park or Riverside Park. He liked Bobby's idea about having a structure built on Dahlia Lane. He said this parking problem has to be solved. The problem is they have grown and expanded and busier than they have ever been so Vero Beach needs to get caught up with what is going on. They can't keep kicking the can down the road. He said the Driftwood would have major concerns about the new proposal on where to put the Farmers Market because there are 14 guest rooms on that property so there might be some angry people with the new design of where the Farmers Market might go. It is a time share property and these people have stake in this property. Some people live on the property for 14 weeks at a time. However, the people visiting love the Farmers Market and he knows they go over to Riverside Park to attend it.

Mr. Scott Desin said that he likes the idea of the shuttle and would encourage doing valet parking.

Mr. Ryan Bass, Chairman of the Finance Commission, recalled that they looked into having a kiosk in this area about a year ago. He said there are a lot of good ideas being thrown around and they need to do something. He said maybe City residents get to park for free and everyone else uses the kiosk. He likes the idea of a parking garage.

Ms. Kathy Padgett remembered when there used to be parking meters on Ocean Drive. She said the meters were taken out by the City and now there is a mass of chaos. People are moving their cars every couple of hours so they won't get a parking ticket. There are people who park in front of her business with coolers and they go to the beach and then move their vehicle by one (1) parking space every day to avoid getting ticketed. She said that she would pay for a kiosk to be in front of her store. She doesn't understand why this is so difficult to implement.

Dr. Zudans commented that some people don't like change. He said that when he visits the Farmers Market he and his wife ride their bikes so parking is not a problem for them.

Ms. Padgett asked what is the problem with having a kiosk.

Dr. Zudans said that they are at a point where they need to make some decisions.

Councilwoman Moss said if there are businesses that want to have a kiosk in front of their stores then they should contact the City Manager.

Mr. O'Connor said that is fine. He said that the City would enforce the parking restrictions.

Councilwoman Moss reiterated that any businesses that are interested in this should contact the City Manager.

Mr. Louis Schacht, from Schacht Groves, commented that he has participated in the Farmers Market for the last 10 years and felt that the City Council should support local agriculture anyway they can. He felt keeping the Farmers Market where it is would be the best way to handle this. Putting the Farmers Market in Humiston Park will tear up the Park.

Mr. Brian Heady commented that Schacht Groves has the best citrus in the country. He said the Farmers Market isn't broke so don't fix it. He remembers when business owners paid an impact fee for parking. Then the City gave the businesses their money back and now they have no money to resolve these issues.

Council took a ten-minute recess and the meeting reconvened at 7:48 p.m.

**F. Public Comment (3 minute time limit).**

Mrs. Tracy Zudans read a prepared statement.

Mayor Howle reported that there was an article in the Press Journal written by Mr. Larry Reisman that insinuated something about height limits, lining their pockets, and all kinds of accusations. He wanted to send a message to Mr. Reisman that when he is no longer acting as a political activist at the Press Journal he would suggest that he starts a blog called "Reisman's Pieces."

**B. Vice Mayor's Lange Sykes's Matters**

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

Mr. Sykes said they discussed the optional paid parking for businesses and he would ask staff to draw something up that they can share with the public that shows the options. He didn't know if they needed an approved vendors list, but he would think they would need some sort of continuity where the businesses use the same parking systems. He would like to put a little more thought into how they would offer this to a business owner.

Dr. Zudans said this is something that they need to discuss. This is one (1) of those things where if they make a decision like this it is going to make people angry if they do it. But, he thinks they do it "all or nothing." It is really Ocean Drive and Cardinal Drive or nothing at all.

Mr. Sykes said that he would be fully in support of that. But, with the one (1) caveat that a City resident would get some sort of parking pass where they wouldn't have to pay to park.

Mr. O'Connor explained that when they make exceptions, such as City residents don't have to pay, there are two (2) problems. One (1) is certifying someone is a City resident. The second is that is a very difficult way of determining how much revenue you are going to lose. If the City wants to absorb the cost of the system then they can write the rules they want. His thinking was that it is like if they had parking meters on the island and at some point they decided they didn't want them and then decided they wanted them again, that is going to cost a lot of money. If they go into a contract with a vendor and in the contract it states it is up to them to operate and maintain then the City is less likely to be able to make the decision to remove them.

Mr. Sykes felt there is some sort of solution. There is certainly some sort of compromise and he knows they are not going to make everyone happy. He has talked with many business owners and most of them, with the exception of Mulligan's, would like to see Sexton Plaza paid parking.

Dr. Zudans said that he would want to come back with an idea of a few things that they can do simultaneously.

Mr. O'Connor said Boca Raton sells a pass to residents where they put a sticker in the front of the car, which costs them about \$50 per year. The same thing can be done here.

They could tell the vendor that they can capture that revenue as part of their operation, which would offset some of the costs.

Mr. Sykes felt that any number of these solutions could all play in solving some of the issues. He asked Mr. Coment if they can restrict employees from parking on Ocean Drive.

Mr. Coment said they could require employers to provide parking for their employees.

Mr. Sykes said there were some good ideas that came out tonight. He said one (1), let's see if they can monitor license plates of employees and restrict parking and two (2) let's talk with some of these businesses to see if they can put together some agreement for parking.

Mr. Coment said shared parking agreements should be between businesses.

Mr. Sykes said that is fine, but questioned how they would facilitate that conversation.

Mr. Coment said some businesses don't want their property to be used when they are not open and some even block it off because they don't want the liability.

Mr. Sykes said that he would like to have this item on their next agenda. He suggested that each Councilmember take one (1) aspect, such as Dr. Zudans work on the shuttle idea, and they can put all their ideas on the table and try to figure out how they can implement the best ideas.

Mr. Young said another aspect to this is having a shuttle available for customers to use. Currently they are discussing employees using the shuttle.

Dr. Zudans said the shuttle would be for everyone.

Mr. Young asked is it permissible for the City to require employees to have a decal affixed to their vehicle.

Mr. Coment said that is doubtful.

- C. Councilmember Laura Moss's Matters**
  - 1. Correspondence**
  - 2. Committee Reports**
  - 3. Comments**

Councilwoman Moss invited everyone to "Town Hall" meeting, which is being held this Friday at 5:00 p.m., at the Vero Beach Chamber of Commerce, which is located in the Masonic Lounge, at the corner of 14<sup>th</sup> Avenue and Route 60. This is a non-partisan event and is privately sponsored. She pleaded with everyone that they please carpool because they don't want a parking problem. She then recognized Mr. Holt Sutherland, who takes

- A. New Business
  - B. Old Business
- 



1) **Parking Options – Requested by the City Council**

Mayor Howle said that Mr. Bass would speak on this matter first.

Dr. Zudans said that he has asked Mrs. Karen Diegel to speak as she has some useful information to provide them with.

Mr. Ryan Bass, Chairman of the Finance Commission, said that he appreciated the Mayor recognizing Mr. John Kim. He said that it reminds him when breaking it down to the basics people come to the dais and attack the City Councilmembers and he wanted to thank them for what they do. He said there were a lot of people who were out looking for Mr. Kim so when people come up and attack them, they need to remember that these are the same people who are out, as a Vero Beach family, to love each other when times are needed.

Mr. Bass said the City Council has to talk about hard issues with parking being one (1) of them. He said at their last meeting there were some suggestions that it was a possibility of business owners paying for the kiosks. He wanted to throw out a couple hiccups in that concept. He explained that there is no way to regulate it and there is no way to enforce it. He said if someone was to overstay their welcome, would the City foot the bill to enforce the violation. He questioned how that would work. He felt there would be a lot of issues with that, as well as questioned if it was the responsibility of the businesses to foot the cost of the infrastructure. He said that he doesn't recommend going to RFP at this point in that there has been a lot of expression of the City getting a bad reputation for that. He felt that the City Council could direct staff to go back in the minutes, to speak with other cities to find out what systems they are using, to see if there is any interest of kiosk providers, and to have a committee or the kiosk providers do a calculation to see if there is a way to end up net neutral or net positive on the implementation of a kiosk. He also suggested that the City residents getting some form of a parking sticker and perhaps they could have a one (1) hour time slot on the kiosk. He believes that trying to put the burden on the individual business owners, as well as implementing this, would be a real struggle. He felt that this could be something they could direct staff to begin to explore.

Mr. O'Connor reported that staff has set up some meetings to speak with some vendors. He said they have had several of these types of meetings with vendors so they have a list of six (6) vendors.

Mr. Monte Falls, Public Works Director, said that he contacted six (6) vendors and has heard back from three (3) of them.

Mr. O'Connor said if they are going to do a RFP they need to be prepared to do what it is that they are going to do because these people spend a lot of time, effort, and money in order to respond to the City's proposals.

Mr. Young suggested that they have the Finance Commission look into this.

Mr. Ryan Bass thought the Finance Commission looked at this two (2) years ago. He felt this was another one (1) of those hard decisions where people don't like to hear that they are bringing meters back. But, sometimes the bite is not as bad as it sounds. He felt that this would start to solve a bit of the parking problem.

Mayor Howle said that Mr. Bass has done a fantastic job leading the Finance Commission and in bringing before the City Council some great pertinent information. He felt they all appreciate Mr. Bass's efforts.

Councilwoman Moss said yes, they absolutely do. She asked Mr. Bass if they know that he is a "shoe guy." She explained to the community that Wine, Women, and Shoes is a fundraising event for the Humane Society and will be held on Thursday, November 8<sup>th</sup>. She asked Mr. Bass to tell the community what a "shoe guy" is. Mr. Bass explained.

Dr. Zudans reported that his homework assignment from their last meeting was to get information about a potential shuttle with the idea being that a big part of the parking problem on Ocean Drive is that a lot of employees prefer to park in front of where they are working. He said if they didn't have free parking spaces nearby for the employees it would be costly or inconvenient for them by having the kiosks. He said that he drove his car and timed it, which it took four (4) and a half minutes to get from the parking lot at Jaycee Beach and along the boardwalk. He said there are about 250 parking spaces in that area and the idea would be that they would have free parking in that area so that anyone who didn't want to pay for parking along Ocean Drive they could park there. He said they would have to get a golf cart, which they have done in Stuart, which is almost like a bus. At this time, he asked Ms. Karen Diegel to speak.

Ms. Karen Diegel, CEO of the Senior Resource Association, reported that they run the Go-Line and the Community Coach. She said a few years ago they worked on the same sort of issue and they did have a shuttle running, which was a little different in that they ran from Riverside Park to Ocean Drive. She said they did this for about 18 months, but they found that it wasn't the answer to the parking situation for a number of different reasons. She said the application now would be a little different in that this would be a shorter distance. Part of the problems previously was that the distance was too far for employees if they were to have to leave for an emergency, among other things. She noted that it is expensive. When they did this the last time, they had match dollars from the Vero Beach Resort and a grant from the Florida Department of Transportation (FDOT). She does not know at this time if there would be a grant. She did ask her staff to price it out to do this six (6) days a week, 12-hours a day, from 6:00 a.m. to 6:00 p.m. or whatever the time might be and the cost came to about \$200,000 a year. She explained that the way they determine the cost is by using the National Transit Data Base, which has a formula that determines their hourly rate. She said Dr. Zudans did mention having a different vehicle than what they currently have in their fleet. If that is the case the City would have to pay for the vehicle. They do have a smaller vehicle in their fleet currently

that could be used, but it is not what they have in Stuart. She submitted a photograph of the cart that is used in Stuart (attached to the original minutes). She reported that the cost for this is about \$40,000.

Mayor Howle said this would probably be more economical to operate than a bus.

Ms. Diegel said that she would assume it would be cheaper economically as far as gas and maintenance. She said there would be a difference in the price if they were purchasing it and maintaining it through the City of Vero Beach rather than the Senior Resource Association.

Dr. Zudans questioned then the City would have the option to do that.

Ms. Diegel said yes, if the City is purchasing it they have the option to maintain it.

Ms. Diegel said if the Senior Resource Association is operating it there is still a cost, which would be reduced by a small amount because the insurance, operators, etc., costs are still there. She said that she has contacted FDOT, but what normally happens with grants like this comes with a match requirement, which could be anywhere from 20% to 50% of the funding.

Dr. Zudans asked what is the match typically.

Ms. Diegel answered 50%.

Dr. Zudans asked how long is the process if they apply for a grant.

Ms. Diegel said it could be anywhere from a week to a few months. She noted that with grants there is a lifespan, which is normally three (3) years and then FDOT expects sustainability after that. Therefore, they may be footing the bill completely.

Mr. O'Connor noted that before this would work they would almost have to have the parking kiosks throughout the central beach area.

Dr. Zudans said that he and Ms. Diegel spoke about this individually, but he would like her to say it publically. He questioned you don't think the shuttle would work if they don't have some type of kiosk system in place at the same time.

Ms. Diegel said that is correct. She said there has to be some type of incentive for people to park in a free parking area. There is no reason why they would change their habit of wanting to park in a free parking space if it is closer.

Mayor Howle asked would the free parking still have a time limit.

Ms. Diegel said that would be completely up to the City as to how they want to run the program.

Mayor Howle said the only reason he said that is if someone wanted to just park there and go to the beach or to walk the boardwalk how that would affect it.

Dr. Zudans said that is a good point, but currently it is all day parking. He has seen some of the hotel workers park along the boardwalk and walking because they don't have to go back and check their car. He felt that in order to make this work, there is some all day parking at Humiston Park that they would have to eliminate and have a kiosk there.

Mayor Howle said they are going to have to make a change and make some important and hard decisions to make this work.

Mayor Howle asked if the kiosks were to end up being net positive, would that money be used towards funding the shuttle.

Mr. O'Connor answered yes, the City Council would have jurisdiction over that.

Mr. Sykes thanked Ms. Diegel for her due diligence on this. He appreciated hearing some hard numbers on it. He said with the cost aside, the only thing he would add is that in his conversations with the hotels, one (1) of the reasons the shuttle didn't work previously was because it didn't run for a longer time period. He is concerned that the 6:00 a.m. to 6:00 p.m. time period would not be sufficient. He felt to actually make this work it should be more like 6:00 a.m. to midnight or 1:00 a.m. He understands that they would be doubling their costs.

Dr. Zudans said the first question that Ms. Diegel asked him was how many hours and the City Manager contacted the hotels.

Mr. O'Connor said the common thread seemed to be 6:30 a.m. to 6:30 p.m. He noted that they don't seem to have a parking problem in the evening except towards Bobby's Restaurant because most of the shops close around the 5:00 p.m. to 6:00 p.m. timeframe.

Ms. Diegel said the problem with the p.m. shift for the hotels is the employees come to work in the afternoon and their shift ends later so they would have to park in a parking area where the shuttle would not be providing transportation back to their vehicle.

Councilwoman Moss said the last time they did this was when Vero Beach Hotel and Spa sponsored \$40,000, how did they go about finding a sponsor. She asked did they approach different businesses.

Ms. Diegel said they had conversations with the Oceanside Business Association (OBA) and she thought that she put it out to them that they were willing to have a private/public partnership that they would wrap the bus for advertising and that is when Vero Beach Hotel and Spa jumped on it because they wanted to have their name up and down Ocean Drive.

Mr. Young said there is no reason why they can't explore that now. He asked is the price comparison roughly the same.

Ms. Diegel said it is probably about \$6.00 more now than it was so it has increased.

Dr. Zudans asked what is the rate per hour.

Ms. Diegel said it is \$53.76 per hour.

Dr. Zudans thanked Ms. Diegel for putting this information together for them.

Mr. O'Connor reported that two (2) valet companies came here and he and Mr. Falls drove them around and discussed options and alternatives, which it was the opinion of the valet companies that this would not work. He said with regard to building a parking garage, the average cost is \$198,700 per space. So an example would be if they were to build a garage where the Farmer's Market is located, a three (3) levels with 150 parking spaces it would cost in the neighborhood of \$3 million.

Mr. Sykes felt that it might be worthwhile to implement paid parking and to reengage with the valet company because there would be more incentive to use a valet at that point.

Mr. Ryan Bass asked if it is the role of government to commute people to work, has the City approached the County. He asked would it be an appropriate use of tourist tax dollars to implement something similar to what is being suggested. He asked could there be some collaboration between the City and the County in terms of funding sources and/or the employers.

Mr. O'Connor said his understanding of tourist tax is that they could not use it on this reoccurring type of cost. He said they could purchase the vehicles. But, the actual cost of operation he did not think they could use it as reoccurring costs.

Councilwoman Moss thought if it is debt service that they can.

Mr. O'Connor said they allocate the money on an annual basis. He said they do do it on debt service.

Mayor Howle asked could they do it through the Chamber if the Chamber were to agree to participate.

Mr. O'Connor felt that before they get too far that someone would need to go and speak with the County.

Councilwoman Moss said now is a good time to ask. She thanked Mr. Bass for mentioning that. She noted that she did not know that he was going to mention tourist tax and thanked him.

Mayor Howle said normally unless they were going to take a vote they wouldn't open this up for public comment, but this is an important matter and they are going to have to make some serious decisions and some hard choices moving forward so at this time he asked the public for their input or thoughts on this matter.

Mr. Sykes said that he sees a lot of business owners present tonight. He said this is a great opportunity to have their voice heard.

Mrs. Melinda Cooper said that her business is in the block where the Vero Beach Hotel is located and they see their employees move their vehicles all day long. She said they cannot keep waiting for something to be implemented for the growth that is occurring. She said the City has approved restaurants and hotels, but they are not doing anything with the parking. She said they will lose their businesses. She said they bring tourists here because of their businesses, but they will not be able to if they cannot have customers coming to their stores. She said they don't have 20-year old customers. They have 70 and 80-year old customers and they can't walk five (5) blocks, they can hardly walk a block. If they don't move this forward now it is not going to happen. Her suggestion is that they implement kiosk parking immediately. Not next year, but this year before season starts.

Dr. Zudans said that he knows if they go down this path they are going to have several people in front of them stating that they don't want paid parking. He asked what are her customers saying to her.

Mrs. Cooper said they are very upset. She said when they have special events she receives telephone calls from people stating that there is no parking. She said their customers are going to pay the price for parking. She said they pay it in Palm Beach, Coral Gables, etc. She said it is crazy that they are not moving forward.

Dr. Zudans explained that he is on her side, but just wanted to hear that because he hears people that do not want paid parking. He just wanted to know what the sentiment of the community is. He questioned is it one side or the other or is it split down the middle.

Mrs. Cooper said the people that don't want it are the people who are not shopping.

Mayor Howle said if they can't keep the stores open then that will be the end of Vero Beach beachside as they know it. He feels the bark is worse than the bite. He explained that people don't like change and sometimes after a change it is found that it actually was not a bad idea. He hopes that they can take this over the goal line and make it happen. He said that she is right. Something has to be done.

Dr. Zudans said one (1) thing that he likes about having it combined with the idea of a shuttle is that when there is someone who doesn't want to use paid parking they have an alternative where they can park for free and take the shuttle. He didn't think it would work without having them combined.

Mayor Howle said a lot of people don't realize that there were parking meters in Vero Beach so it is almost reverting to the past.

Councilwoman Moss asked do they know the history of the parking meters when and where they did have them and why they were taken out.

Mr. O'Connor answered no.

Councilwoman Moss said that she was curious because it is expensive to get into if it turns out that the public sentiment is against it. She felt it was an expensive experiment.

Mayor Howle agreed. He said that he was in North Carolina and they had kiosk systems, which for him it was not painful at all. He thought it was \$1.00 an hour and it could be paid with Apple Pay or with a card. He said that he didn't have a problem with it because it was easy to find a parking space, which he hoped that would be the case here.

Mr. Sykes said there are many different systems. He said in West Palm Beach you would insert your credit card. There is no paper and you don't have to walk back to your vehicle. He said there are several different ways to do this.

Dr. Zudans felt that Councilwoman Moss brought up a very good point. He said what they don't want to do is spend a lot of money on a system and then a year later receive a lot of complaints and tear it out. He felt if they were doing it, it would have to be in a way that they are committed to it for at least as long as it takes to pay for the system, which is probably somewhere between three (3) and five (5) years.

Mr. Young said that he understands a lot of what is being voiced, but it goes back to his earlier concerns in regards to where they are going regarding the revenues of the City and what they have to cover in the future. He said they need to have public input because the consensus that he is hearing is that the residents don't want to have to pay so there would need to be some kind of exemption. He said it comes down to how much it is going to cost the City and what the cost impact is going to be on the rest of the City's budget.

Councilwoman Moss asked the Deputy City Clerk when time allows that she research the minutes of old meetings so they can find out what happened with the parking meters. She is assuming that the City Council voted to put them in and voted to take them out.

Mr. Sykes felt in order to be productive that they get through public comments to get their opinions and then have Council discussion.

Ms. Patty Cassell (spelling may be incorrect) said that she is a Manager of a shop on Ocean Drive and she also lives in Central Beach. She felt that they need something short term and something long term. She said they need a parking garage. She said her customers want to park right in front of her store and they don't want to pay for parking. She said that is not an acceptable answer so she would like to know how much they would have to pay for parking. She asked would there still be time limits on the parking.

She noted that three (3) hours would be great for shoppers. She said that if they make the paid parking too cheap then people going to the beach will park in front of her shop. She felt that what they need to do is put parking meters in some areas because that will deter employees from parking in certain areas. She agreed that they do need to supply the employees alternatives. She felt that they need paid parking right away with a parking garage in the long run. She said they need to research the cost of everything before making a decision.

Mayor Howle closed comments at 7:16 p.m., with no one else wishing to be heard.

Mayor Howle asked Mr. O'Connor if staff has looked into what the kiosk would cost.

Mr. O'Connor said they have had several discussions, but it was a couple of years ago. He said the kiosk is adaptable so they could set up the maximum number of hours per day that the same vehicle could use it. He said the cost per hour would be contingent on the contract. An example is, and he agrees with Dr. Zudans, that there has to be a commitment on the City's part that if they put these in there it is typically a five (5) year window on a payback and that five (5) years would be a contract with a vendor to operate and maintain and the City might get a percentage of the proceeds. But, the vendor would determine the amount per hour because they are the ones who have to pay for the system.

Dr. Zudans said the terms as to the rate would be agreed to. It is not like the vendor could just give whatever parking rate they want.

Mr. O'Connor said it would be a negotiated contract. He reported that Mr. Falls has set up three (3) interviews with companies and hopefully he will be able to have all six (6) companies. He said most of these companies would be very happy to come in and discuss their wares, especially if they feel like they will be the selected company to provide the service.

Mayor Howle said they have to do something. He is not against the parking garage either and obviously they cannot do everything at once. He said that Dr. Zudans did some great work with Ms. Diegel and so did Mr. Bass. He said they have to do something. They can't be that Council that just talks about it all the time. They have to do whatever they are able to do today to help the situation.

Mr. O'Connor said the key is how much do they want to budget.

Mr. Sykes said there is no silver bullet to this. He said there are a lot of things that they haven't discussed tonight, such as they want to put potentially put paid parking on Ocean Drive, but questioned Cardinal Drive. They also had a private citizen attend many meetings and presented an offer to build and pay most of the bill for a private parking garage. They currently have City owned property at Humiston Park where the Farmer's Market is being held and they all have seen the response to any suggestion about an alternative use for that although it is City property and it would be an ideal space for a parking garage. There are other options to acquire additional parcels that could

potentially work. But, he would love to see the City utilize every single parking space and every single City owned piece of property that they can before they start spending additional money to acquire anything else outside what they already own. He said they need to leave this meeting with some directives. He said that he is totally onboard with sending this to the Finance Commission. Someone needs to spearhead this project in addition to the Councilmembers. They need to assign responsibility to staff and any of the Commissions as well to follow up and get bids from various companies with the kiosks. They need to get some hard numbers and look at real opportunities for sponsorship and cost sharing with the OBA. He said they saw the response to the suggestion that they free up parking on Saturday by moving the Farmer's Market and the OBA was up in arms. He said lets go to them and find out what they are willing to bring to the table. He said there are people in attendance today who contributed to a parking fund. He said historically there was a parking fund where businesses contributed money to help the City solve this parking issue and nothing was ever done. But, that doesn't mean that the same idea couldn't potentially work now that they have a Council that really wants to get something done. He said that he is not suggesting that they form a parking committee, but they need to delegate some responsibility outside of the City Council. He said that he has three (3) meetings left on the City Council and he wants something done on parking before he is off City Council. He is open to suggestions from anyone.

Councilwoman Moss agreed. She thinks it is a good idea to send it to the Finance Commission to get their input.

Mr. Sykes said they need to get some concrete data on the costs, what kind of technology they can get, etc. He said they have to consider everything and they are not going to make everyone happy. He said this is a tourist community and the businesses are the heart of central beach, which is what makes them special. So, they have to be able to have their customers get inside and spend money in their businesses. He said it is not happening as quickly as they would like. He said they are in the middle of summer and are about to come into season. He said the problem doesn't seem as extreme, but a month from now they will have a packed room of people complaining. He said let's do something now.

Mr. O'Connor said they can bring it before the Finance Commission and staff will have vendors come in and make a presentation before the Council.

Mr. Sykes said let's get that on the agenda for their next meeting.

Mr. Young said another thing that needs to happen is that they need the input from the residents. They don't want to get down the road and find out that they have made a commitment that a year from now they realize is not supported by the community.

Mr. Sykes asked how would they do that.

Mr. Young said they could send out a survey.

Mr. Sykes said to some degree he hears Mr. Young, but this is a representative government. These meetings are noticed and there are plenty of concerned citizens who attend. It is not their job to send out a survey every time they make a decision. They all have a finger on the pulse of this community.

Mr. Young said maybe a survey is not the right terminology. But, just as they have a responsibility to the businesses on the barrier island, they have a responsibility to the businesses downtown. So, as they need to make sure it is appropriate for the community at large.

Mr. Sykes agreed.

Mayor Howle said as long as what they are not saying is that they not make decisions until they have the majority of the seasonal residents here to make decisions. If that is what they are proposing then they might as well shut down City Council for six (6) months.

Councilwoman Moss said actually the parking problem is in fact seasonal. It gets a lot worse.

Dr. Zudans said the people they survey are not necessarily the people of the general public. The people they survey are the users of Ocean Drive and Cardinal Drive.

Mr. Sykes suggested that they work with the OBA and have them survey their members.

Dr. Zudans was not sure how much of the Oceanside businesses they represent.

Mr. Sykes agreed, but suggested that they include them as well.

Councilwoman Moss said yes, they are a partner absolutely. She asked the Deputy City Clerk if she is able to find the history of the previous parking meter "experiment" that she also sends the information to the Finance Commission. She felt if they could understand what happened in the past it might shed some light on the present.

Dr. Zudans said the 1970's situation is probably not applicable to their current situation.

Councilwoman Moss said she doesn't know that right now. Sometimes the more things change the more things stay the same.

Dr. Zudans said that Ms. Diegel had told him that they need to survey the people who use it because what we perceive as, and he really does think there is a parking problem as a user of Ocean Drive, but it could be through the businesses in sending something to every business on Ocean Drive and Cardinal Drive stating that the City is considering different things with parking and ask how they feel their customers would react to it. He said it

could be a simple two (2) question survey. They could send it out tomorrow and see what they get back.

Mayor Howle asked what are you looking for.

Dr. Zudans said that he is looking for them to confirm what he thinks is true that they want the City to do something about parking.

Mayor Howle felt that they needed to give direction to City staff to get some RFP's and they need to start making decisions on what they are going to do and how quickly they can implement it.

Mr. Sykes noted that the three (3) hour time limit on parking is almost up and it is going to go back to two (2) hour parking.

Mayor Howle reopened public comment at 7:32 p.m.

Ms. Alison Livingston said they have watched the progression of people taking parking places. She said they are not from Vero Beach and are going to the beach. They are not going into their stores and then the stores have their dedicated customers calling the businesses stating that they don't have a place to park and are mad. She said if they don't do something soon they are not going to have the stores to bring the people to the beach and keep the beach nice. She said they have to do something now. They cannot wait. They are going to lose the quaintness and what makes Vero Beach special.

Dr. Zudans said that he would rather pay a dollar or two to be able to park where he wants to park. But, he wants to know that he is not going to be ambushed at their next meeting. He is on her side and thinks it is the right solution. He just wants them to continue attending their meetings until it is done so they don't just have the people attending that don't want paid parking.

Mr. Ryan Bass suggested that rather than sending it back to the Finance Commission maybe the avenue to take is to invite the interesting parties to a City Council meeting to present their technologies to the business owners to make sure those technologies will be appropriate for the business owners. He suggested that they have the vendors at the next City Council agenda to make presentations.

Mr. O'Connor said their presentations are extensive in nature to really understand their technology.

Mr. Sykes said they would need the information ahead of time and then limit the presentation time.

Dr. Zudans said they could have a time limit on their presentations. He liked the idea because he felt if they sent this to a commission then nothing gets done. He said they have to make the decision themselves in the end and he is all in favor of doing it two (2) weeks from now.

Mr. Bass said that he is not suggesting that they don't ever send it to a committee. He is just saying that he thinks an appropriate way to get some feedback from the community by inviting the community is to see these presentations to make sure everything is fitting for them.

Mr. O'Connor said they will invite the companies to the next City Council meeting.

Mayor Howle said Mr. Sykes just suggested that they receive the information prior to the presentation and then limit the time of the presentation. Mayor Howle felt it might be appropriate to do this at a Special Call meeting so the hours allocated would be for that specific purpose only.

Dr. Zudans asked if they could hold the meeting on Friday.

Mr. Monte Falls said that the vendors need about an hour to go over their presentation. He said that he is going to have the vendors give a presentation to him and Ms. Cindy Lawson, Finance Director, so that she can look at the financial side and he can look at the public works logistic side of it. He said there are basically two (2) technologies; at based where there is no infrastructure that has to be put in or the kiosk where they would have to have the kiosk to dispense the tickets. He said they can get that information and boil it down and bring it back before the City Council. He said that he would be happy to go through the presentations twice if the City Council wants them to give them the presentation or he and Ms. Lawson can boil the information down and bring it back before the City Council. He said that he and Ms. Lawson have a meeting set up with one (1) of the vendors next week and he can get in touch with the other vendors and do them back to back.

Mayor Howle said that might be a more efficient way to do this. If the City Council decides that is what they want to do, he would like Mr. Falls to find out what the charge would be, would they set time limits, would residents have passes, etc.

Mr. Sykes said then they would vet everyone and then come and present the information to the City Council.

Mr. Falls said that he just wants to get the information so the City Council can decide which way they want to go and then they can prepare a true RFP for that type of technology.

Mayor Howle asked if they are going to have passes for people who don't need to pay, it needs to be for business owners and employees.

Mr. O'Connor felt that they needed to get out of the mood of having passes because it is not going to work. He explained that if they say they are giving passes to the citizens the next thing they will be doing is passing the passes to their relative, etc. He said everyone needs to pay the same.

Dr. Zudans said it goes back to the idea of why the shuttle didn't work before. It is because they had an alternative. As soon as they give alternatives other than having free parking with a shuttle, it will defeat the purpose of the system.

Councilwoman Moss agreed with what Dr. Zudans is saying, but questioned if that means they would be doing this Downtown as well because otherwise you could view it as they were giving an advantage to the businesses on 14<sup>th</sup> Avenue because they would have free parking.

Dr. Zudans said the ocean side businesses are asking for this.

Mr. Falls said the technology can be applied any place they choose.

Mr. O'Connor said they need to speak to the businesses on 14<sup>th</sup> Avenue before they put paid parking there.

Dr. Zudans said to summarize, the plan is that Mr. Falls and Ms. Lawson are going to meet as many vendors as they can next week and then they will provide the City Council a summary of what each vendor says. He asked what are they going to do after that.

Mr. Sykes said to put parking on their agenda.

Dr. Zudans asked in two (2) weeks.

Mr. Sykes said let's get as many people in attendance that they can and let's make a decision and vote on something.

Mayor Howle asked is two (2) weeks too soon.

Councilwoman Moss asked is October 2<sup>nd</sup> good (date of their next City Council meeting).

Mr. Sykes noted that they also have the Dodgertown property on that agenda.

Mr. Falls said if they can get the vendors to make the presentation next week.

Mr. O'Connor said if they can't they will put it on the following agenda.

Mayor Howle said they have Dodgertown on the agenda on that date. He asked the City Council if they want to hold a Special Call meeting on the parking.

Councilwoman Moss said that she can't do a Special Call meeting that week, but can do it another time or she can stay longer on that day.

Mr. Sykes said if they can't find a place for it on the agenda it would make sense to have a Special Call meeting in the evening so all the business owners can attend and be heard.

Dr. Zudans said that he would stay as late as necessary at their next meeting. If they are going to get something done it has to get done soon.

Councilwoman Moss said she is fine with that too.

Mr. Sykes suggested that they have two (2) initiatives for their October 2<sup>nd</sup> meeting, which will be to determine the outcome of Dodgertown and parking.

Mr. O'Connor said they may have other City business.

The City Council said that is fine.

Mr. Young said October 2<sup>nd</sup> is not a good date because the City Manager will not be there.

Mr. O'Connor said that Mr. Falls will be at the meeting and he is going to give the presentation.

Mr. Young felt if they are going to make a decision on Dodgertown and on parking it is important that the City Manager is present.

Dr. Zudans said that he is fine with making a decision.

Mr. Sykes agreed. He said his biggest concern is delaying another two (2) weeks.

Dr. Zudans questioned if they are going to do something relatively quickly while Mr. Sykes is on the City Council then if they decide at that meeting what they are going to do then they have to do an RFP. He would guess what they would do is at that meeting they would decide what they want and then instruct the City Manager to start the RFP process.

Mr. O'Connor said staff will be prepared for that.

Mayor Howle said on the October 2<sup>nd</sup> meeting they will keep the agenda streamlined.

Mr. Sykes asked the audience present for tonight's meeting if they have anything they would like to say to email the City Clerk and she will she will distribute it to the Councilmembers to make sure their voice is counted.

Councilwoman Moss asked what time is the meeting on October 2<sup>nd</sup>.

Mr. O'Connor answered 5:00 p.m.

Councilwoman Moss asked does the City Council want to hold the meeting at 3:00 p.m.

Dr. Zudans said that he would make arrangements if they want to start the meeting at 3:00 p.m.

A woman in the audience said people are working at that time.

Mayor Howle noted that they also have the Dodgertown property on the agenda.

Mr. Sykes said they could start the meeting at 3:00 p.m. and focus on Dodgertown and get that done. They could then take a break and reconvene the meeting back at 5:15 p.m. or whatever time they decide.

Councilwoman Moss said they could do 5:00 p.m. to midnight. Either way is okay. She is good with whatever they want.

Dr. Zudans said they could set the agenda so they can do all the administrative stuff and Dodgertown and have parking later in the agenda. He said there is no way that will be done before 5:00 p.m. and then parking would be later.

Mayor Howle said if they finish before 5:00 p.m. they would take a break.

Mr. Sykes suggested that they just say that they will start discussing parking at 5:30 p.m., unless Dodgertown takes longer.

Council agreed.

**2) Metropolitan Planning Organization (MPO) Update – Requested by Councilwoman Laura Moss (MPO Representative)**

Councilwoman Moss said this is very brief. It's just some good news. She said the MPO by the way is the Metropolitan Planning Organization and she is the City's representative. It is a legislative body that focuses on long range planning for transportation within the County. The good news is at the last meeting, which was last Wednesday she was told that the 17<sup>th</sup> Street improvements should be completed in total by October 3<sup>rd</sup> so it is coming up. That project has been delayed a bit and that road was difficult to use and she knows that from her own experience. So, that should be done by October 3<sup>rd</sup>. That is what the Florida Department of Transportation said at that meeting. The other piece of information is the MPO, the Metropolitan Planning Organization, has a Priority Project Report for the year and there are seven (7) projects in total, this is their list for 2018, and of the seven (7) projects there was just one (1) within the City of Vero Beach, which is Aviation Boulevard at the US1 intersection, so it was just that intersection and that had occupied position number seven (7) and the Chairman of the MPO, Mr. Phil Matson, indicated a willingness to move it forward. So she made a motion to do so and so they got to move it up the list a bit so now it occupies position number six (6) on the list. She said these are all long term projects, but she will read one (1) sentence into the record. This is from the MPO and is a quote. She then read into the record, "*The intersection is currently failing or nearly failing during peak periods and in peak directions.*" She said that is the reason that she requested that it be moved forward when it appeared that there was a willingness on the part of the Metropolitan Planning Organization to do so. So, there was a unanimous vote to move it forward. She asked the City Manager to briefly

**Councilwoman Moss repeated the motion, that they do not sell the Dodgertown property at this time. Colonel Young had seconded the motion. The motion passed 3-2 with Dr. Zudans voting no, Colonel Young yes, Councilwoman Moss yes, Vice Mayor Sykes yes, Mayor Howle no.**

At 7:22 p.m. the City Council took a break and reconvened the meeting at 7:32 p.m.

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**4-B/A-1) Parking Systems**

Mr. Monte Falls, Public Works Director, reported that staff was asked at the last meeting to put some information together concerning parking systems. Council was provided with a prepared memo outlining parking systems. He briefly went through the memo (attached to the original minutes). He said that the parking system technology has two main technologies in parking management which are the mobile application (app) software systems and the physical meter/kiosk based systems. The app based and kiosk based systems both offer payment by credit or debit card. Then there are three primary choices for the basis for parking payments. They are: the "Pay and display, which utilized a printed receipt from the kiosk that must be returned and displayed in the vehicle as the identifier. The "Pay by space" which requires numbering all of the parking spaces within the district so a specific space number can be used as an identifier with the payment. And the third being the "Pay by plate" which utilized the license plate as the identifier.

Mr. Falls explained that the necessary vendor equipment could be purchased directly by the City with ongoing management and operation by City personnel. However at least one (1) vendor they spoke with offered the option of a turnkey system to be installed and managed by the vendor from start to finish, including enforcement. The next steps to take if Council decides to move forward would be to select an integrated system including both app and kiosk based systems to offer their citizens and visitors the flexibility of both; select a system that uses "pay by plate" technology as it is the primary current technology and the easiest to enforce; select a system that has the flexibility to accept payment by credit or debit card by app or at the kiosk but not by cash or allow staff to bring a contract from a system operator back to Council for final action. This contract would be for a turnkey operation which the system provider installs, maintains and operates the system and provides enforcement. There are three primary choices for the basis for parking payments. These are: "Pay and display", "Pay by space" and "Pay by plate". Staff is not making a decision whether going with paid parking is up to City Council. If they want to move forward he went over the things that should be done as outlined in the memo.

Dr. Zudans mentioned that he likes the turnkey operation. He asked what is the difference of the pay by plate versus pay by space.

Ms. Cindy Lawson, Finance Director, explained the vendors indicated to them that the pay by plate once became popular and had a lot of people that jumped into the business and now the license plate recognition readers have gone down in price and most of the

vendors indicated that was the way to go. She said if they go with the play by space and someone leaves the space before the time is up that space is still paid for the rest of the time, whereas if someone does it by play by plate and decides to leave before the time is up the next person that pulls into that spot will generate pay for the City.

Dr. Zudans said that one nice thing about the play by plate instead of play by space is people are shopping at different places and different spaces on Ocean Drive and they can move their car and won't have to pay again.

Ms. Lawson commented that as far as the revenue goes she does not have any idea how much the turnkey side of it would cost. She said the app makes their money by the money that gets charged to the customer and it doesn't come out of the City's side of the revenue. She brought up how much it would cost to have a shuttle and what she heard was \$200,000 a year after the \$40,000 for the vehicle. She believes that given the number of parking spaces and number of turnover enough revenue should be netted to pay for the shuttle.

Mayor Howle asked if they didn't have enough money to pay for the shuttle they would still have enough revenue to pay for the cost of the technology.

Ms. Lawson felt comfortable saying that they could cover the costs of the technology. She said the minimum contract time that a vendor would look at is five (5) years. She said the equipment is expensive and amortizing that over five (5) years, plus the \$200,000, she feels that they would be able to cover costs.

Mayor Howle expressed that they were not trying to do this to create revenue. They were doing it to help the parking situation.

Mr. Falls explained when talking about covering the expenses it will depend on the rate. He said with most of the vendors they talked to and the cities they serviced were at a \$1.00 an hour rate for the initial time period. This rate would increase for the longer someone parked there so they would not park there all day. He said that the escalating rates can be set at different tiers.

Ms. Lawson explained that systems that are app and kiosk that there are things that can be changed to them without a lot of effort. She said things might change from the summer to the season and these changes can be easily done. She said this is a policy decision.

Mr. Falls explained that one (1) kiosk can usually service eight (8) to ten parking spaces.

Ms. Lawson explained that these instruments are solar so the installation is straight forward. They were told that there are not problems when it rains a lot. If they do the turnkey operation then the person looking after the kiosk would be available to provide backup batteries if needed.

Ms. Lawson said that it was expressed by the vendor that if they go with a turnkey operation that they have a slow rollout allowing the person enforcing the metering to explain to people when it will be initiated and how it works.

Mr. Young asked if someone has to have an app.

Ms. Lawson answered no. She said that someone could go to the kiosk and put in their debit card.

Mr. Young asked what would be the potential risk if they implement this system and the community says no they don't like it.

Ms. Lawson explained it would be the implementation cost and whatever the cost is for the turnkey operation.

Mr. Falls commented that they would be looking at about \$3,000 to \$4,000 range for each kiosk, which would amount to about \$250,000 capital cost to purchase the kiosk. He said plus there would be a penalty to get out of the contract. The machines have a 10-year lifespan.

Mr. Sykes said lets put numbers aside on the kiosk system. He said they have a parking problem and there is not one solution to solve it. The vast majority of the parking issues are on Ocean Drive. His proposal would be to start with paid parking on Sexton Plaza and on Ocean Drive. He said this would free up parking spaces and a phased in approach makes some sense.

Mayor Howle thought that they had to do all or nothing.

Mr. Falls explained that the grant that was used to build the Humiston Park project has a stipulation that you cannot charge disparity rates to different users. He said that if they are going to charge rates in that area they have to be all the same or nothing at all.

Mr. Sykes said they are looking at about 258 parking spaces on Ocean Drive, which would bring in \$645,000 in annual revenue from those spaces. He knows that they will have to work with these numbers. His purpose of this is to introduce the concept of how does the community feel about alleviating these issues. There is not an easy answer and some hard decisions are going to have to be made. His thought was a phase approach to do this might find that paid parking on Ocean Drive has done a great deal to alleviate the ability for someone to patronize a store and be able to park right in front. Then maybe they don't have to put paid parking on Cardinal Drive, because there are a lot of businesses that do have onsite parking. He said moving into the future they could expand paid parking. They will be generating revenue from this and there will be some options on what they can do with that revenue. They could run the shuttle while considering long term they need more parking spaces. He said they have received offers from private citizens to build parking garages. They have talked about building a parking garage on their own City piece of property near Seacoast Bank. He said revenue from this parking

system could be used to pay off debt service for a new garage. He feels that they can find some creative ways to increase parking over a period of time. In the interim they need to do something to alleviate the parking problems coming into this season. His proposal would be to listen to the public, doing the phase in approach and get some hard numbers on what this would look like. He talked to Mr. Falls about the time frame of implementing this and was told that it could be done in about eight (8) to ten weeks. They could potentially capitalize on this for the upcoming season.

Councilwoman Moss pointed out for the community that City Hall received more than 300 emails against paid parking of any kind and not one was in favor of it. She asked Mrs. Bursick if that was correct and she said it was.

Mr. Sykes said if you ask anyone no one wants to pay for parking.

Councilwoman Moss expressed that it wasn't the money and this is her sentiment as well. She understands that the City has a parking problem and they will have to deal with it. But, she said once you start down this path towards paid parking you tend to lose the sense of community that they have. She said to remember that no place becomes a different place overnight. It is baby steps. It is many, many, many, little steps towards a place that they really don't want to be. They are in the place that they want to be right now. In fact they are at the place to many people want to be, which is why they have a parking problem. She said lets be careful in solving the parking problem not to make it a place that they don't even want to be.

Dr. Zudans explained that the shuttle failed because it was too far away and there wasn't a frequent enough shuttle that people could park their car and within 10 minutes be at their job. The second reason it failed was because people could game the system. If they got to work early enough they could park at the all day parking lot at Humiston Park or wipe the chalk off and move their car to a different spot. If they put paid parking down Ocean Drive, but people don't have to pay on Cardinal Drive then everyone is going to park on Cardinal Drive and they you will have a parking problem there. Also, no one will use the shuttle until this is enforced on Cardinal Drive as well. He personally did not think this would work if the entire zone was not done. He said that he skimmed through all the emails they received and about a third of them were from people who lived in Driftwood. He did not know if these people understood that they could park at Jaycee or South Beach and that a shuttle would take them back and forth and they don't have to pay for parking on Ocean Drive.

Mayor Howle asked what do you think of the possibility of doing a traffic pattern study asking people where are they going, how long will they stay here, including the employees at the hotels to nail down the usage.

Mr. Sykes was not opposed to that. However, there are enough business owners that can tell them what the parking patterns are. He agreed with Dr. Zudans that it is a problem to incentive people to ride the shuttle if there is free parking in other places. They could create a parking district similar to what Stuart has.

Dr. Zudans said this is what this essentially is. Instead of telling someone that they have a three hour limit on how long they can park somewhere this would be a revenue stream. He pointed out a City employee from the Police Department is out there now enforcing this time limit. This would save on employee. He said everyone believes that there is a parking problem and the combination of a parking system and a shuttle is the only thing that sounds like it is going to work. He feels strongly that it won't work unless it is for the whole area. He said people will just shift from one area to the area that doesn't require paid parking and the public is going to say that Council did not solve the problem. He said if they are going to do this then they must make a commitment of how ever long the contract is for, which they are hearing there would be a commitment of five (5) years. He doesn't care how many emails were sent in. He wants to do the right thing for the community. Even if there are people opposed to it he will sleep well at night knowing that he did what he thought was the right thing for the community.

Mr. Sykes explained that he was not disagreeing that this is an all or nothing problem and he didn't know how much it would hurt to phase it in.

Ms. Lawson noted another option that they have is that they can have different prices charged in different areas in the parking district.

Mr. Young commented that right now there is not a consensus of the businesses on the barrier island that this is going to address the issue that they have. He said maybe he will learn after public comments that this is going to fix that problem. He knows that it will potentially help some of the businesses and will have the reverse effect on other businesses. He said it may well end up driving away people from going to central beach because they don't want to put up with it. He agrees that this is an option they need to explore and before they execute this plan that they have a better understanding of it.

Mayor Howle said he didn't see Stuart, Palm Beach, or St. Augustine, which are some cities that have implemented this hurting because of it.

Councilwoman Moss said that they need to keep in mind the entire City, because they are beginning to have a problem on 14<sup>th</sup> Avenue with parking. Also, in terms of competition that you have to have a level playing field and you have to be careful not to tilt it in anyone's favor. Whatever they are going to do when they discuss it this evening should be uniform throughout the whole City otherwise they are running the risk of the potential of having people who would have gone to a restaurant on the beachside go to 14<sup>th</sup> Avenue, which she said earlier is a very cool place.

Ms. Mary Sue Walker, Owner of Cravings Restaurant, read a prepared speech into the record (on file in the City Clerk's office. She said she was not speaking for herself, but for the community.

Mrs. Sharon Gorry asked if the parking spaces behind Sean Ryan Pub were public or privately owned. She wondered if the ones that have company names on them were purchased from the City. Mr. Falls told her they were private spaces. Mrs. Gorry

brought up the parking spaces that the City leases from FEC. She mentioned the big parking garage located downtown that could be utilized, which means they really don't have a parking issue downtown. She said if the City owns all the parking spots along Sexton Plaza and Ocean Drive and the businesses wish to have pay for parking then the City should lease those spaces in front of the stores and let the businesses put their names on the spots. She said there is always parking available at night when the stores are closed.

Mr. Falls explained with the parking system it would include all the parking spaces in the beach district. The only places where there would be free parking is on Conn Beach, Jaycee Park or South Beach.

Dr. Zudans couldn't understand why employees who are working all day would not take the shuttle and park their car in one of the free parking lots. He said if customers want to park there they could also. It would eliminate them having to pay a parking fee. He said there were several people attending the last meeting who offered to validate parking.

Ms. Lois Bowman, of Silver Palm Drive, said that she does not own a business, however felt that both businesses and the merchants need each other. She did not think that the shuttle idea was a bad one. However, she would see it driving by and no one would be using it. There was no accountability to the businesses. She doesn't want to see marking meters. She felt that if they have a shuttle that the businesses should be made to use it for their employees. Their burden came when they allowed those big hotels to come in. She said in the future they need to watch what they allow. She said there could be parking available near where the Fire Station is located near Memorial Island.

Mr. James Carr told what some towns in Europe do and how they handle their parking. He said it might be worth considering.

Mr. Caesar Mistretta a resident of Indian River Shores said that he loves Vero Beach. He doesn't like the idea of parking meters, but they have to address the parking issue and get something done. He said prior Councils' made a very big mistake and allowed these big hotels to come in. He asked how do hotels gets a C.O. for parking for their employees. Some sort of agreement for these hotels and restaurants needs to be made to find a place for their employees to park. He said on September 30<sup>th</sup>, which is considered to not be in season there was not one (1) parking space available in front of his Gallery because employees from the different businesses were parking there. He said that they need to go back to allowing parking for a two hour limit. He said that employees come out and switch cars, which should not be allowed. There are businesses that will be hurt by this. He said maybe the first hour should be free. There has to be different solutions. He thought the way Stuart handles their parking situation is a terrible idea. It discourages people from staying and spending money. They have to take care of the residents first.

Mrs. Natile Custedo, who is a City resident and owns a business in Vero Beach, said that she moved here from Lantana 20 years ago. She came here and couldn't believe there wasn't meters on Vero Beach and how nice people were. She said her and her husband

have considered selling everything and leaving because Vero is no longer Vero. She came to Vero because this town is unique and amazing. It is not about the money (referring to the parking meters) it is an inconvenience factor. There are options to handle the employee issues. The businesses should be requiring their employees to park off the premises.

Councilwoman Moss mentioned that she happened to meet one of the City Councilpersons from Stuart and what he said is that their population is the same as Vero Beach's is, however they are half the geographical size that Vero Beach is. Their density is twice the density of Vero Beach.

Dr. Zudans said that the City Council cannot change what the hotels already have been approved for according to their C.O. Mr. Coment agreed with that.

Dr. Zudans explained that the response that the hotels are getting from their employees when they are telling them they have to park at a certain location is that they are on the clock and should get paid for that time.

Mayor Howle stated that they needed to get rid of shared parking agreements. Dr. Zudans agreed, but said that was not the issue tonight.

Mr. Lee Olsen announced that today was Councilwoman Moss's birthday. He said that he was a little shocked to hear Dr. Zudans say that he did not care about the emails. Here is what the general public may not know. Last year the Driftwood provided \$250,000 in property taxes to Vero Beach. Their people are called owners. They own rather it is one (1) week or twenty weeks. It is an investment in Vero Beach. The City Council may have gotten 125 emails from the Driftwood and that is because they are taxpayers invested in this town. He said meters are a bad idea and he fought this five (5) years ago. It is not the town that we live in. He knows there is a parking problem. He is not opposed to the shuttle, but he can't force his employees to use it. It needs to be running from 6:00 a.m. to 12:00 midnight seven nights a week. He said the magical number of \$200,000 is just magical. He said bartenders get off at 2:00 a.m. in the morning and how are they to get to their cars. They have to consider everything and it has to be all or nothing.

Mr. John Geisee said that he has been in Vero Beach for six (6) years and his wife manages Patchingtons and he represents a business on Ocean Drive. He really has a problem connecting the effort of having an employee take a shuttle. He believes it is vital that they do something.

Mrs. Megan Hoots, Manager of an Oceanside establishment, said that she has first hand knowledge of the situation and this time of the year there is plenty of parking and Cardinal Drive is often free. She hopes that Council doesn't neglect to address the families that want access to the beach. She said if families are unable to pay for parking and all start going to South Beach and Jaycee Beach there will be congestion. She hopes they are interested in making sure everyone in Vero Beach enjoys their beaches and

recreation. She thought that there were a lot of people that were going to have problems with having just an app base kiosk, especially the elderly population. She asked Council to consider families and making sure everyone has access to recreation.

Mr. Jay Miller from Grove Isle recalled in 1962 that there were parking meters downtown. He is not in favor of parking meters. He urged Council to keep things the way they are.

Mr. Mark Frankenberg stated that the parking spaces on Ocean Drive are owned by them. His tenants like to opt out of any metering on their property. Small businesses would be effected with the meters. He didn't think there was adequate enforcement. He said one enforcement officer who covers the mainland and beachland covers a lot of area. The license plate regulation system has not been discussed. He suggested if someone is not going to need to be parking in a space for two (2) hours because they are just picking up something that they not have to pay for the whole amount of time.

Dr. Zudans agreed to look at having maybe the first 30 minutes free or if they purchase something in his store he could validate a dollar for their shopping.

Mr. Frankenberg said that sometimes people get frustrated in having to deal with a kiosk.

Dr. Zudans said that they can only deal with the available solutions.

Mr. Sykes added even if they had money to build a parking garage how would they get employees to park there.

Ms. Rosemarie Putzke, President of the Vero Beach Art Club, expressed that they run Art in the Park in the season. There are 20 artists who put up booths in Humiston Park and they park right in front of their booth. They can't unload their merchandise and leave to park their car at a different location. She feels that the Art Club provides a service to Vero Beach because it brings people to the ocean. The Club would really want to be taken into account and given an exemption for their artists for the day.

Mr. Bobby McCarthy said that he was in favor of the parking kiosk and would pay \$2.00 an hour. They could be given a validation ticket. He said that the parking system needs to be for both Ocean Drive and Cardinal Drive or it won't work. He said the shuttle system failed the first time, but it might work now.

Ms. Cathy Padgett handed out a petition (on file in the City Clerk's office). The revenue generated by having a parking system could be a huge factor in building a parking garage. She commented that when she was recently at Publix that that the enforcement officer was handing out citations for people parking in handicap spaces rather than chalking cars on Ocean Drive where he should be. She said it sounds like the kiosk could give them a lot of money. They need support from the City Council to implement the kiosk. She offers her employees a place to park. The kiosk will pay for itself and give them good revenue. They exist in other cities because they do work.

Ms. Julie Minor, said that she has five (5) businesses and she came here tonight to learn more about the kiosk system and parking on the beach. She was astounded to learn of the cost of the kiosk and that a five (5) year commitment must be made. She said there is no one here convinced that this is a fix it is just an idea. It is the hotel employees creating the bottleneck on Ocean Drive. Seems to be the businesses located across the hotels are suffering the most. She said it really is the hotel employees who are causing this parking problem. They are looking at a lot of money to start this up and may not get that much back in return. They can't tell their employees what to do, but they can make it painful and make them do what is right.

Dr. Zudans explained the way Stuart handles it. They have a shuttle and do have all day parking lots.

Mr. Brian Heady stated that the City has no business being in the electric business, but apparently it is okay to be in the parking business. He mentioned that some time back they had money given by some of the businesses from this area for parking, but the money was given back to them because the City never used the money (parking impact fees). He said if they are going to need money to do this then maybe they could recapture the money that they sent back. He also recalled sometime back he went around the City surveying the parking situation and he could always find a parking space available near the places that he videotaped.

Mr. Richard Swab thanked the Council for their stamina. He said parking on Ocean Drive is bad. For businesses like Corey's having extra time to run in and out is a good thing. He agreed the shuttle is a good idea. He appreciated the sense of urgency in which the Council was addressing this issue.

Public comments closed at 9:32 p.m., with no one else wishing to be heard.

Mr. Young commented the idea of additional enforcing may be the way to go. He said having available parking spaces for employees seems it would address the primary concern to provide extra spaces.

Dr. Zudans asked where are the available spaces.

Mr. Young said that the larger employers would need to provide a shuttle for their employees to provide parking.

Dr. Zudans had some concerns it is going to be a disaster.

Mr. Young said that he would hate to invest half a million dollars and find out the people don't want this parking system.

Dr. Zudans said they are going to have to make a five (5) year commitment if they go with one of these systems. He doesn't like to reinvent the wheel so they need to be

talking to people and finding out what their experience is regarding these systems and how they have been working in other locations. He said that he did not think that it was going to be popular to do a parking system, but that doesn't mean that they shouldn't do it if it is the right thing to do.

Mr. Young commented that what makes it the right thing in one person's mind might not be the right thing to do in Vero Beach.

Mr. Sykes commented that they are rolling into season. He said whether or not anything happens with a kiosk system it is going to take some time. He suggested lets go ahead and go back to two hours parking and have discussion on potentially increasing parking fines something more than \$20.00 as a short term remedy. People want them to take action now so this is something that they can do very easily. He said that there are two (2) sides to this problem. He hears a lot of businesses say that their customers are tired of getting tickets. He said there is no easy solution here. But this is something that they can do immediately. He would like to get some more information so that he can understand what the real numbers look like for the kiosk system. Other than this it leaves them with some other options on the table right now, which is to figure about a way to better enforce parking, figure out a way to pay for a shuttle service or figure out a way to pay for a parking garage.

Mr. Young understood that the reason to have a kiosk is to get people to use the shuttle and provide additional revenue. He suggested finding out from Chief Currey what the incurred costs would be in doubling the enforcement of parking on the barrier island and then increase the ticket cost.

Mr. Falls said that they could get some updated numbers from the Chief. He asked what times do you want this enforcement to occur. Mr. Young said that would be up to the Police Chief. He felt that this would be a step made in order to address the issue and then looking at an increase in the fines related to parking.

Mr. Sykes did not know that the person chaulking the tires necessary needed to be a Police Officer. He suggested having the person driving the shuttle do this job also. Mayor Howle felt that this would cause the shuttle to have to take a huge route.

Mayor Howle agreed that they needed to go back to the two (2) hour parking limit.

Councilwoman Moss was not in favor of going back to the two (2) hour parking limit.

Mayor Howle told Councilwoman Moss that the Council made the decision about six months ago that it was going to happen.

Mayor Howle commented that he does not have a problem with the kiosk system in the hopes that it would solve some issues. However, it would be nice to have a twenty or thirty minute free upfront parking so people just running into a shop getting something

wouldn't have to pay for a full hour. He said if there is a way to set up a scanning system and set areas accordingly he didn't think they would need to hire another officer.

Mayor Howle said if the City is serious about providing relief on the barrier island then they need to look at what would be the feasible process of obtaining a parking garage.

Mayor Howle was not opposed to that idea.

Dr. Zudans commented that he gets a little frustrated when it seems like they are about to do something and then it feels like they are not going to do anything. They are going to kick this can down the road again. He is a little frustrated by that. He understands that there is a capital investment for the kiosk. But, if they are committed to doing this and actually wanting it to work and committing to five (5) years, when it actually will pay for itself and resolves the parking problems for these businesses then he is in favor of doing it. He feels a little frustrated that now they are going to go and study it again. Mr. Sykes explained that he was not suggesting bailing on paid parking, he is just saying that they need more information. Dr. Zudans asked how do they keep moving with this process. He said that they need more details about the finances of the kiosk and a realistic estimate of what kind of revenue it is going to generate to make sure there is enough money to be able to run the shuttle until they have the money to build a parking garage. He said even with a parking garage a shuttle will still be needed. He said this whole thing about government should not be in the parking business. He said they are in the parking business, but are doing a bad job with it. He said they offer free parking and they are not managing it very well. He said that this project is not intended to be a revenue stream for the City. It is not an enterprise fund idea. It is trying to solve a problem that the community has asked them to solve. Their job of being on the City Council is to actually solve real problems that their community has.

Mr. Sykes said that Mr. Falls is looking for some direction and he has offered some solutions which would be pay and display, pay by space and pay by plate. His vote would be pay by plate. He wanted to find out more about that system.

Mayor Howle wondered if they should do a study to figure out what the traffic patterns are for beach goers, shoppers and employees.

Dr. Zudans asked if someone on staff could conduct this survey without having to hire a consultant.

Mr. Falls explained to have a realistic idea of the utilization of those parking spaces they can make estimates, but it will not give them any real numbers of what they actually have. He said having the data for October and trying to figure out how it would be in February is the hard part.

Dr. Zudans commented that they hear people say they have a parking problem and hear people say they don't have a parking problem. He personally feels in season that they have a parking problem.

Mr. Young felt that if they increase enforcement of the parking that is action that is being taken.

Dr. Zudans did not think that was going to solve the problem.

Mr. Sykes added that they didn't say it was going to solve the problem. But at least they are doing something tonight that could maybe help tomorrow.

Dr. Zudans asked that they continue gathering the rest of the information so they can make an intelligent decision about whether or not they want to do something like this.

Mr. Falls told Council if it was consensus that they want the signs changed back to two (2) hour parking he can start doing that tomorrow. He said to change the rates on the fines staff would need to bring back an Ordinance and have a public hearing. He said they would also need to look at if State law allows for an increase in the second and third offense.

Mr. Coment added that someone that is removing chalk marks that there is a \$100 fine if they are caught doing that.

Mr. Young suggested having Chief Currey report back on software for enforcing traffic fines.

Mr. Young asked if they want the Finance Director to look at giving them an estimate to have a new parking garage.

Mr. Sykes stated lets make a list of things discussed tonight. To go back to the two (2) hour time limit immediately, learn more about the pay by plate system and get some real hard numbers on it so they can make an informed decision on what they want to do next. He said Mr. Falls provided them with some numbers on what the parking garage would cost so they have some numbers on that. Mr. Young explained what he was looking for was a recommendation by staff on a viable action that they could bring to the public that says this is the way that they could build a garage. Mr. Sykes continued by having Mr. Coment work on the Ordinance to increase the parking fines.

Dr. Zudans mentioned that staff talked to four (4) companies concerning the kiosk and it sounded like they were recommending going with one of the two companies that do the turnkey system. He asked staff to bring back the hard numbers on both of these two (2) turnkey companies.

Ms. Lawson said that there are a couple of things that would really help narrow down the hard numbers. She asked was it the consensus of Council to allow the first half-hour or hour to be free. She said the hourly rates will make a difference with the numbers. Mayor Howle said it would be the first 15 minutes to a half an hour. Ms. Lawson asked if this would include all the spaces being on Cardinal Drive and Ocean Drive. Council

agreed that they have to do that. Ms. Lawson asked about what time limits were they looking at. Council said they would need some feedback from the companies, but they thought the hours of 7:00 a.m. to 7:00 p.m. would work. She said as far as the parking garage goes it is just a function of money. She said their options to pay for the garage without a revenue source would be there is the one-cent-sales tax or through the general fund in taxes.

Mr. Young commented that he sees a referendum item for the parking garage. He said it will be up to the public to make a decision if they want a parking garage on the beach.

At this time Council took a 5-minute break and the meeting reconvened at 10:00 p.m.

#### **4-C) Background Materials under "City Election 2018"**

- 1) Office of the City Attorney Memorandum dated 09/11/2018**
- 2) All documents regarding Ms. Hillman's lawsuit against the City**
- 3) All documents pertaining to a lawsuit, if any, filed against the City by Mr. Heady regarding qualifying as a candidate (no documents)**
- 4) Qualifying papers (all versions) for the two candidates in question by the Canvassing Board**
- 5) Notice of Canvassing Board Meeting**
- 6) Audio of Canvassing Board Meeting of 09/20/2018 (located on the website under agenda 09/20/2018)**
- 7) Voter Turnout Information (source: Supervisor of Elections website at [voteindianriver.com](http://voteindianriver.com) under "Elections"; "Trends & Turnout")**
  - 1) Municipal Elections – City of Vero Beach 2015 & 2017**
  - 2) General Elections – 1990-2016**
- 8) Minutes of Canvassing Board Meeting of 09/20/2018**  
**Requested by Councilwoman Laura Moss**

Councilwoman Moss said they will go through the background materials.

Mr. Coment asked the City Council to remember that there is pending litigation on this subject so anything that is said they may hear again at a hearing.

Councilwoman Moss said yes. She said that she doesn't have any opinions. She is just reviewing facts and public documents. She said there has been some "confusion" surrounding the current City Council Election and actually "confusion" is the word which appears in the Canvassing Board's decision so that's not her term. For a quick review of the facts, City Elections are non-partisan. City Elections are held on the date of the General Election. This year that date is Tuesday, November 6<sup>th</sup>. Three (3) seats are open. She is running for re-election. Councilmember Young is running for re-election. Councilmember Sykes is not running for re-election and we thank him for his service. She said two (2) additional candidates qualified to run and appear on the ballot. That is Mr. Brackett and Mr. McCabe. This information is available on the City's website,

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 he 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 6<sup>th</sup> 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 7<sup>th</sup>. 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 18<sup>th</sup> 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 7<sup>th</sup> 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 27<sup>th</sup> 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 27<sup>th</sup> 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**

## Ocean Boulevard Parking Challenges

One Non-expert Resident's View

Bob Jones

October 16, 2018

### Ocean Drive Parking Challenges

- Availability of patron parking adjacent to shops and restaurants
- Convenient full-day parking for employees and beach goers
- The high cost of most parking solutions (garages, kiosks, enforcement)

## Stuart Parking Solution

- “Business District” designation for parking in front of shops & restaurants
- 3 hour limit for parking anywhere in Business District from 8 am to 6 pm
- After 3 hour limit, driver must exit the Business District for 1 hour

## Stuart Parking Sign



## Stuart Parking Solution (continued)

- One parking “attendant” enters license plates into a wireless device
- 3<sup>rd</sup> party software system detects violations & formats printed ticket
- Increasingly progressive fines for repeat offenders (\$25, \$50, \$250)

## Stuart Business District



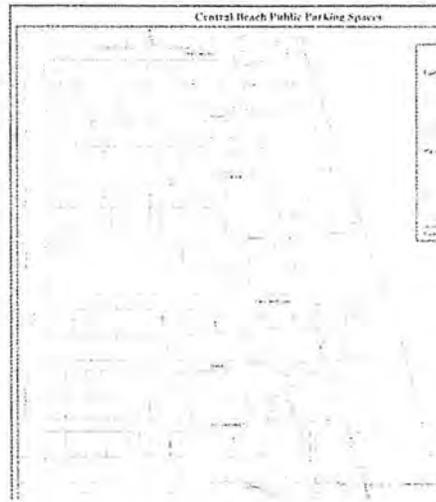
### Stuart Parking Solution (continued)

- Keeps employees from parking in Business District spaces
- Ample secondary parking capacity near the shops & restaurants
- Free electric shuttle that makes stops every 10-15 minutes
- Evaluating paid parking solutions to generate revenue

### Applying Stuart Solution to Vero

- Preserves "no-cost" shopper and diner parking along Ocean Drive
- Forces employees and beach goers to find alternative parking
- Can be implemented quickly & tailored to Vero's needs
- Does not require a large up-front financial commitment from the City

## Vero Beach Beach District



- More parking capacity needed targeted to full-day employees and beach goers
- Ideally, it should be centrally located

## Ocean Grill Garage Proposal

- Owner of Ocean Grill offered to build a 250 space garage on his lot
- Five levels of parking while remaining under the 35' Vero height restriction
- Attractive retail space on the first floor to offset some of the investment
- Avoids a potential hotel or restaurant on site that adds to parking challenge

### **Ocean Grill Garage Proposal (continued)**

- Centrally located and adjacent to Beachland Boulevard feeder street
- Concentrates full-day parking to minimize traffic & enable valet options
- Financial model remains unclear (\$6mm cost; property value recovery)
- This proposal should be explored fully by City Management and the Council

### **Broader Vero Context – Urban Centers**

Further strengthen Historic Downtown and Ocean Drive “mini-urban” centers

- Enhance social spaces that are adjacent to key residential communities
- Slow down strip-mall proliferation; leverage transformation in retailing
- Attract enlightened developers/shops
- Facilitate access (golf carts, bikes, parking)

**Thanks for listening....**

October 16<sup>th</sup> City Council Meeting on Parking Beachside.

I am here representing the general public who have sent over 442 emails since October 12<sup>th</sup> and are vehemently against paid parking on the beachside.

I am also representing  people who signed petitions against paid parking on the beachside and are for a city owned parking garage to ease the parking shortage for all employees and beachgoers who work and service the beachside. There is a common denominator in all of the emails sent to city council...Please do not take our quaint, relaxed welcoming community away from us with paid parking.

I want to thank Nancy Cook, Cathy Padgett, Melinda Cooper and Caesar for tirelessly working on a solution for the parking problem. We as business owners thank you and we are here to unite in a solution that will work for all parties which include, the general public, merchants, restaurant owners, hotels, visitors and the employees who work hard every day to make the Vero Beach experience a wonderful one.

We are only for a solution that will provide more parking for our community.

1. The city needs to build the beachside community a parking garage. We own the land (build it).
2. The employees deserve a place to park. The hotels are not to blame and neither are the employees. It's time to act.
3. Business owners and hotels need to educate their employees on the importance of customer preferred parking. Until the garage is completed it needs to be part of their employment agreement. Employees can all utilize the all day parking across from Humiston Park a 4 block walk to the VBHC and Jaycee Beach a 5 block walk to the VBHC, all day parking behind Cravings and the Lemon Tree. A little creative scheduling is all that's needed and the hotels can help their employees with complimentary rides to and from the lots if needed.
4. The city needs to place mandatory parking enforcement signs stating the new increase ticket price so employees who park in the 2 hour parking area are warned and do not abuse the law.
5. LPR's (License Plate Readers) is a very viable option for the police department to purchase for \$80,000.00 which allows the parking enforcement officer to scan all vehicles plates on the entire beachside within 1 hour. No more getting out of the vehicle to chalk tires. Employees can no longer cheat and moving their cars. This will move cars in and out so everyone shopping can find a place to park and shop. This is not to penalize the employees. It is to prevent parking meters.

This system comes with software to set up geo fencing in any area that it is needed the most. It is flexible and can be reprogrammed for the busy season and the slower months of the year.

6. With the LPR and the new increased parking fine it will ease the parking burden until we have our parking garage. This system will be used for the entire city not just the beachside.
7. A potential Premium parking pass for Merchants, property owners and city residents during peek season.
8. The City Council and City manager need to go after our fair share of the 11 million dollar bed tax. It is not being distributed fairly. The county is taking the lion's share of the money and the beachside gets a pittance. The beachside is now in trouble. We need this money to help pay for a parking garage and we the people should not have to ask private donors to provide parking

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dollars. The chamber of commerce received over \$600,000 last year. They do a great job bringing in people to this area. Without proper parking garages the beachside can't handle any more cars. What a shame the county and the city don't work together for the people.

3) **CERTIFICATE OF ACKNOWLEDGEMENT Florida Power & Light Company's Acquisition of the Electric Utility of the City of Vero Beach, December 17, 2018**

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**Requested by Councilwoman Laura Moss**

Councilwoman Moss read the Certificate of Acknowledgement (attached to the original minutes) that the City Council and Florida Power and Light signed on December 17, 2018 for the purchase of the Electric Utility. She personally thanked Mr. O'Connor for his work towards accomplishing this and acknowledged Mr. Ted Fletcher and his team.

Dr. Zudans asked what was the purpose of that and why do they have seven (7) items on the agenda regarding things that they have already done and are irrelevant. There was a ceremony and they signed the document. He asked why are they doing this again. He said the meetings are so long because of items like this one and again asked why.

Councilwoman Moss stated this certificate was not available to the community and because it was short and only three (3) sentences and commemorates something that had a cast of thousands over decades she thought that it would be a nice opportunity to thank the City Manager and to acknowledge the hundreds of people that were involved in it.

**B. Old Business**

↓  
1) **Discuss Parking Options - Requested by Vice Mayor Lange Sykes  
Beachside Parking (2018-13) – Analysis of Center Aisle and One-Way  
Parking on Ocean Drive**

Mr. Sykes explained that the reason for bringing this up again was because the City Council has not taken any action on the parking situation. He suggested having City staff give them options on how to pay for a parking garage and then he proposed hiring a local firm like Kimley-Horn to conduct a survey to find out where they can add parking spaces and what possible parking solutions there can be with the exception of paid parking.

Mayor Howle commented that he liked the second suggestion. He said they have groups speaking for and against parking meters and groups that are for and against parking garages. However, they have not heard from a Traffic Engineer concerning this matter.

Dr. Zudans recalled that in their City government they have had Mr. Monte Falls, Public Works Director, go through and look at all of these ideas and the cost per space is way more than a parking garage. He wondered by hiring a consultant to do a study that they would get the same answer that they received from Mr. Falls, in which case they wasted money on a consultant.

Mr. O'Connor commented that the consultant idea gives the Council another pair of eyes to look at this. He said for seven (7) years they have been discussing this parking problem. He has not been able to find an answer to get a great enough number of spaces

to justify the expenditure. He said if they have a third party look at this they would have a reliable source making recommendations to them. He said the latest parking garage that he has seen that is a public/private parking garage is \$15,500 a space. He is not sure that everyone on Ocean Drive believes what he and Mr. Falls have been saying for the last seven (7) years. He said it is very simple how to pay for a parking garage. He said they will not receive tourist tax dollars. The key would be that they get a price for a parking garage and have a parking district. The simplest way of doing this is putting an ad valorem tax on the district that they define and that ad valorem tax only applies to the buildings there. This way they will find out if people are willing to pay for this. At least by having a third party look at this it will give them some perspective and they may come up with something that staff has not seen.

Mr. O'Connor explained that the City has Engineers already under contract that they can use to do this. He mentioned Kimley-Horn being a good firm to use. He said they are familiar with the site and the problems and staff could get a quote from them to do a study and he will bring it back to Council.

Mr. Sykes instructed the City Manager to get a quote and bring it back before the City Council at their next meeting to be voted on.

Mr. Young asked if the projected growth of the community will be taken into account when the study is being done.

Mr. O'Connor answered yes. He said their parking concerns are about three (3) of four (4) months and their parking capacity if they expand to a parking garage will be vacant most of the summer, but debt service on the parking garage will have to be paid. He said not only growth needs to be looked at, but also the existing condition.

Dr. Zudans brought up the idea of having a parking district. He asked could money also be used from the parking district for a shuttle that would benefit people located at the other end.

Mr. O'Connor said yes, but they need to define the parking district.

Dr. Zudans asked if there could be more than one (1) quote given to them from an Engineering Firm. He would like to see two (2) quotes.

Mr. Monte Falls, Public Work's Director, explained that they do have more than one (1) Engineering Firm on their list, but he would need to check with their Purchasing Manager to make sure two (2) quotes would be allowed. He said with the Professional Services the different companies should not be bidding against each other. He said you tell the firm what you are looking for and you either agree on the price or you don't. Then you move on. He has to make sure that arguing that price is not a violation of the Consultant's Competitive Negotiation Act.

Dr. Zudans said if he is allowed to get more than one (1) quote then please do so and if not bring the quote from Kimley-Horn.

- 2) **Municipal Marina (Council/Community Discussion)**
  1. **Video Clip from City Council Meeting of 11/20/2018 (03:56:30-04:03:52 PM) Councilwoman Moss/City Manager on Marina and Debt Service**
  2. **Debt Service of Marina, Series 2007A**
  3. **Vero Beach Code, Section 5.05**
  4. **Video Clip from City Council Meeting of 11/20/2018 (04:20:48-04:25:59 PM) Vice Mayor Sykes/City Attorney/Councilwoman Moss on Marina and Section 5.05**
  5. **Minutes of City Council Meeting of 08/21/2018, Proposed Leasing of the City Marina, Pages 34-35**
  6. **Minutes of City Council Meeting of 12/11/2018, Pages 6-8 including Mr. Drewitt's Presentation regarding the Marina and discussion thereof**

**Requested by Councilwoman Laura Moss**

This matter was heard earlier in the meeting.

## **5. PUBLIC HEARINGS**

- A) **Public Hearing on the Site Plan Application for Vero Beach Rowing: #SP18-000005**

This item was moved up on the agenda and heard at 6:00 p.m.

Mayor Howle followed the order of holding a quasi-judicial hearing. He read that this public hearing was for a site plan application for Vero Beach Rowing #SP18-000005. There was no ex parte communications that took place. The Clerk swore in those testifying at today's meeting enmasse. Mayor Howle announced that all diagrams, photographs and other exhibits referred to during the testimony or which you would like the Council to consider must be marked for identification and kept by the City Clerk.

Mr. Jason Jeffries, Planning and Development Director, gave a brief presentation. He said the application is to construct a two-story building with a floor area of 14,734 square feet for indoor boat storage, office, and an exercise/training facility located in MacWilliam Park. The City Council entered into a lease with Vero Beach Rowing, Inc. in December, 2015, for this site within the Park.

Mr. Jeffries briefly went through the site plan evaluation and said that the most relevant standards for review of this project and staff's specific analysis and findings regarding these standards are that staff finds that the site plan is compliant with the Land Development Regulations and it is compliant with the site design performance standards.

Dodgertown has been concluded. She said that she has very positive suggestions to make.

Dr. Zudans said that he does too and he actually wanted to do that at their first meeting. But, he doesn't understand why they would put it on this agenda.

Councilwoman Moss said there is not much on this agenda. Usually they have many many things.

Dr. Zudans asked Councilwoman Moss if she would be willing to withdraw this item and resubmit it on their next agenda.

Councilwoman Moss answered yes. She said that she will resubmit it next time.

Because Councilwoman Moss withdrew this item no vote was needed on the motion.

**C. Proclamations and recognitions by Council.**

**1) 211 Awareness Week – February 11-17, 2019**

Dr. Zudans read and presented the Proclamation.

Mayor Howle presented Vice Mayor Sykes and Mr. James O'Connor, City Manager, a plaque thanking them for their service to the City.

**D. Staff/Consultant special reports and information items.**

None

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

**1) Mr. Caesar Mistretta to speak on Ocean Drive Parking Issues – Sponsored by Councilwoman Laura Moss**

Mr. Caesar Mistretta said that he has some questions and if possible he would like some answers. He asked what is going on with parking. He said as far as he knows; nothing. He said this is a disaster and they have to do something. He was thankful that the building on his property is not going to be a restaurant because it would have been chaos and would have negatively affected his business. People are walking away because there is no parking. He said that he is fortunate because he has some type of limited parking behind his business, but many businesses do not. He knows hotels were allowed to open their doors without proper parking for their employees and he thinks it is travesty. He feels the City Council should do something with these hotels and large businesses to get their cooperation to find parking for their employees. He said the employees deserve parking, but should not be able to take up their valuable spots. He asked has anyone approached these hotels and large businesses.

Mr. James O'Connor, City Manager, said the City is speaking with Kimley-Horn, which specializes in this type of work. He said this will be coming before the City Council for consideration at their next meeting to engage them and they will have a project that will encompass the variations and opportunities. They will look at the City's Ordinances, as well as the parking utilization. They will also do a parking study to show what is the occupancy rate on the parking spaces, how bad is the parking situation or is it just in certain areas. Under that contract there will be various elements where the City Council can pick and choose elements they want done.

Mr. Mistretta said that is a great thing and he is glad to hear that. He asked how long will that take.

Mr. O'Connor said it would probably take a couple of months.

Dr. Zudans said it is important to be at their next meeting to hear the presentation and to speak on what elements they want the City to do.

Mr. O'Connor said that he has a copy of the basis of their discussions that he would be happy to share with Mr. Mistretta. He noted it is not in concrete because what comes before the City Council may vary, but it will give Mr. Mistretta an idea of what they have been discussing.

Mayor Howle said his thought process in this decision was that none of them are traffic engineers so he felt it was best to get the assessment of a professional.

Mr. Mistretta thought it was a great idea. He just wished it was sooner.

Dr. Zudans said some of the solutions the City Council talked about were substantial changes to what they are doing, such as kiosk systems and building a garage, which are multimillion dollar decisions that they are probably are not competent without the guidance of a consultant.

Mr. Mistretta was glad to see that they have input because at first he was for having parking meters, but after hearing from the public and other businesses, he is now against parking meters.

Mr. O'Connor felt they would receive an unbiased report as to options and alternatives they have.

Mr. Mistretta hoped that the businesses and residents have a say in this.

Mr. O'Connor said they definitely will.

Mr. Mistretta said he is also concerned about shared parking. He asked why hasn't that been changed.

Mayor Howle said they are talking about changing the shared parking agreement and making it something that would be much more stringent than it is today. He said the City's new Planning and Development Director and the Interim City Attorney are looking at this and he hoped they would have something to bring before the City Council in the near future.

Dr. Zudans said there is a proper role for shared parking, but it has to be tweaked from what they currently have.

**F. Public Comment (3 minute time limit).**

Mrs. Phyllis Frye thanked Vice Mayor Sykes for his service. She said as the Special Election approaches she wanted to make some comments about things that have happened. She then read a prepared statement.

Mrs. Linda Hillman thanked Vice Mayor Sykes for his service. She said during her campaigning she has had many questions about what is going on with airplanes flying out at 11:00 p.m. She said many people are concerned with that because the City is entertaining getting another airline and people are concerned with the nighttime flights. She asked was it possible at any time that the language on the Dodgertown property, such as open green space could have been changed to Park land. She asked was that ever a possibility or consideration for any other City Council to look at.

Mr. O'Connor asked if she was talking about the sales agreement.

Mrs. Hillman answered no. She is talking about the prior agreement when it was considered. She said at one time she asked that question and was told by Councilwoman Moss that because it was worded as open green space that no events could have occurred there and they couldn't have walking paths. She asked at any time was there a possibility that the land could have been a Park and not open green space.

Mr. O'Connor said they could have put a Park in there if they chose to, but the City did not have the funding mechanism to do that.

Mrs. Hillman said then they could have held events, such as Art in the Park, but yet none of that was done to bring in any money to support that land. She asked if that is correct.

Mr. O'Connor said they could have had Art in the Park there, but he didn't know where they would have parked cars. He said it is currently a use for parking for the Dodgertown baseball facility.

Mrs. Hillman said in her opinion, it is not just one (1) person's fault that this was sold. It is this City Council and previous City Councils that chose not to utilize that land as a Park.

Mrs. Bursick reported that there is one (1) alternate position open on the Code Enforcement Board, one (1) alternate position open on the Historic Preservation Commission and two (2) alternate positions open on the Tree and Beautification Commission.

The City Council Committee Appointments will be made at the next City Council meeting.

## **8. CITY MANAGER MATTERS**

### **A) Utility Relocation Agreement with Indian River County – SR60 and 43<sup>rd</sup> Avenue Road Widening – (\$1,869,851.61)**

Mr. Falls requested that Council approve this utility work with the County for the amount of \$1,869,851.61, which includes an 11% cost for mobilization, MOT, accounting and construction management and a 10% contingency. He said that the Water and Sewer Department has been working with the County on the SR 60 and 43<sup>rd</sup> Avenue roadway widening project for over 20 years. The project is finally ready for construction this summer. The County will administer the replacement of water and sewer lines as part of the project. This contract allows for the County to perform this work. The contract is similar to contracts that the City has entered into with the State of Florida on other roadway widening projects. He said that one (1) contractor would be responsible for all the utility work within the right-of-way and the water and sewer lines will be relocated during construction of the roadway and the businesses along the roadway will only be inconvenienced once. Without this approval the City would have to bid this work separately and they run the risk of conflicts when the roadway project commences.

Councilwoman Moss asked if any of the funding comes from the State or the County for this project.

Mr. Falls explained that it was incumbent upon the utility provider to take care of their utilities.

Councilwoman Moss asked if they have a legal obligation.

Mr. Falls explained that it was the City's obligation to move the utilities out of the road. He said these were not brand new lines.

There was no one from the public who wished to discuss this item.

**Vice Mayor Young made a motion to approve the Utility Relocation Agreement. Mr. Brackett seconded the motion and it passed unanimously.**

### **↓ B) Beachside Parking (2018-13) – Parking Study – Cost (up to \$70,950)**

Mr. Falls reported that at the January 15, 2019 City Council meeting staff was directed to request a work order for a parking study for the Oceanside Business District area. Public Works contacted their continuing services consultant for general civil engineering services, Kimley-Horn and Associates (KHA) and requested a scope of work that includes a menu of tasks that the Council could decide to move forward on. The tasks are broken down into two (2) phases. Phase 1 consists of filed surveys and a review of existing codes and zoning to determine the extent of parking surpluses and deficits on a block-by-block basis. Phase 1 includes tasks 1-4 for a fee of \$31,010. The results of this work would be presented to Council and would serve as a basis for identifying proposed solutions that would be explored in the scope of work for Phase 2. Phase 2 of the work consists of tasks 5 through 12 for a fee of \$39,940. Phase 2 focuses on the solutions available to the City and would include accounting for future growth, structural solutions along with their costs (such as parking garages or on-street parking improvements), Ordinance modifications to reduce future problems, a public charrette process that identifies the opinions and solutions favored by local stakeholders, and options for funding future improvements. Phase 2 would conclude with a presentation and report to Council. The total cost for Phase 1 is \$31,010 and Phase 2 is \$39,940 for a total cost of \$70,950. The proposed study also includes an option to conduct a parking count and analysis for the summer season at a cost of \$20,140 that could be considered at a later date. He said that KHA has done jobs in different cities from 2016-2018. What the proposal is recommending is for them to identify what the problem is. He said it is important to move forward with Phase 1 while they are in peak season. Parking occupancy counts will be conducted every other hour between Wednesday and Sunday of a typical week between the hours of 10:00 a.m. and 8:00 p.m. Counts will be conducted for off on-street and off-street public and private parking in the study area. Residential and hotel parking will not be included in the surveys. The parking supply/demand by facility, block and user type during the peak weekday and weekend period will be determined. The peak parking surplus/deficit for the study area and by block will be determined. This analysis will help identify any existing parking deficiencies or areas of concern. There will be one (1) charrette meeting with local businesses to present the results of the existing and future parking demand analysis and gain input regarding parking conditions in the study area. Preliminary discussions of parking management strategies, policy changes and parking infrastructure suggestions will be discussed and vetted. They will rely on the City to assist with organizing the stakeholder meetings and providing a place to meet. One (1) public presentation and outreach effort to the community will be conducted to present the results of the existing and future parking demand analysis. Preliminary recommendations regarding parking management strategies and supply solutions will be presented. The public workshop will provide an opportunity for the community to learn what the City is considering regarding improvements to the parking network and provide valuable feedback and suggestions. They will prepare a draft report that will include appropriate text, graphs, charts, tables, and figures to effectively document their analysis, findings and recommendations. The report will include a summary and action plan. The action plan will serve as a tool for the City in charting a path of the next steps to implement recommendations based on a prioritized list.

Mr. Falls said that they talk about a parking problem, but there has never been a quantitative study to see how bad the parking is.

Mr. Howle commented that the City needed to do more than just spend the money on a study. Whatever the suggestion is within the limits of the City to do so, they need to implement that. If they say do nothing, then they do nothing. If they say you need a parking garage, you get a parking garage.

Mayor Zudans agreed with Mr. Howle's comments. He said that there may be more than one (1) option to choose from. It sounds like a lot of money, but some of the parking garages costs \$1,500 per parking space. He is happy that they are getting a traffic engineer to address this. They need to bite the bullet and solve this problem.

Councilwoman Moss agreed that Council has exhausted all of the possibilities. What they will obtain from this study will not be obtained in any other way.

Mr. Falls added that the consultant will look at the demand for parking on a five-year to ten-year horizon. He said they will know if the problem will get better with some action taken or without any action taken. They need to know the best way to spend their money. If building a parking garage is the way to go then they will have the data to move in that direction.

Councilwoman Moss agreed they were doing due diligence in this matter.

Mr. Brackett commented that they were not the experts here and he was in favor of hiring the consultants to do a study.

Mr. Falls added that the City does not have the expert staff needed to handle this.

Mr. Young said by looking at that background information the tasks outlined are what they need to do in order to approach this matter. He said that Phase 2 is put together in a fashion based on what they have accumulated and will be brought back to them.

Mayor Zudans opened up the item for public comments.

Ms. Cynthia Schwartz commented that Mr. Falls mentioned other communities had chosen to do a similar study like this one. She asked if there was a particular reason why other communities had chosen this firm. Was it because of the end results or does that even play into this. Mr. Falls explained that he guessed that these communities were in the same situation that this City is in and that they were having issues and a professional consultant needed to be hired. Ms. Schwartz asked what is their end result that they want to do.

Dr. Zudans felt that what they wanted to know is what their real parking issues are and what a professional engineer would say are the best solutions. He said that the engineer who does this study may come back and say that metered parking is the solution to their

problem and this will not go over culturally with this community. He is hopeful that the consultant will present more than one option for the City Council.

Ms. Schwartz said that is why she asked the question up front because she does not know if there is another company available to do this kind of work.

Dr. Zudans explained that the reason for using this company is because they have a standing contract for professional services and they can have them do work for the City without having to go through the whole RFP process.

Mr. Falls added that there is no cookie cutter approach and that this firm has a huge office in Indian River County.

Mr. James Carr agreed that the City clearly needed to get an expert opinion on the parking situation. He said that there are places marked for compact cars and when he wants to park his compact car in one of those spaces he has a problem when a regular size car is parked there.

Mr. Howle commented that there are small signs that say no SUV's or oversized vehicles are to be parked in these spaces and that can be enforced.

Mayor Zudans said that there is confirmation from the Police Officer working tonight's meeting that they do enforce that.

Mr. Brackett asked if they have to approve both phases now.

Mr. Falls explained that Council did not have to approve both phases now. He said that it will take some time to put Phase 1 together, which ultimately needs to be done.

Mayor Zudans agreed that doing Phase 1 should be first before they approve doing Phase 2. He said the engineer could come back to them and say that there is not a parking problem, which would mean that they would not have to do Phase 2.

**Mr. Howle made a motion to approve Phase 1 for the Beachside Parking Study. Councilwoman Moss seconded the motion and it passed unanimously.**

## **9. CITY ATTORNEY MATTERS**

None

## **10. COUNCILMEMBER MATTERS**

### **A. Mayor Val Zudans's Matters**

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

Mayor Zudans made a motion to appoint Ms. Joy Todd to the Historic Preservation Commission and waive the one (1) year residency requirement. Vice Mayor Young seconded the motion and it passed unanimously.

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

↓  
A) Beachside Parking (2018-13) Parking Study Cost (\$39,940)

Mr. David Taxman of Kimley-Horn gave a Power Point presentation (attached to the original minutes). The study found that peak parking demand was on weekdays from 12 p.m. to 2 p.m. Public off-street parking lots and Ocean Drive on-street parking are being fully utilized while some excess capacity exists for Cardinal Drive on-street parking. Private parking lots are not being fully utilized and have a surplus of over 600 spaces during peak periods. Phase 2 of the work consists of tasks 5 through 12 for a fee of \$39,940, which focuses on the solutions available to the City and would include accounting for future growth, structural solutions along with their costs, private/public partnerships, Ordinance modifications to reduce future problems, a public charrette process that identifies the opinions and solutions favored by local stakeholders, and options for funding future improvements.

Mr. Howle commented that at the end of the process he hopes to hear recommendations on how to solve this problem. He asked Mr. Taxman if the second portion of the project (Phase 2) is approved would there be a recommendation given.

Mr. Taxman said they would provide an outline of recommendations.

Vice Mayor Young asked in Phase 1 did he see something in other municipalities that was not addressed as he looked at the analysis.

Mr. Taxman stated that this was a very comprehensive analysis. He said sometimes they don't even do as many counts as they did with this study.

Mayor Zudans anticipates moving into the next phase, but was intrigued when he read that they have access of private spaces if they were to come to arrangements with some existing property owners. He said there is a parking garage located on Ocean Drive, but it is private. He said looking at the map it is interesting to see how much access parking spaces there are at Northern Trust Bank. He wondered if they should try to get a private agreement for parking before they go into Phase 2 and will that be enough to get them where they need to go.

Mr. Taxman felt that they are going to need more than that. He said the City tried that once, which was off site parking at Riverside Park and it did not work. He said they need to figure out other policies and how the parking is being managed. It is a piece of the puzzle, but he did not know if it would solve the problem.

Mr. Howle commented that he doesn't want to throw away money unnecessarily he just feels that this has been an issue that has been going on for years and keeps coming back. He has full confidence in Kimley-Horn and would like to see the analysis and see what the answer is and then act on it.

Mayor Zudans agreed as long as it is in the culture of what their community wants. He knew they would get some negative feedback on paid parking, but he thought that there were other solutions that would make a shared parking arrangement actually work.

Mr. Brackett asked if they go with Phase 2, how long will that take them out.

Mr. Taxman brought up growth and felt that for the most part the City is built out. They did not see a lot of available space unless there are future projects coming up he was not aware of. He asked what do they want to achieve for the study area. Do they want to stay at this level or do they want to see greater developments. He said parking policies are very impactful towards the economic climate. He asked if they wanted to be more aggressive in generating economic development. He does not know what developments are coming up that have been approved, but they could craft their parking policies to be a part of future growth.

Mayor Zudans stated that what they would like to see is it is easier to park where you want to park and if you wanted to spend more time in that area you could. He said the City constantly changes their parking signs from three (3) hours to two (2) hours parking limits. If they found a way to better utilize their space and people could go and spend three or four hours on the Oceanside and be allowed access to all of the businesses that would be great. He said they do not want more growth and it is pretty much built-out on the beach.

Mr. Howle said they are a sleepy beach town and that is how it is going to stay. He asked how do they solve the problem today.

Councilwoman Moss felt that they were on the right track with this. She said this has been a never ending question during her tenure on City Council and she looks forward to seeing some definitive answers and felt they were on the verge of that.

Vice Mayor Young commented that he agrees Vero Beach is built out, but if they look at the areas in the County that are growing the burden is on the City and their available areas for recreation will continue to increase. He asked Mr. Taxman if that has been factored in to the next phase.

Mr. Taxman said whatever beaches are north or south of the downtown area they will continue to seek some demand, but he thinks people want to be more where the action is.

Councilwoman Moss thought that Vice Mayor Young was referring to population growth within the County. The City might not grow, but the County will.

Mr. Taxman said they would make some assumptions regarding future growth. They will work with the Planning and Development Department at looking at this.

Councilwoman Moss noted another thing to look at is considering growth in tourism.

Mayor Zudans stated that they intended all along that they would go with Phase 2, but thought that it would be prudent to find out the results of Phase 1.

Mr. Howle thought that they would be focusing on Phase 2 during peak season. He asked if that means waiting until next season.

Mr. Taxman answered no. He said the counts have already been conducted and will be included in Phase 2. He would anticipate reporting back to Council in 90-days. He said it depends on the scheduling of public meetings. The information would be provided to the City to put on the City's website.

**Mr. Howle made a motion to approve moving forward with Phase 2 of the Beachside Parking Study at a cost of \$39,940. Councilwoman Moss seconded the motion and it passed unanimously.**

Mr. Falls commented that he felt it was important to do Phase 2. They did Phase 1 to get the data collected during the season. In order to solve the problem they will need to implement some of these solutions that are brought to them and everyone is not going to agree on all of the things and they will need to find what they think is most palpable.

## **9. CITY ATTORNEY MATTERS**

Mayor Zudans commented that he met with the City Manager and the Police Chief about the pan-handling problem that is occurring in Vero Beach and he is very interested in adjusting their policy similar to what Gainesville has.

Mrs. Marchman said that she would be happy to provide them with the policy that Gainesville is presently using.

## **10. PUBLIC COMMENT (3-minute time limit)**

Mrs. Christine Collings brought up the issue of the five (5) towers located in Vero Beach. She wanted to know who allows them to go up and who she needs to speak to regarding them.

Mayor Zudans explained to Mrs. Collins that this was beyond the control of City government.

Mrs. Collings brought up that placing a tower close to a school is distractful for students and they sometimes have a hard time concentrating. She asked who determines where these towers will go.



8-A)

## DEPARTMENTAL CORRESPONDENCE

TO: Monte K. Falls, PE, Interim City Manager  
DEPT: City Manager

FROM: Matthew. T. Mitts, PE, Assistant City Engineer *MTM 5/14/19*  
DEPT: Public Works

DATE: May 14, 2019

RE: **Beachside Parking (2018-13)**  
**Parking Study**  
**Cost (\$39,940)**

### Recommendation:

- Place this item on the Agenda for the May 21, 2019 Meeting of City Council along with a 10-minute presentation by the consultant;
- Provide direction to staff on whether the Council wishes to move forward on Phase 2 of the study at a cost of \$39,940.

### Background:

At their March 5, 2019 meeting, the City Council directed staff to move forward with Phase 1 of the parking study in an amount of \$31,010.

The City's consultant, Kimley-Horn Associates (KHA), conducted a field survey of parking utilization for public and private facilities in the Oceanside Business District area (OBA) the week of March 13, 2019. The study found that peak parking demand was on weekdays from 12 to 2 PM. Public off-street parking lots and Ocean Drive on-street parking are being fully utilized while some excess capacity exists for Cardinal Drive on-street parking. Private parking lots are not being fully utilized and have a surplus of over 600 spaces during peak periods.

Phase 2 of the work consists of tasks 5 through 12 for a fee of \$39,940. Phase 2 focuses on the solutions available to the City and would include accounting for future growth, structural solutions along with their costs (such as parking garages or on-street parking improvements), private/public partnerships, ordinance modifications to reduce future problems, a public charrette process that identifies the opinions and solutions favored by local stakeholders, and options for funding future improvements. Phase 2 would conclude with a presentation and report to Council.

**Funding:**

The cost for Phase 1 was \$31,010 and Phase 2 would cost \$39,940 and bring the total cost for the study up to \$70,950.

If Council approves the work order, it would be funded under General Fund Non-Departmental 'Professional Services' (Account Number 001.9900.518.331001). Funding for this work order was not part of the adopted FY 18-19 General Fund budget. If the total FY 18-19 General Fund Non-Departmental budget is not sufficient to cover the cost, then it can be included in a subsequent budget amendment.

Cc:

Attachments

MTM:MKF

V:\Public Works Projects\2018\2018-13 Beachside Parking\DOCS\MKFalls\_May 14 2019 Agenda Item - Beachside Parking.docx

# Vero Beach Parking Study Phase I - Existing Conditions

Vero Beach, FL

May 14, 2019



Kimley » Horn

Expect More. Experience Better.

# Existing Parking Policies



- Free Public Parking
- 2-Hour Time Restrictions On-Street and Off-Street (Humiston Beach Park lot and Beachland Blvd. Lot), except along Cardinal Drive (3-Hour) between 8 am – 6 pm
- No time restrictions in three public parking lots
- No on-street parking along residential streets
- Previously offered remote employee lots with shuttle service at Riverside Theatre for Vero Beach Hotel and Spa
- Valet parking provided at various hotels
- Private parking restricted to visitors/employees of associated business

# Existing Parking Zoning Policies



- **Overlay District** (Cardinal Drive/Ocean Drive) with reduced requirements for residential and retail
- **Off-street parking minimums** for new construction, expansions, new use, or change in occupancy
- **Reduction of off-street parking** for abutting **on-street spaces**, but only for privately-built on-street spaces in Overlay District
- **Shared parking** reduction using either calculation matrix in Zoning, ULI Shared Parking model, or shared parking agreement with off-site parking (public or private)
- **Parking agreements** required for any off-site parking involving two different property owners
- **Valet and tandem parking** policies

# Benchmark Analysis of Parking Requirements

Land Use	Fort Pierce	Winter Park	Delray Beach	St. Armands, Sarasota
Residential	1.5 to 2 per unit Overlay: 1 per unit	2 to 2.5 per unit	1 to 2 per unit	1 to 2 per unit
Retail	4 per ksf Overlay: 3.33 per ksf	4 per ksf	4.5 per ksf CBD: 2 per ksf	4 per ksf
Restaurant	5 to 13.33 per ksf	20 per ksf	12 to 15 per ksf CBD: 6 per ksf	6.6 per ksf
Office	3.33 per ksf	4 per ksf	3.5 to 4 per ksf CBD: 2 to 3.3 per ksf	2.85 per ksf
Hotel	1.25 per room + ½ to ¾ accessory use minimums	1 per room + accessory use minimums	0.7 per room + 1 per 800 sq. ft. of mtg. rooms and shops	1.1 per room + accessory use minimums CBD: 0.5 per room



# Parking Supply/Demand Analysis

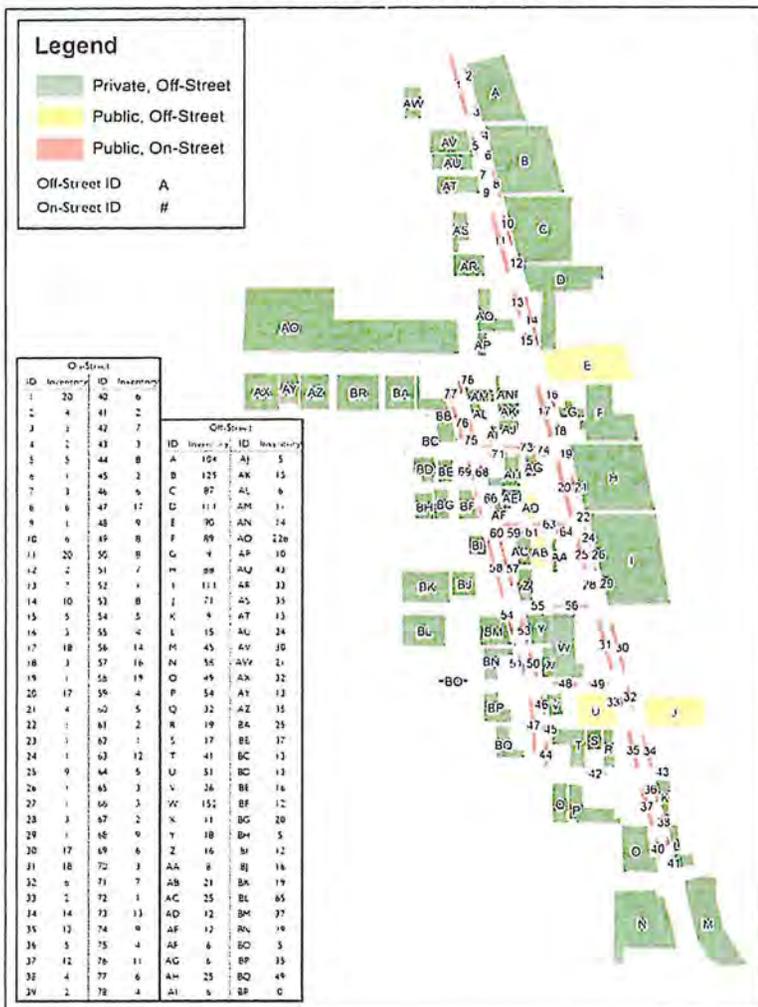
- Analyzed all Public and Private On and Off-Street Parking in Study Area
  - Comprehensive survey of more than 3,000 spaces, including more than 750 public spaces
- Analysis of Peak Parking Occupancy and Surplus/Deficit
- Parking Inventory by Facility and Space Type
- Conducted Parking Occupancy Counts Over a 5-Day Period
  - Wednesday, March 13<sup>th</sup> to Sunday, March 17<sup>th</sup> between 10am and 6pm



## Study Area - Vero Beach Parking Study

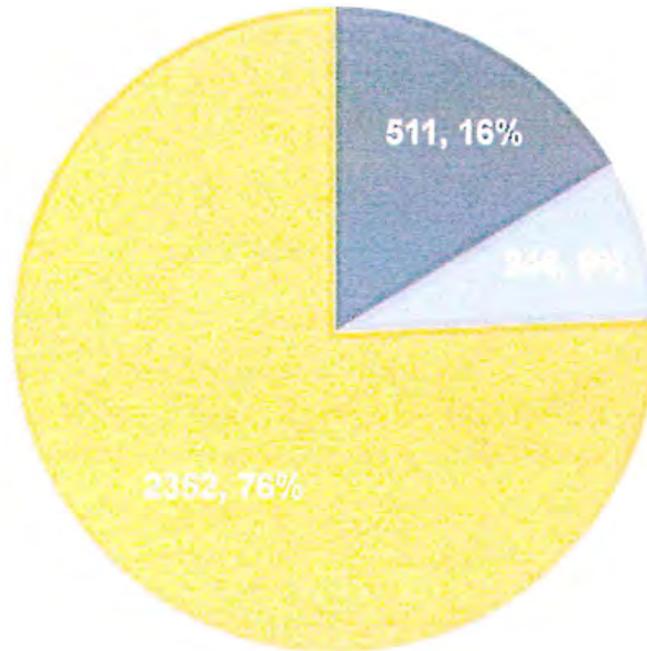
### Public & Private Parking, On and Off-Street

Study  
Area



# PARKING INVENTORY

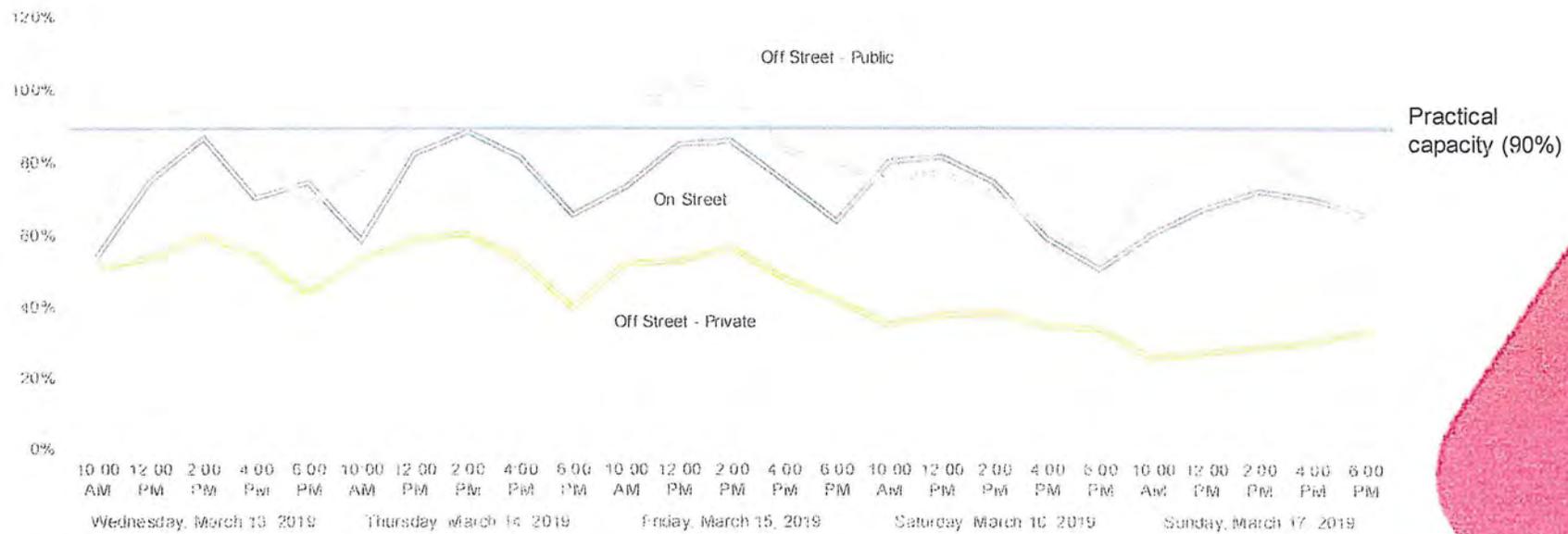
■ On Street   ■ Off Street - Public   ■ Off Street - Private



Total of 3,108 spaces surveyed

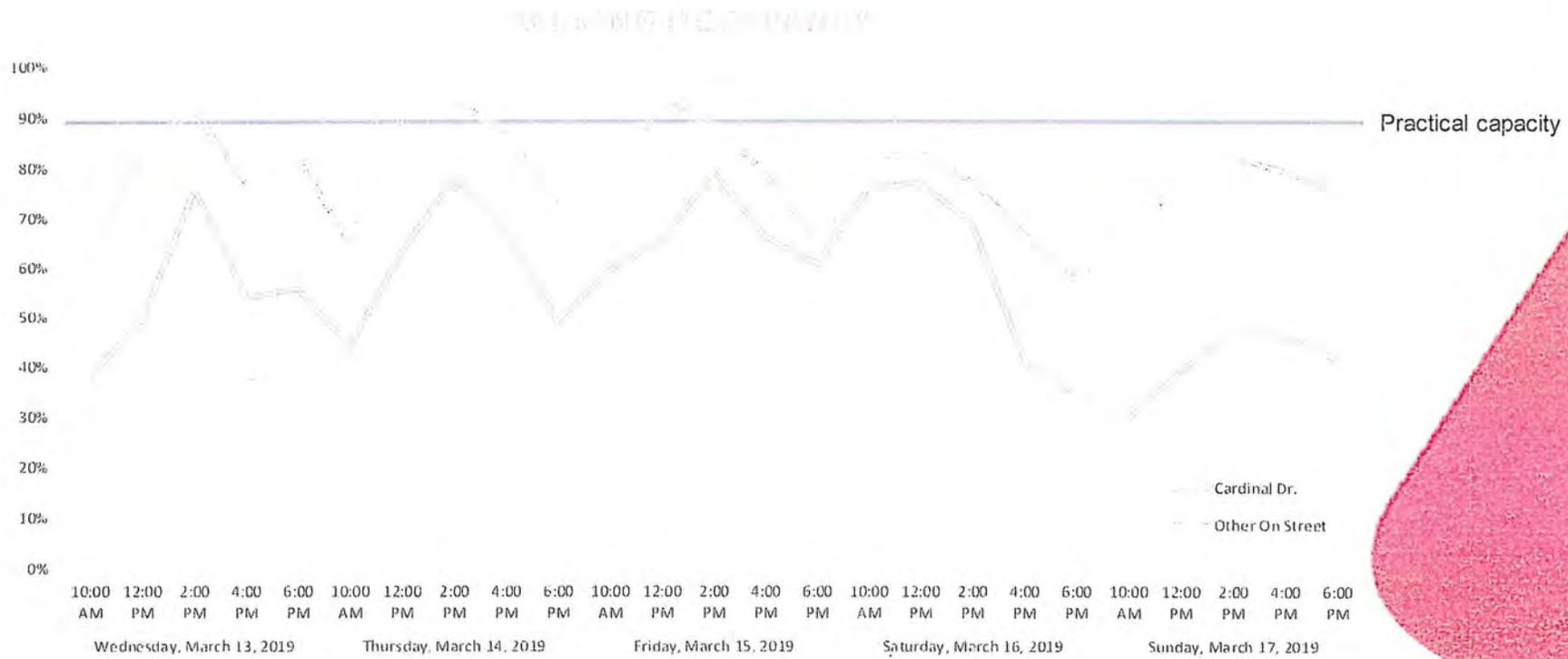
Majority of the parking (76%) is privately owned

## Parking Occupancy During Study Period



**System-Wide Peak occurred on Thursday, March 14, 2019 at 2 P.M.**

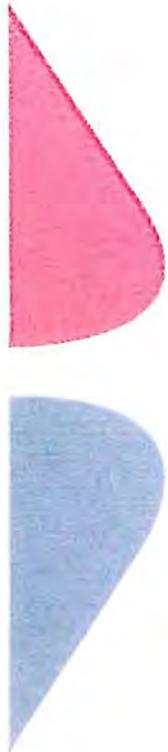
# On-Street Parking Occupancy During Study Period



**Cardinal Drive is less occupied than Ocean Drive and other On-Street areas**

# Parking Occupancy Counts

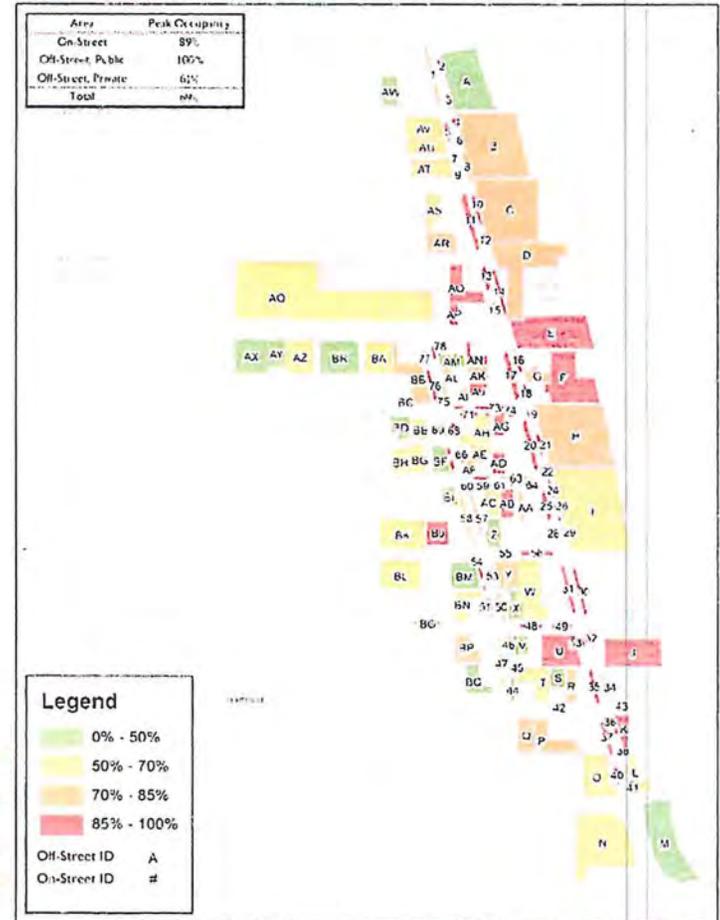
## Thursday, 2 P.M. (Peak Period)



**On-Street Public Occupancy: 89%**  
**Off-Street Public Occupancy: 100%**  
**Off-Street Private Occupancy: 61%**  
**Total Occupancy: 69%**

# Parking Occupancy - Vero Beach

## Peak Period - Thursday, March 14 - 2:00 PM

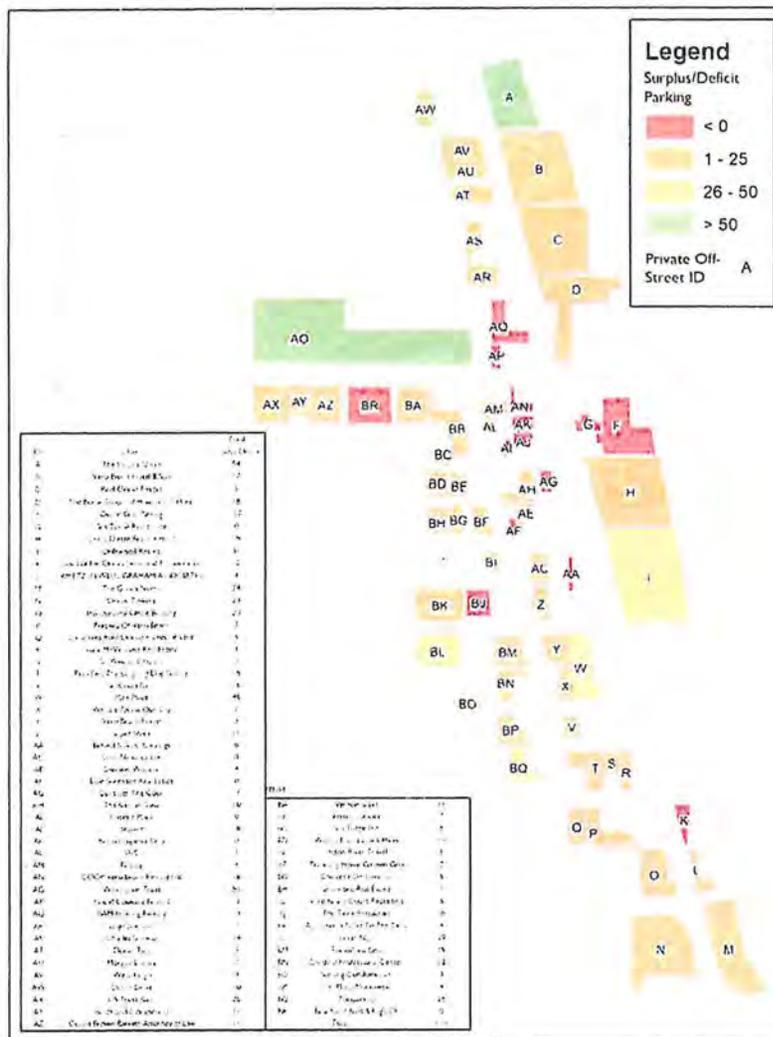


## Private Parking Surplus / Deficit - Vero Beach

Peak Period - Thursday, March 14 - 2:00 PM

# Private Parking Surplus/Deficit

Thursday, 2 P.M.  
(Peak Period)

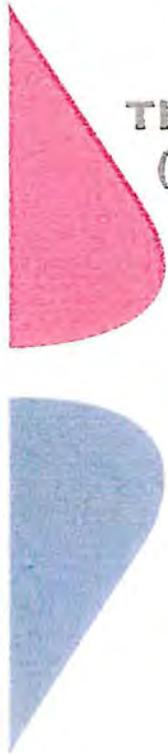


ID	User	Total Surplus/Deficit
A	The Vilages Spires	54
B	Vero Beach Hotel & Spa	17
C	Reef Ocean Resort	5
D	The Bottle Shop and Holiday Inn Hotel	18
F	Ocean Grill Parking	-17
G	Sea Turtle Real Estate	0
H	Costa D'este Beach Resort	19
I	Driftwood Resort	31
K	Side Lot On Ocean Drive and Flamevine Ln	-2
L	KMETZ, ELWELL GRAHAM ASSOCIATES	4
M	The Gavles North	24
N	Ocean Towers	23
O	International Office Building	20
P	Portales Of Vero Beach	7
Q	Lot across Polo Del on Flamevine Lane	5
R	Alex McWilliams Real Estate	4
S	St. Powells Church	11
T	Polo Del/The Laughing Dog Gallery	16
V	SeaCoast Bank	16
W	Park Place	46
X	White's Tackle Outfitting	7
Y	Vero Beach Florist	3
Z	Super Stock	11
AA	Behind Stores/ Carvings	0
AC	Stefel Nicolaus Lot	8
AE	Sherwin Williams	4
AF	Dale Sorensen Real Estate	0
AG	Consider The Cook	-7
AH	The Center State	10
AI	Casey's Place	0
AJ	Sequim	-8
AK	Rebio Property Only	0
AL	UPS	1
AM	Fidelity	6
AN	COOP Vero Beach Parking Lot	-6
AO	Wilmington Trust	83
AP	Gould Cooksey Fennell	-1
AQ	BAM Building Parking	-3
AR	Leigh Jewelers	7
AS	Charles Schwab	14
AT	Ocean Tiles	3
AU	Morgan Stanley	7
AV	Wells Fargo	9
AW	Ocean Drive	10
AX	US Trust Bank	20
AY	Beachland Commercial	11
AZ	Collins Brown Barkett Attorney at Law	11

BA	Vernon Scott	11
BB	Vero Insurance	7
BC	Sea Turtle Inn	6
BD	William Frates Law Offices	11
BE	Indian River Travel	6
BF	Trimming Home Garden Gifts	7
BG	Chelsea's On Cardinal	6
BH	Shamrock Real Estate	1
BI	Vero Beach Court Reporters	6
BJ	The Tides Restaurant	-6
BK	Apartments Next To The Tides	6
BL	Level Yoga	29
BM	Pomodora Grill	19
BN	Cardinal Professional Center	12
BO	Sterling Condominium	3
BP	Dr. Philip Martowski	4
BQ	Toqueville	26
BR	Beachland Blvd & Eagle Dr	0
<b>Total</b>		<b>655</b>

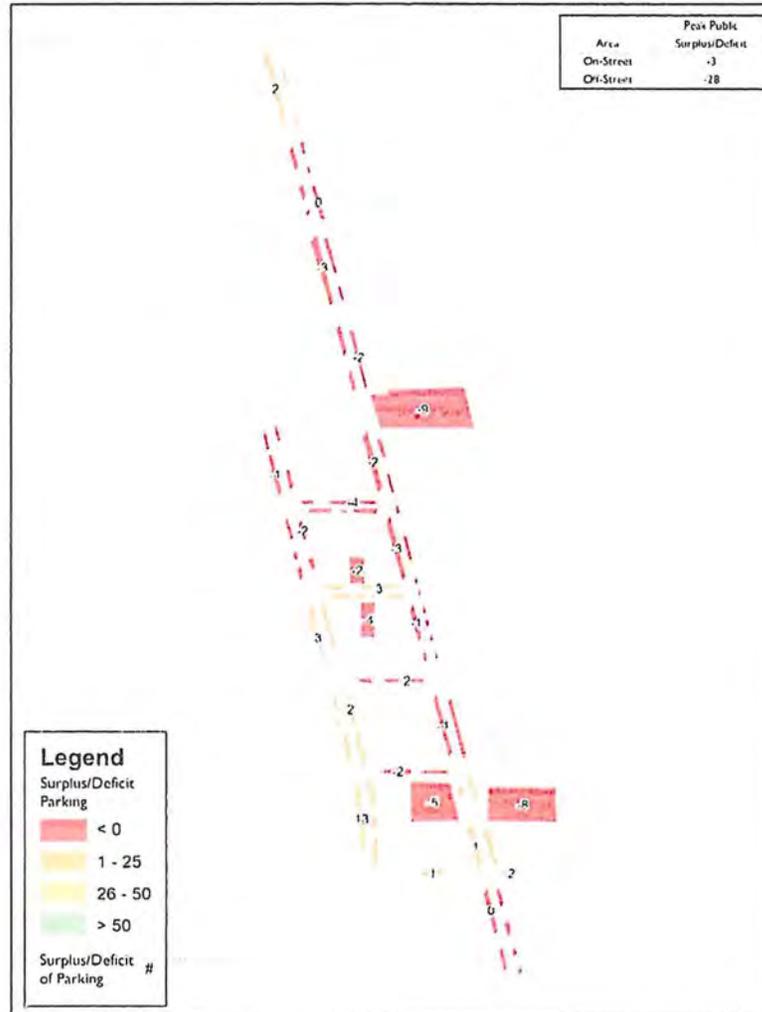
# Public Parking Surplus/Deficit

Thursday, 2 P.M.  
(Peak Period)



## Public Parking Surplus / Deficit - Vero Beach

Peak Period - Thursday, March 14 - 2:00 PM



# Surplus/Deficit Analysis

- Assumed an **90% capacity factor** for peak parking surplus/deficit analysis
- **Surplus of 655 private parking spaces** during peak period
- **Deficit of 31 public parking spaces** during peak period
- Potential to implement shared parking agreements to unlock the capacity available in private parking facilities and make it available to the public



# Conclusions

- Peak times are during a weekday afternoon (approx. 11am – 3pm)
- Public parking is well utilized with minimal capacity during peak period
- Potential available capacity in private parking facilities which could be unlocked with shared parking agreements
- Possible opportunities to offer on-street parking within study area
- Opportunity to abuse public parking by employees
- No incentive for short-term visitors to use off-street private parking and may unnecessarily use free public parking
- Opportunity to charge for public parking to fund parking and streetscape improvements
- Minimal long-term (i.e. 4+ hrs) parking options available

# Next Steps

## Phase II of Parking Study (if approved)

- Future Parking Demand Analysis
- Parking Supply Improvements
- Parking Policy and Management Best Practices
- Charrette with Business Stakeholders
- Public Workshop
- Report
- City Council Presentation

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The City Clerk read the Ordinance by title only and reported that the public hearing on this Ordinance will be heard on November 4, 2019.

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

- C) **An Ordinance of the City Council of the City of Vero Beach, Florida, Deleting subpart (B)(1) "Alarm Systems" from Chapter 2, Section 2-262 City Code; Amending City Code, Chapter 34 Emergency Services; Deleting and Replacing Article II Alarm Systems of Chapter 34 Emergency Services, Providing for Definitions, Creating Position of Alarm Administrator, Registration of Alarm Systems, a Regulatory scheme for administering and managing the City's response to Alarms, Duties of Alarm Users and Alarm Installation and Monitoring Companies, Establishing Methods for setting Fees, Fines and an Appeal Process, and Providing for other matters properly relating thereto; Providing for Codification; Providing for Conflict and Severability; and Providing for an Effective Date. – Requested by Police Chief**

The City Clerk read the Ordinance by title only and reported that the public hearing would be heard on November 4, 2019.

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

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

The City Clerk read the Resolution by title only and reported that the public hearing would be heard on November 4, 2019.

**7. CITY CLERK MATTERS**

The City Clerk went over the openings that the City currently has on some of their Boards/Commissions.

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

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

Mr. Matt Mitts, Public Works Director, stated that the consultant from Kimley Horn was here today to present their findings on the Beachside Parking study.

Mr. David Paxton, of Kimley Horn, stated that he was at their May 21, 2019 City Council meeting where Council directed them to move forward with Phase II of the Beachside Parking study. Phase II explored possible solutions along with obtaining community

~~input at public meetings. Workshops were held on September 24, 2019 at the Holiday Inn on Ocean Drive. He has prepared solutions based on their professional judgment, experience with other municipalities dealing with parking problems, and local community input. Solutions are identified in short (0-2 years), mid-term (3-5 years), and long term (5-10 years) time frames. Once he receives direction from Council today they will prepare a draft report that can be used as a planning tool for the City to begin improvements and that will be incorporated into the final report. He asked for Council's feedback today. He gave a Power Point Presentation (attached to the original minutes). Questions and answers took place during his presentation.~~

A brief discussion about having a shared parking garage took place.

Mr. Paxton discussed on street parking where they would pick up an additional 79 on-street parking spaces in front of commercial and multi-family residential buildings and they were looking at about \$400,000 to be able to do this, which he said is about the same amount of parking spaces they would get if they were to construct a parking garage.

Mr. Howle liked the on-street parking solution including the LPR system, which would probably be the quickest way to add incentive for quality enforcement and also create the parking spaces that they need. He felt that would be an immediate solution.

Councilwoman Moss said that sounds good and asked if there was a budget for it.

Mr. Falls said that is the elephant in the room. The cost to do the project is \$400,000 and it has not been budgeted.

Mayor Zudans asked why does it cost \$400,000 do that. Mr. Paxman said because it is curb and gutter. Mayor Zudans suggested parking on the grass.

Mr. Falls said if they did that they are talking about all this parking that will be high use and high intensity uses. He said if you have a parking lot that is not used too much you could have unpaved parking, but if it is going to be frequently used their Code requires that it be paved.

Councilwoman Moss asked if they used it where a single car was parking there all day long how would that usage work out.

Mr. Paxton said that the next step would be to issue a draft report and then they will have another opportunity to review the draft report before the final report is presented.

Mr. Brackett wanted to hear more about on-street parking. He thought it was a great idea to have parking on the side streets. They also talked about different times allowing for parking (3 hour, 4 hour, etc.), and he wanted to hear more about that. He said the big problem area is to the north where they have a couple of hotels and there is not any all day parking in that location. It is all on-street parking. He wanted to see which streets

~~would be used for all-day parking and which streets would only allow so many hours for someone to park there.~~

Mr. Howle commented that the current income from parking infractions is currently about \$100,000. He was wondering if having the LPR could at least double that efficiency then that portion would more than pay for itself. Then the only costs that they would have to worry about is the new off site parking.

Mr. Jeffries reported that the Code requires everything except single family homes off street parking must be surfaced. They can use an alternate material if they can confirm there is no soil erosion or dust. He said that kind of parking is usually used for overflow parking for churches.

Mr. Howle asked when they are talking about shared parking agreements, specifically for parking, does that have any influence on construction shared parking agreements.

Mr. Jeffries said those are two (2) separate items.

Mr. Falls commented that they need to find some new terminology. He said the shared parking agreements that they refer to in their Code is a tool to use for zoning and development. They are talking about parking agreements between the City and a private group to be able to be made available for everyone.

Mr. Paxton felt they were talking about both ways. The City's role might be to help facilitate those agreements between private properties for parking spaces. The other part is making parking available to the public as well. Either way it is addressed it will solve the problem because it will get the employees off the street and make parking available for the public.

Vice Mayor Young asked Mr. Paxman if he included in his counting of parking spaces the lot south of Laughing Dog. He knows there are potential spaces there that can be used.

Mr. Paxman said those spaces were included.

Vice Mayor Young asked Mr. Paxton if he factored in the demand for those that are only interested in going to the beach.

Mr. Paxman commented that the incentive for someone going to the beach would be that they probably would be staying a little longer and would want to park in an off street lot.

Vice Mayor Young thought if they had a City agreement for the Laughing Dog lot people going to the beach could use that parking lot.

Vice Mayor Young asked Mr. Paxman if he was satisfied with the feedback that he received when holding the workshops.

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Mr. Paxman answered yes. He said that there was fruitful and good discussions that took place.

Vice Mayor Young commented that golf carts is a strategy that may be beneficial.

Mr. Paxman asked if the golf carts have license plates on them.

Mayor Zudans explained that there are some areas in the City where people are allowed to drive a golf cart on City streets. He agreed with allowing people to drive golf carts on City owned streets where the speed limit is below 25 mph. He asked Mr. Paxman if they could establish more parking if more people were using golf carts.

Mr. Paxman said he hasn't dealt with golf carts too much, but if it was something they could implement with the Code then it can be looked at.

Vice Mayor Young brought up the idea of people selling parking spaces like it is done at football games. He wondered if they could integrate that idea for the deep demand times.

Mr. Paxman said the most premium parking lot would be the one right in front of the beach so they could start by implementing paid parking there and see how well it is utilized.

Mayor Zudans felt that most City Councils' would be against any type of paid parking, which is what the community wants. He thanked Mr. Paxman for putting this all together. He was happy that they have found so many parking spaces on the side streets. He did not think that they should be spending money on garages or dealing with paid parking or shuttles, etc. Like what Mr. Paxman has suggested they get those 79 parking spaces as inexpensively and quickly as they can. Then get the LPR systems in place. Then let the private companies try to find parking spaces for their employees knowing that they can't "game" the system anymore and it will take care of itself. He does not think that they should do anything more than that.

Mr. Brackett brought up millings for alternative ways to use a parking lot.

Mr. Falls explained that the City has never forced any of these off street parking places to provide parking because they looked at the businesses to maintain the right of way between their property and the street. If they are going to do something different and build these parking spaces then the City would be responsible to take care of them. He said millings are a great product, but they are not a finished looking product. If they want it to be the finished look then it needs to be curb and gutter. He said there is no budget to do this project. They are looking at about half a million dollars in these short term improvements that have to be funded from somewhere. These improvements benefit a geographical area and they need to talk about if they want that geographical area to bare the costs or do they want the general taxpayer to bare the costs. He said that is a tough policy decision where he will be looking for some direction.

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Mayor Zudans commented that this is basically an infrastructure capital project so it will not be coming out of the operation budget and can come out of capital funds, which they do not have a shortage with.

Mr. Falls explained that they do have about \$3 million of unfunded capital projects in the five (5) year capital plan. He is not opposed to putting this project in that capital funding, however this serves a geographical area.

Mayor Zudans thought that was ridiculous. He said that these people are paying taxes just like everyone else. He felt this was a capital expenditure and high on the list of important projects and that is where the money to fund it should be coming from.

Mr. Brackett agreed that this was a very important issue and has been talked about for years. They need to address the issue and find a way to fund it.

Mr. Howle commented that he has said from the beginning that they needed to have a professional parking engineer look at their situation and do whatever they indicate needs to be done. He said this needs to be done now and not 20 years from now.

Councilwoman Moss asked Mr. Paxman if he could come back to them with different cost proposals for the on-street parking.

Mr. Paxman said the numbers they are seeing, such as the \$400,000 are planning numbers on what they feel it would cost to do these types of improvements.

Mr. Falls commented that they have done these types of programs where the City pays a portion of the costs and the property owners pay a portion of the cost based on the benefit derived. He said that is an alternative. He said if Council wants to take the money out of the 304 Funds they can slide some projects around and find a way for this to be done. He just wants to have this discussion because this is not the only place in town that they are going to have parking issues where they are going to be looking for solutions and this will be the model.

Mayor Zudans said that he was not a fan of special tax assessments. This is a higher priority to him than some of the other capital improvements so they must decide what project they want to fund and he would move this project up on the list.

Vice Mayor Young agreed that was a discussion that they will need to have. He said there is a lot of infrastructure that has been declining over the years and do they want to address those needs.

Mayor Zudans stated that you have to pick your priorities if you have limited resources.

Mr. Paxman commented that the next step would be for him to send a draft report for Council to review and provide any additional comments.

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Councilwoman Moss asked with the shared parking will he be making specific suggestions in regard to sites that may be amendable to that concept.

Mr. Paxman explained the two (2) sights as shown in the presentation are the most advantageous. He said these are recommendations that have to be championed by the City.

Mr. Miguel Duran told the Council how they handled parking problems in Miami where he lived for many years.

Mrs. Nancy Cook commented that the whole issue they are discussing is that they do not have enough parking spaces. She despises license plate readers. She has five (5) employees and asked where are they going to park. Mayor Zudans commented that they have suggested adding 79 more parking spaces. Mr. Howle asked where do her employees park now. Mrs. Cook said that they park and move their cars because parking spaces are being taken up by hotel employees. She noted that at one time she hired Gladding Jackson to help find parking spaces and they come up with Cardinal Street middle (center street) parking and the reason it was not considered was because of the turning radius.

Mayor Zudans felt that Mrs. Cook might be onto something. He said that they need to look into center-street parking.

Mrs. Cook commented that when peak season arrives there is no place for people to park. She brought up getting tourist tax dollars. Mayor Zudans told her that the County controls those dollars.

Mrs. Linda Moore, owner of Kilted Mermaid, commented that in downtown they are having their own parking problems. She agreed with having the City enter into partnership agreements with people that have these lots and indemnify them and then you could turn around and sell parking tickets and then the businesses pay for those parking stickers for their employees. She was looking to see what Council does with this situation because the downtown area is struggling as well.

Mr. Jay Miller suggested when doing the survey to consider where people were parking. He questioned if they figured four (4) different people working and where they park.

Mr. Joseph Guffanti felt that the City Manager brought up a good question and that is who is going to pay for this. He doesn't like idea of the City asking him to help pay for what is going on in that area. He feels it is over built. If there is a parking shortage he doesn't know about it because he doesn't go over there. He doesn't feel you should ask the general taxpayers to pay for the problem that other people created. He didn't create the problem. He didn't put the buildings over there. He said the best thing they could have done was to not allow commercial development on the barrier island.

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~~Mr. Brain Heady commented that he has been in Vero Beach for almost 30 years and~~ when he first moved here there was a parking problem. But, at that time the parking problems was too many empty parking spaces. Now, it is a good thing that they have a lot of people going there. He recalled the parking fund and the money was given back to those who contributed to it. How about they do this again and have the businesses return the money and that might end the budget problem. With today having ubers they probably don't have the problems that people think they have. He has always been able to find a parking space within a block of where ever he goes. He said if they are going to spend tax dollars then the overlay district is the best idea.

Ms. Cindy Swartz stated that she attended the workshop to discuss the parking and was impressed that the consultant came up with 79 parking spaces. She used to work on the beach when there wasn't any parking problems. She liked the idea of parking stickers and thought that it was viable. She will never vote for paid parking. It has to be free. In the workshop they talked about the garage and a sales tax so that way everyone would have to pay for it. She hasn't heard the discussion of how far do people want to walk.

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

Mr. Jeffries commented that the Planning and Development Department is requesting direction from the City Council regarding the appointment of a Steering Committee for the "Three Corners Site Planning and Design Process." As proposed in the contract with DPZ CoDesign, the City Council is to appoint a 10 to 12 member Committee. The Committee will guide DPZ through the planning and design process for the "Three Corners Site" and should be representative of the different viewpoints in the community regarding the development of the site. The Committee will inform and guide DPZ with the development of the five (5) scenarios for the site and guide the finalization of the plan, prior to final approval by City Council. DPZ CoDesign is to provide a facilitated planning and design charrette process that involves the engagement and participation of the community in the creation and evaluation of alternative development scenarios for the three (3) City-owned properties. The development of the five (5) scenarios will occur at a weeklong charrette in January 2020 at the Community Center in Pocahontas Park, where the community will be invited to participate in the design process. To ensure the Committee is established by the time of the kick-off presentation by DPZ CoDesign at the November 19<sup>th</sup> City Council meeting, the City needs to start accepting applications for the Steering Committee and have the Council appoint the Committee in November.

Councilwoman Moss commented that she feels that the City Council is the Steering Committee and she has said that before. She said they don't want a lot of other people interfering. She recalls that there have been people that come to the podium and say that they are speaking for others, then another person follows and says the previous person does not speak for others. It should be made clear that he or she is speaking for themselves and not for someone else. Councilwoman Moss said the most objective measure is that you run for office and you get elected or you don't and that is very



## DEPARTMENTAL CORRESPONDENCE

TO: Monte K. Falls, PE, City Manager  
DEPT: City Manager

FROM: Matthew T. Mitts, PE, Director  
DEPT: Public Works

DATE: October 7, 2019

RE: Beachside Parking Study Proposed Solutions Presentation  
(PW Project #2018-13)

### Recommendation:

- Consultant to deliver presentation on findings of study. Place this item on the City Council's agenda for October 15, 2019. Provide feedback to consultant, Kimley-Horn and Associates, for their final report.

### Funding:

Funding for the beachside parking study is from the non-departmental professional services account no. 001.9900.519.331001. The total cost for both phases of the parking study is \$70,950.

### Background:

At their May 21, 2019 meeting, the City Council directed our consultant, Kimley-Horn, and staff to move forward with Phase II of the beachside parking study. Phase II explored possible solutions along with obtaining community input at public meetings. Workshops were held on September 24, 2019 at the Holiday Inn on Ocean Drive.

The consultant has prepared solutions based on their professional judgment, experience with other municipalities dealing with parking problems, and local community input. Solutions are identified in short (0-2 years), mid-term (3-5 years), and long-term (5-10 years) time frames.

Direction from Council is requested on these solutions so Kimley-Horn can prepare a final report that can be used as a planning tool for the City to begin improvements.

Analysis:

Strengths: This study provides the City with meaningful input on existing conditions and possible solutions. While no silver bullet exists to solve our parking problems, this study provides context to analyze all of the pros and cons of various solutions in one document.

Weaknesses: Proposed solutions may require new funding sources to offset impacts to the City's current 'soft-landing' budget goals and existing missions.

Opportunities: This study provides the City with an external perspective from a consultant who has provided solutions to municipalities similar to the City. The City has explored some of the proposed solutions on an individual basis in the past, but without a comprehensive plan that includes short, mid, and long term goals. While no solution will likely garner support from 100% of the community, individual solutions may be more favorably supported if they are part of a larger plan.

Threats: The population of the County continues to grow and the City's assets in the beachside area include a unique blend of public and private uses that are an anchor for tourism and local residents. Parking problems left unchecked negatively impact the ability of residents to utilize our parks and local businesses to draw customers.

Cc: Jason Jefferies, Planning Director

Attachments

MTM

V:\Public Works Projects\2018\2018-13 Beachside Parking\DOCS\Tx\_MFalls\_Agenda Item October 15 2019.docx

8-A)



**City Council Agenda Item**  
**Meeting of October 15, 2019**

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**TO:** The Honorable Mayor and Members of the City Council

**FROM:** Monte K. Falls, P.E. - City Manager *MKF*

**DATE:** October 7, 2019

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**SUBJECT:** Beachside Parking Study Proposed Solutions Presentation – PW Project #2018-13 - \$70,950

**REQUESTED BY:** City Manager/Public Works Department/Kimley-Horn and Associates

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The following is requested as it relates to the above-referenced agenda item:

- Request Council review and approval based on the attached supporting documentation.
  - No action required. (Information only)
-

# Vero Beach Parking Study

Vero Beach, FL

October 15, 2019



Kimley » Horn

Expect More. Experience Better.

# Study Area - Vero Beach Parking Study

Public & Private Parking, On and Off-Street

**Legend**

- Private, Off-Street
- Public, Off-Street
- Public, On-Street

Off-Street ID: A  
On-Street ID: #

Off-Street ID	On-Street ID	Facility Name	Capacity
1	1	1	1
2	2	2	2
3	3	3	3
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6	6	6	6
7	7	7	7
8	8	8	8
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96	96	96	96
97	97	97	97
98	98	98	98
99	99	99	99
100	100	100	100



## Parking Supply and Demand Analysis

Analyzed all Public and Private On and Off-Street Parking in Study Area.

- Comprehensive survey of more than 3,000 spaces, including more than 750 public spaces

- Analysis of Peak Parking Occupancy and Surplus/Deficit

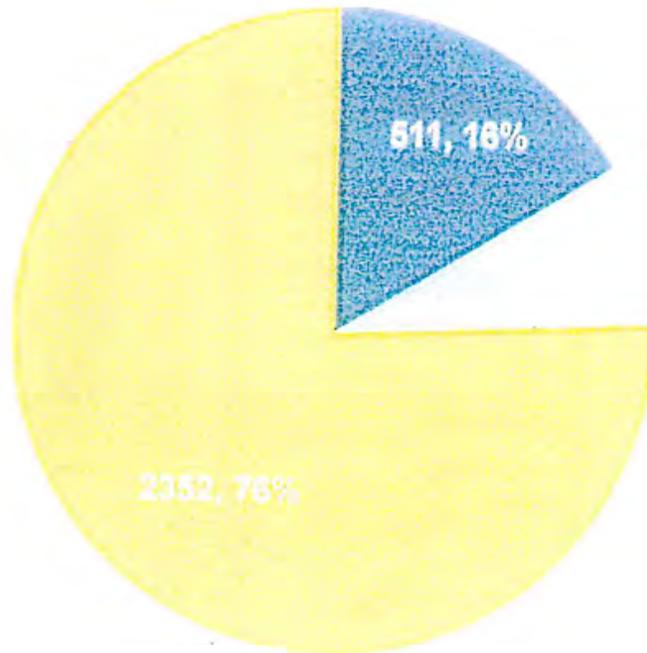
- Parking Inventory by Facility and Space Type

- Conducted Parking Occupancy Counts Over a 5-Day Period (Peak Season)

- Wednesday, March 13<sup>th</sup> to Sunday, March 17<sup>th</sup> between 10am and 6pm

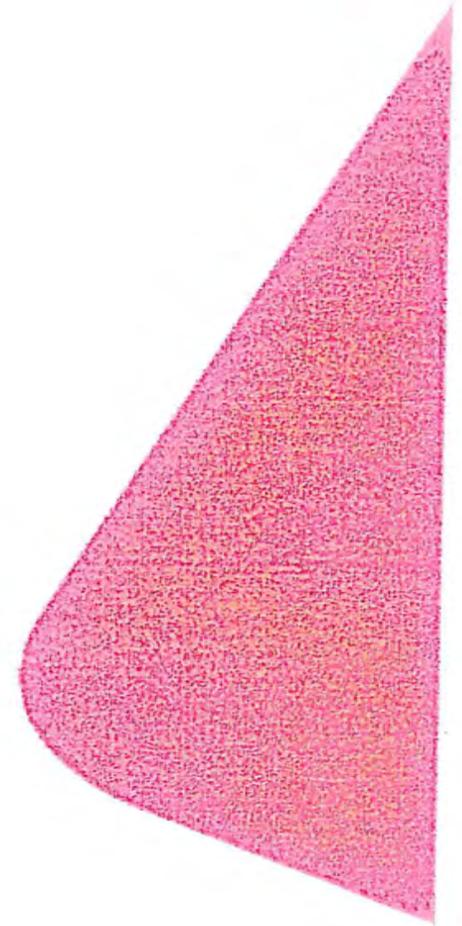
# PARKING INVENTORY

City-owned    Private    Public    10-wheel    Large

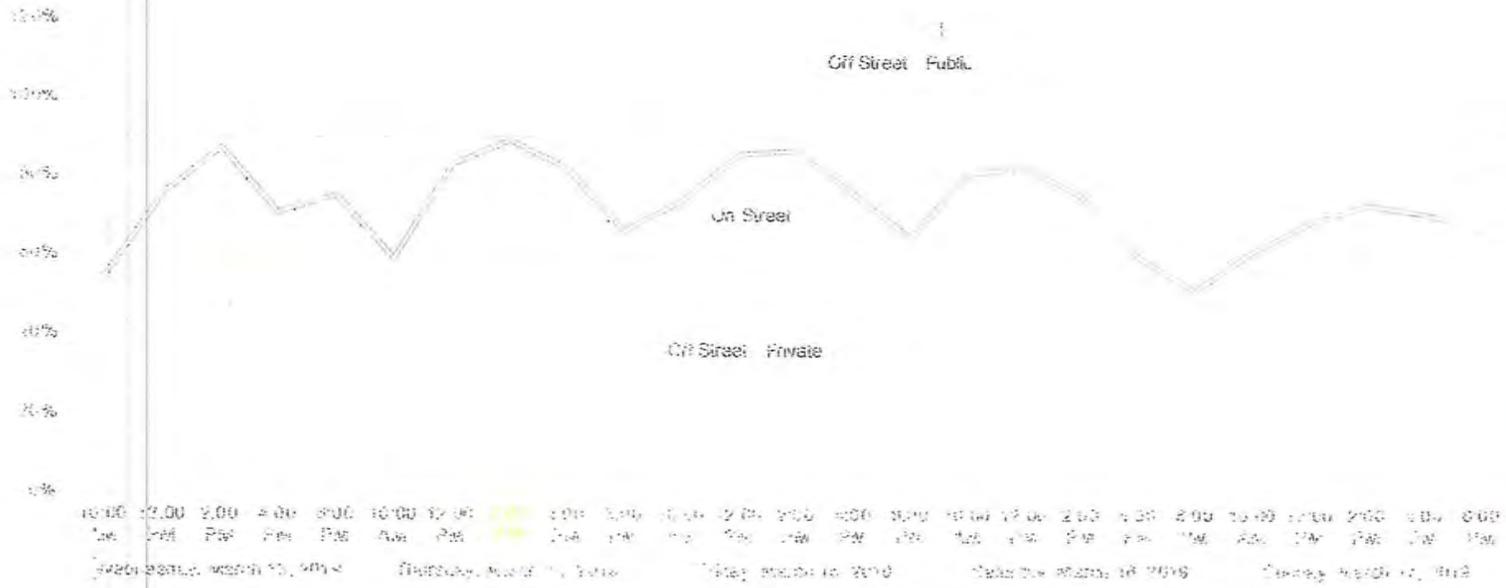


Total of 3,108 spaces surveyed

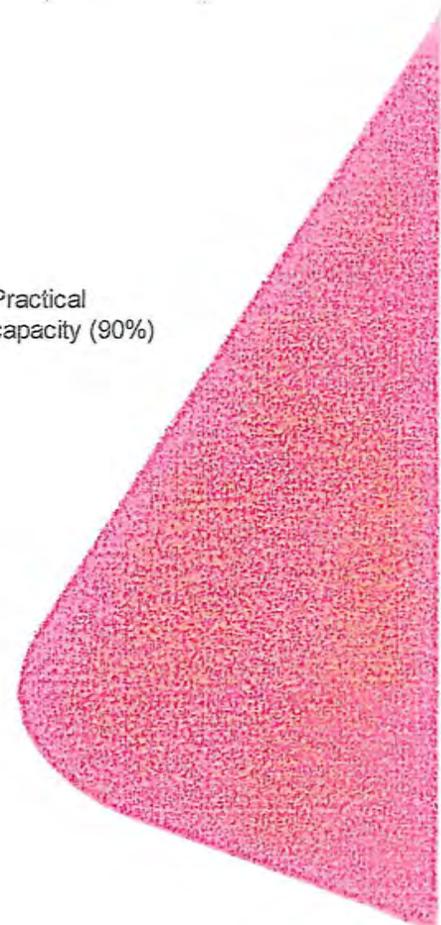
Majority of the parking (76%) is privately owned



# Parking Occupancy During Study Period



Practical capacity (90%)



System-Wide   occurred on Thursday, March 14, 2019 at 2 P.M.



### Parking Occupancy - Vero Beach

5 Year Growth  
Peak Period

### Parking Occupancy - Vero Beach

10 Year Growth  
Peak Period

## Future Parking Demand Analysis

### Public Parking Deficit

5-Years: 101 spaces

10-Years: 158 spaces

### Private Parking Surplus

5-Years: 498 spaces

10-Years: 379 spaces



Area	Peak Occupancy
On-Street	96%
Off-Street, Public	108%
Off-Street, Private	66%
<b>Total</b>	<b>74%</b>

Area	Peak Occupancy
On-Street	104%
Off-Street, Public	117%
Off-Street, Private	71%
<b>Total</b>	<b>80%</b>

gend

- 0% - 50%
- 50% - 70%
- 70% - 85%
- 85% - 100%

text ID: #

point ID: #

Legend

- 0% - 50%
- 50% - 70%
- 70% - 85%
- 85% - 100%

Off-Street ID: #

On-Street ID: #



### Historical population growth in Indian River County 2000 to 2015

1.67% annual growth

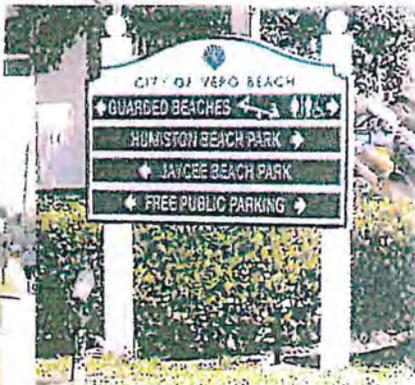
5-Years: 8.35%

10-Years: 16.7%

## Parking Supply/Demand Conclusions

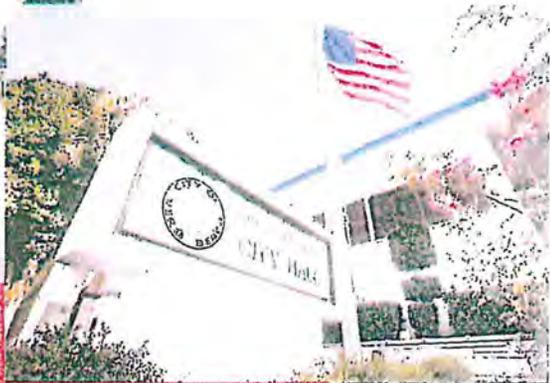
- Peak times are during a weekday afternoon (approx. 11am – 3pm)
- Public parking is well utilized with minimal capacity during peak period
- Potential available capacity in private parking facilities
- Future parking demand based on County population growth
- Projected deficit of public parking and surplus of private parking
- Shared parking opportunities to maximize parking inventory

# Existing Parking Policies



- Free Public Parking
- 2-Hour Time Restrictions On-Street and Off-Street (Humiston Beach Park lot and Beachland Blvd. Lot), except along Cardinal Drive (3-Hour) between 8 am – 6 pm
- No time restrictions in three public parking lots
- No on-street parking along residential streets
- Previously offered remote employee lots with shuttle service at Riverside Theatre for Vero Beach Hotel and Spa
- Valet parking provided at various hotels
- Private parking restricted to visitors/employees of associated business

# Existing Parking Zoning Policies



Overlay District (Cardinal Drive/Ocean Drive) with reduced requirements for residential and retail

Off-street parking minimums for new construction, expansions, new use, or change in occupancy

- Reduction of off-street parking for abutting on-street spaces, but only for privately-built on-street spaces in Overlay District

Shared parking reduction using either calculation matrix in Zoning, ULI Shared Parking model, or shared parking agreement with off-site parking (public or private)

- Parking agreements required for any off-site parking involving two different property owners

- Valet and tandem parking policies

# Benchmark Analysis of Parking Requirements

Residential	1.5 to 2 per unit Overlay: 1 per unit	2 to 2.5 per unit	1 to 2 per unit	1 to 2 per unit
Retail	4 per ksf Overlay: 3.33 per ksf	4 per ksf	4.5 per ksf CBD: 2 per ksf	4 per ksf
Restaurant*	5 to 13.33 per ksf	20 per ksf	12 to 15 per ksf CBD: 6 per ksf	8.5 per ksf
Office	3.33 per ksf	4 per ksf	3.5 to 4 per ksf CBD: 2 to 3.3 per ksf	2.85 per ksf
Hotel	1.25 per room + 1/2 to 3/4 accessory use minimums	1 per room + accessory use minimums	0.7 per room + 1 per 800 sq. ft. of mtg. rooms and shops	1.1 per room + accessory use minimums CBD: 0.5 per room

\* Take out only 5 per ksf, Bar 13.33 per ksf, Restaurant 10 per ksf

# Impact of Existing Parking Policies

- Opportunity to abuse public parking by employees
- No incentive for short-term visitors to use off-street private parking
- Minimal long-term (i.e. 4+ hrs) public parking options available
- Difficult to incentivize off-site parking with current policies
- Opportunities to implement shared parking agreements between private businesses
- New uses or developments are required to provide parking

# Public Workshops

Tuesday, September 24, 2019

AM and PM meetings

Presented Results/Conclusions

Distributed Survey

Discussed Potential Solutions



# Results of Public Workshops

## Strongly Support

- Shared parking with private facilities
- Adding on-street parking

## Support

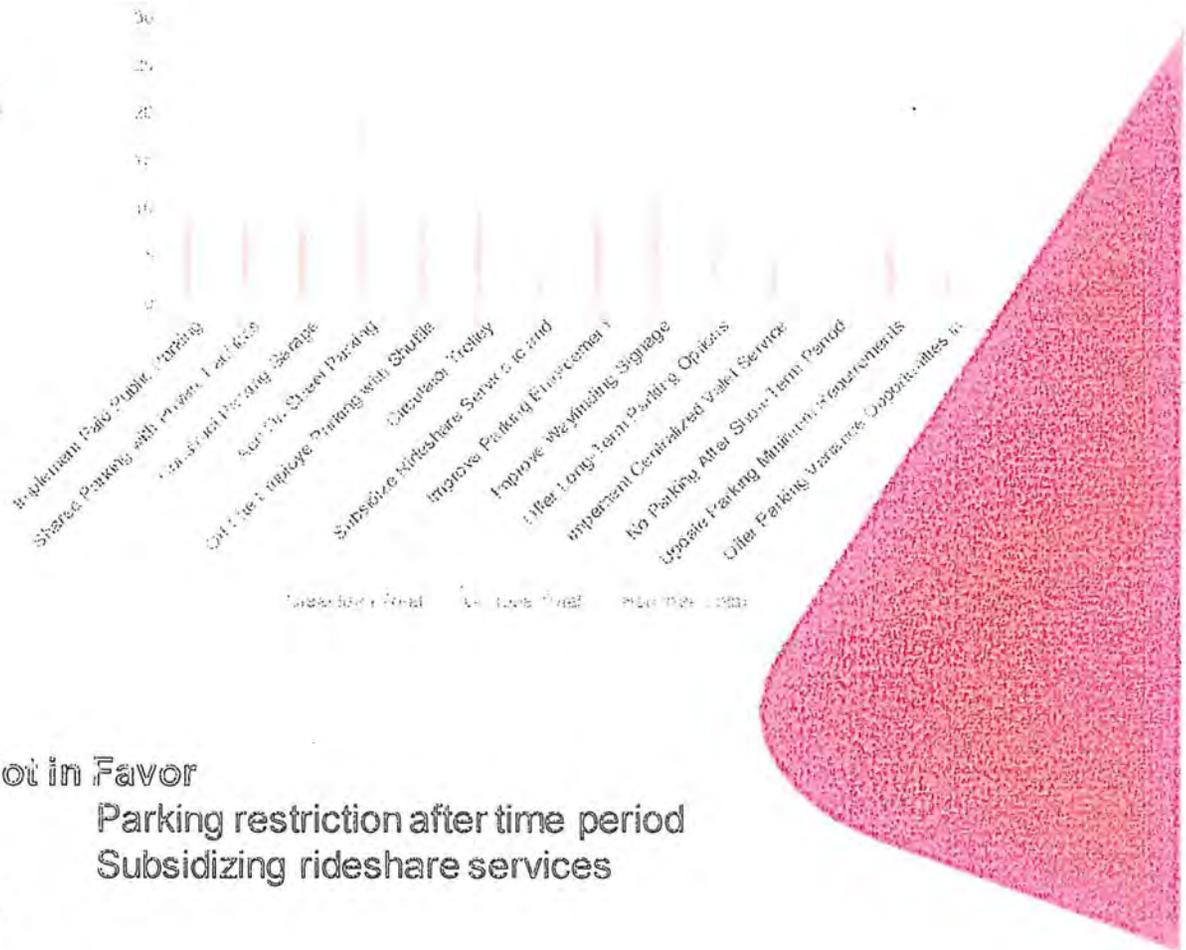
- Improved wayfinding signage
- Improved enforcement
- Offering long-term parking options

## Split Opinions

- Paid parking
- Constructing garage
- Off-site employee parking
- Circulator trolley
- Updating parking minimum requirements
- Offering parking variances
- Centralized valet service

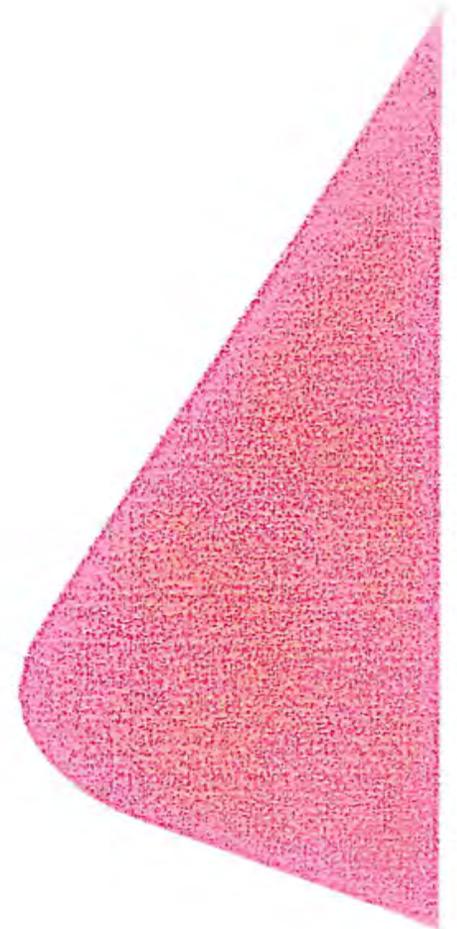
## Not in Favor

- Parking restriction after time period
- Subsidizing rideshare services



## **Short-Term Solutions (0 – 2 Years)**

1. Shared Parking with Private Facilities
2. Adding On-Street Parking
3. Improved Enforcement
4. Adjust Time Restrictions
5. Improved Way-Finding Signage



# Shared Parking

Offer Private Parking Assets to Public through a Shared Parking Agreement

- Between City and Private Entity, or
- Between Private Entity and Private Entity

Funding Methods: Assessment District (Non-Ad Valorem Tax), Improvement Fund, Fee In-Lieu

Currently shared parking agreements are allowed between private businesses/landowners per City Zoning Code

City should Work to Facilitate Agreements and Help Enforce Stipulations of Private Agreements

Provide Financial Incentive to Private Parking Owners

Define Responsibilities and Liability in Shared Parking Agreement

# Shared Parking

## Case Studies

St. Armands Parking District: Non-ad Valorem Tax for parking improvements

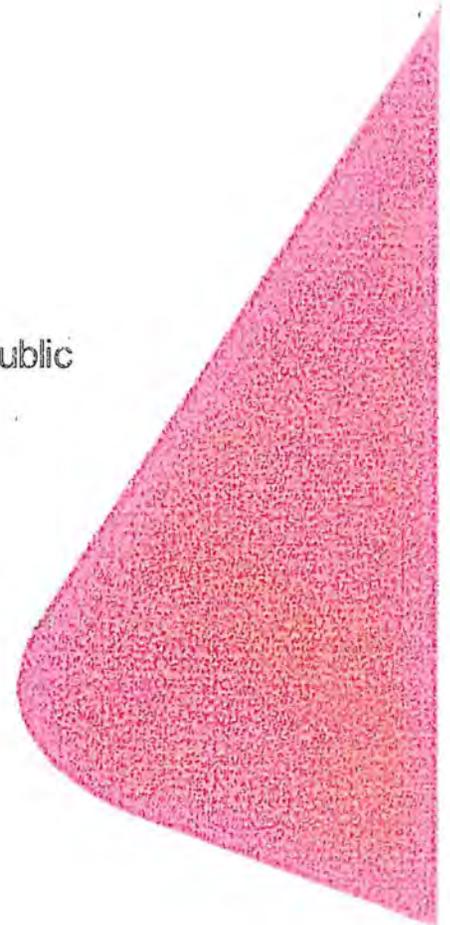
Pasadena, CA: Fee In-Lieu and City leases private parking and made available to public

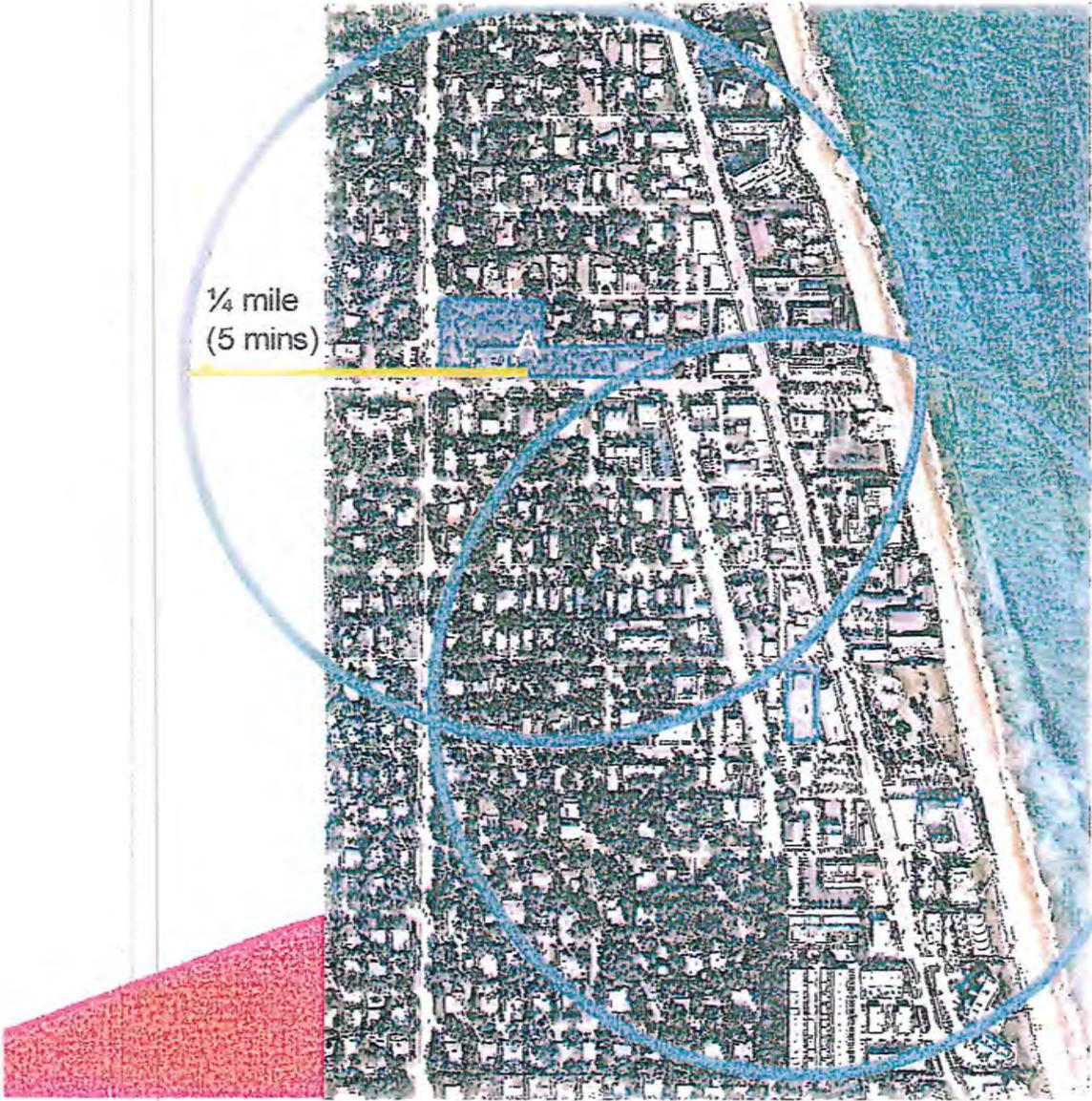
Oak Park, IL: City leases parking from private businesses and splits revenue

Sacramento, CA: City has agreements with 21 privately-owned parking facilities

Fort Worth, TX: Downtown TIF leases private parking and offers it for free to public during evenings and weekends

Palo Alto, CA: Parking Assessment District to fund construction of public garage





## Shared Parking Options

- A) Wilmington/Hot Creek Tract Lot
- B) Park Place Garage

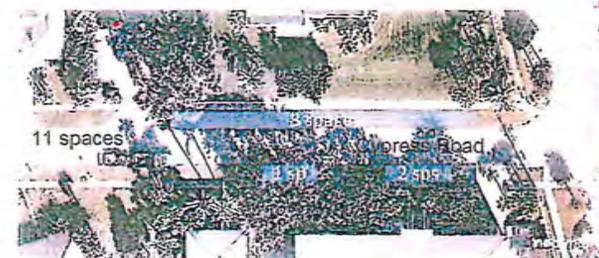
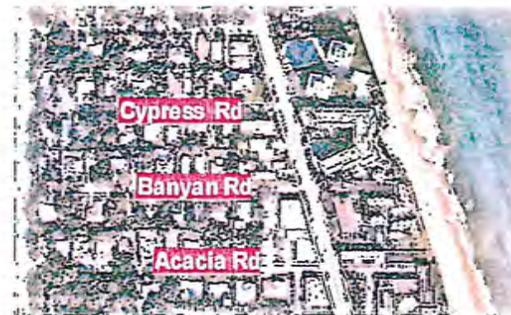
~1000 Spaces Available

# Supply Additions On-Street Parking

Street	On-Street Parking
Cypress Rd	11
Banyan Rd	11
Acacia Rd	7
Camelia Ln	31
Dahlia Ln	3
Flamevine Ln	11
<b>TOTALS</b>	<b>79</b>

79 on-street spaces in front of commercial and multi-family residential buildings

~\$400,000



# Parking Management Improvements

## Enforcement

- Upgrade enforcement technology
- Graduated fine structure
- Greater level of enforcement
- License Plate Recognition cameras and software (~\$75,000)



## Way-Finding Signage

- Provide real-time parking availability for public lots on Ocean Drive (\$15,000 per facility)
- Consistently themed public parking signage
- Improve image of Vero Beach and convenience

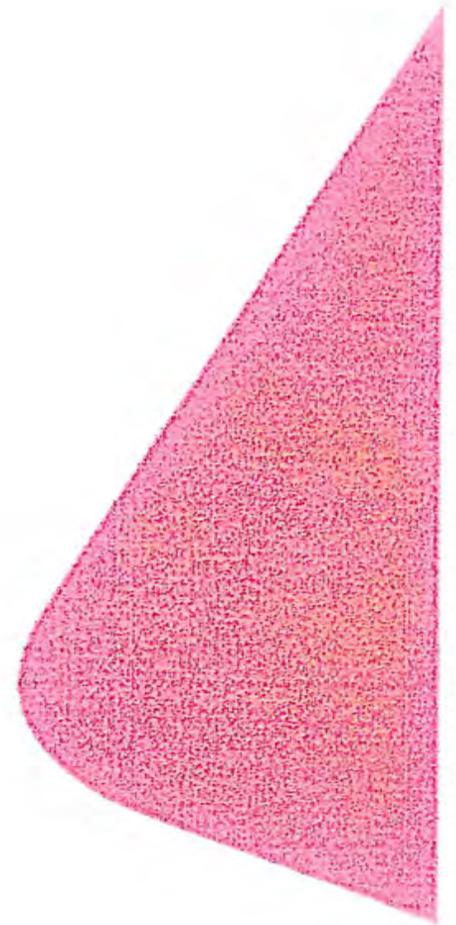


## Adjust Time Restrictions

- Extend on-street parking time restriction to 3 hours
- Extend parking lot time restriction to 4 hours
- Establish parking district and restrict parking for 1-hour after time restriction
- No time restrictions for new on-street parking on side streets
- Add short-term parking spaces (e.g. 30 mins)

## Mid-Term Solutions (2 – 5 Years)

1. Off-Site Employee Parking
2. Paid Parking
3. Modernized Parking Policy



# Off-Site Employee Parking

## History

- Previously offered off-site parking with shuttle service at Riverside Theater for Vero Beach Hotel and Spa employees (1 mile, 5 minutes drive)
- Not well utilized because of the inconvenience and lack of incentive

## Transportation

- Shuttle between off-site parking with at least 10 minute frequency of service (5 minutes preferred) and stops along Ocean Drive
- Shuttle between main employment centers and off-site parking
- Match shifts of major employers (i.e. hotel and restaurants)
- Offer real-time arrival info for shuttle
- Provide shelter at shuttle stops
- Free parking to incentivize utilization

~\$20,000 per shuttle per month 7 days a week, 6 AM to 6 PM



# Paid Parking

## Inventory

- On-Street: 511 spaces
- Off-Street: 245 spaces

## Benefits of Paid Parking

- Balance parking demand
- Incentivize people to use private parking areas
- Provide funds to effectively manage parking system
- Prevent long-term parkers from using on-street parking
- Increase turnover of spaces
- Convenience through multiple payment options
- Incentivizes alternative modes of transportation



## The High Cost of Free Parking

DONALD SHoup



# Paid Parking

## Technology

- Pay-Stations (~41 stations, \$330,000)
- Pay-by-Plate
- Mobile Pay

## Rates / Restrictions

- Discounted Rate for Residents
- Premium Rate On-Street
- Discounted Rate in Parking Lots
- 9 am to 5 pm, 7 days per week

## Management

- Upgrade Adjudication Process

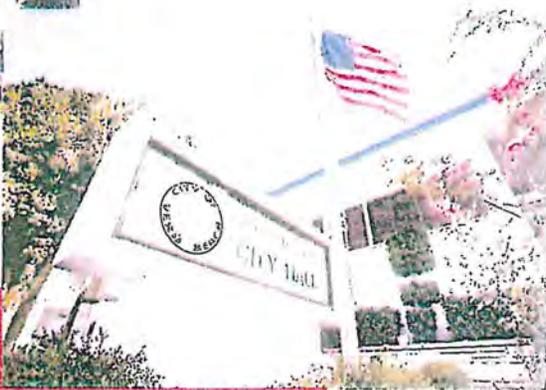


# Modernized Parking Policy

Update parking minimum requirements to reflect economy and vision for the community

## Parking Variances in Zoning

- Fee In-Lieu of Parking
- Eliminate additional parking requirement for land use changes or renovations
- Transportation Demand Management (TDM) program reductions
  - Bike parking
  - Car share service
  - Employer offers incentives for not driving
- Transit-Oriented Development reductions



# Long-Term Solutions (5 – 10 Years)

Parking Garage

# Parking Garage

## Structured Parking Options

- A) Ocean Grill Private Lot
  - ~150 spaces net gain
  - ~\$4.8 million to construct
- B) Humiston Plaza Public Lot
  - ~100 spaces net gain
  - ~\$3 million to construct

Public Private Partnership

Consider Mixed Use Garage

¼ mile  
(5 mins)



## Garage Site Analysis

Site	Net Gain Spaces *	Cost**	Geometrics	Location / Convenience	Highest and Best Use	Ownership	Traffic Access
Ocean Grill Private Lot	~ 150 spaces	\$4.8 million	Fair	Very Good	Poor	Private	Fair
Humiston Plaza Public Lot	~ 100 spaces	\$3 million	Poor	Good	Fair	City	Good

\*Assumes approximate spaces per level, 3 levels max, and number of spaces displaced

\*\* Assumes \$20,000 per space construction cost and does not include the cost to lease/purchase Ocean Grill Lot

## Summary of Recommendations

Time Period	Solution	Cost	City's Role
Short-Term (0-2 Years)	Shared Parking	Varies	Help Facilitate Deals
	Adding On-Street Parking	\$400,000 (79 spaces)	Manage Project
	Improved Enforcement	\$75,000 (LPR Equipment)	Purchase and Apply LPR Equipment
	Adjust Time Restrictions	Varies	Pass Legislation and Adjust Signage
	Improved Way-Finding Signage	\$15,000 per facility real-time parking availability	Contract with Signage Company
Mid-Term (3-5 Years)	Off-Site Employee Parking	\$20,000 per mo per shuttle	Provide shuttle service to off-site parking
	Paid Parking	\$330,000 (41 pay-stations)	Implement pay-stations, signage, and mobile pay
	Modernized Parking Policy	Varies	Update parking requirements and policies
Long-Term (5-10 Years)	Construct Garage	\$3 - \$4.8 million (~100 to ~150 net spaces, cost does not include land costs and maint/oper)	Manage Project and Fund

Mayor Young asked Mr. Turner is it his recommendation that they entertain a motion to allow for this status quo to be extended until such time as a contract can be forthwith.

Mr. Turner would phrase it as a motion to allow Elite Airways to remain as a holdover tenant so that they can proceed with their current operations and then staff will be in discussions with them about executing the new extended license agreement.

Mr. Neville asked do they need to have a date certain for the continuation of their day-to-day operations.

Mr. Turner said month-to-month would be reasonable and add that the City would give them a 90-day notice to terminate.

Mr. Brackett said then he is talking about a month-to-month tenant with a termination period of 90-days if the City gives them notice.

**Mr. Brackett made a motion that they have Elite as a holdover tenant on a month-to-month basis and at such time if they decide that they need to terminate they will give them a 90-day notice. Mr. Neville seconded the motion.**

Mayor Young opened and closed public comment on this item with no one wishing to be heard.

Vice Mayor Moss asked is this going to hamper their operation or their business in anyway in terms of passengers. She questioned you are buying a ticket on a month-to-month airline.

Mr. Graves said it could, but they (Elite) allowed their license to expire. He said it expired on November 30<sup>th</sup> so they kind of put themselves in this position.

Mr. Brackett said the goal is to get a signed contract back and then they won't be on a month-to-month basis anymore.

Vice Mayor Moss said that she thinks they should try to get a final answer on this as quickly as possible. She said it is just a bad message to send. She said they are not looking to kill Elite.

**The motion passed unanimously.**

**Add on Item:**

- ↓
- 3. Discuss Possible Budget Amendment Regarding Beachside Parking and Leisure Square**

Mr. Graves said one (1) of the big issues that the community has talked about is beachside parking. He said that he sat through Council meetings where they had business from the beachside discuss with the City Council about the parking issue. He said

beachside parking has been an issue and a consultant was hired who made recommendations. He said during one (1) meeting, the City Council was told that it would cost about \$400,000 to create new spaces, pave it, and make it look nice. Mr. Falls said they didn't have the money in their budget and Mr. Brackett stated that they need to find the money. He said that he wants to have a discussion so they can put this item on a later agenda and have public discussion to see how they feel about this and he knows Ms. Lawson is present and can discuss this, but it seemed to him that at a recent Council meeting Ms. Lawson reported to them that they had a \$550,000 increase on investments that they were not expecting.

Ms. Cindy Lawson, Finance Director, explained that she had an estimated budget amendment that said they would be about a half a million dollars better off than they originally thought they would be. However, the thing they need to keep in mind is that essentially every year when they close the fiscal year in the General Fund, which is what they are talking about, revenues minus expenses equals a change in what is called the Fund Balance. Therefore, any surplus increase or decrease falls into the overall Fund Balance. As a Council, they adopted a Fund Balance Policy most recently amended in September, to govern the use of the residual sale proceeds that states how they can go about appropriating that Fund Balance for expenditures. Until they finish the audit for fiscal year 2019, she will not know exactly what the numbers are. She noted that part of the adopted revised Fund Balance Policy is they have the overall fund balance and then they take off the top the hurricane reserves, pensions, etc., as well as the \$21 million dollars they set aside for capital projects of various kinds that can be appropriated by Council at any point during the year as a budget amendment. Then once they finish the audit, which would be in February or March, they will have a total unassigned fund balance number and depending on the size of that compared to last year's expenditures there could be another piece of money available as unassigned fund balance that they could appropriate. She said if they want \$400,000 right now without waiting for the results of the audit, without waiting to find out what the total Fund Balance is, they have set aside \$21 million for capital projects that they could appropriate through a budget amendment. If they wait until February or March, she can give them a better answer about whether they will have more money above and beyond the \$21 million.

Mr. Graves said that he understood when she came before the City Council and they passed an amended budget that there was a surplus of 500,000. He asked if he was not understanding that correctly.

Ms. Lawson said that he did understand it correctly, but she thinks the term "surplus" is what is tripping everyone up. She explained that revenue minus expenditures equals the annual change in Fund Balance so they have a set amount of money and if their revenues are bigger than their expenditures in any given year that amount of money goes up and if revenues are below expenditures then that amount of money goes down. What the budget amendment was telling them was that amount of money is projected to go up by more than originally thought. She said if the City Council wants to appropriate \$400,000 for parking, regardless of waiting for the audit and seeing the final outcome in March,

they have in the Fund Balance Policy set aside \$21 million for appropriations for capital projects that they can do at any point during the year through a budget amendment.

Mr. Brackett said they are still waiting for the final report from the consultant.

Mr. Falls said that is correct and it should be at one of their January meetings.

Mr. Graves asked then can they put this issue on their January agenda.

Ms. Lawson noted that a budget amendment would require two (2) readings of the Ordinance.

Mr. Falls felt it would be appropriate to listen to the consultant's report in January and then they can make some decisions on if they want to go with some of the alternatives. He noted that this is a beachside parking study and there are other districts that are going to be watching how they solve the problem and what part of money they reach into and will be asking for the same reach for their district.

Ms. Lawson explained the surplus that was created by their improved budget this past fiscal year is not going anywhere. It will be available to the City Council. She said there is no rush in finding a way to use that \$500,000. It is protected in the Fund Balance and is not going anywhere.

Vice Mayor Moss said it is not month-to-month. It will be there.

Mr. Graves said that he sat through the last consultant presentation and did not realize they were coming back.

Mr. Falls said the consultants were asked to look at a previous study that showed x-number of parking spaces that could be gained if they went to center isle parking on Cardinal Drive, which the consultants were to vet and tell them exactly how many spaces they thought might be able to be done there.

Ms. Lawson said that she would share the adopted Fund Balance Policy with the City Council.

Mayor Young felt that was really important; the Reserve Fund balance considerations that they made a policy on, as well as the City Manager's point of view on the other implications as far as operationally executing what they want to do.

Mr. Graves said that he is open to different sources of funding. He felt instead of kicking the can down the road, they should act in some manner with the parking issue.

## **B) OLD BUSINESS**

Vice Mayor Moss said that she is part of the 2020 Census Committee representing the City and they had their first meeting where she was Elected Vice Chair of the Committee and she will be reporting back to the City Council. She said that this is uploaded to the City's website, covb.org, and what she has uploaded so far, which is a number of pages, are the frequently asked questions. She said that she is not going to say more about it, but today in the interest of time. But, let her say just two (2) points on this. It is really important that everyone participate in the Census and she knows, and it was stated in the Committee meeting, people are weary and wary of government, what are they going to do with this information, but your privacy is protected. She said it is important for two (2) reasons; that is where the money comes from so if everyone doesn't participate we get less funding from higher authorities, the governments, for the different things we want to do here so it is about money and power and we want to be sure we get all the money here that we can in terms of funding for different projects and the other thing is how we are represented depends on the population living here, which she will not go into now in the interest of time, but it is on the City's website, covb.org; it has to do with money and power and you want to be in on it.

**B) OLD BUSINESS**

**7. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING**

**8. CITY CLERK MATTERS**

**A) Appointment to the Utilities Commission**

The City Clerk announced that there are two (2) alternate positions open on the Utilities Commission. They recently received an application from Mr. David LoPresti who is interested in serving on the Commission. She would respectfully request that the City Council consider appointing him to the Utilities Commission.

Mr. Neville mentioned that he personally knows Mr. David LoPresti and he is a smart and a reasonable thinking man and would be a good fit for the Utilities Commission.

**Vice Mayor Moss made a motion to appoint Mr. David LoPresti to the Utilities Commission. Mr. Graves seconded the motion and it passed unanimously.**

At this time, Council took a five (5) minute recess and the meeting reconvened at 11:00 a.m.

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

↓ **A) Beachside Parking Study Final Presentation – PW Project #2018-13**

Mr. Falls reported that the consultant would be introducing the final presentation for the beachside parking study. He would not recommend that Council vote on this today, but to have a future workshop where they could discuss this in detail.

Mr. Matt Mitts, Public Work's Director, introduced Mr. David Paxton, Kimley-Horn, to go over the parking study.

Mr. David Paxton, Kimley-Horn Consultant, commented that he may be restating some of the things that he told Council when he appeared before them in October. He said there is not too much new information contained in this final study. He gave a Power Point presentation (attached to the original minutes).

Mayor Young asked what does it mean when he says that having a parking garage is a challenge.

Mr. Paxton explained they are small sites in order to get parking spaces. He said that the parking lot at Oceanside Grill is an "L" shape, which is also not good when looking for additional parking.

Mayor Young asked when it comes to parking, is there a disparity in Vero Beach when compared to other places.

Mr. Paxton described the City of Stuart and the arrangement that they use. He said that Stuart has a thriving commercial area so they have a parking district. They had a lot of problems with employees parking on the street so employees are able to park their cars in the parking district area. He said that this community is experiencing some of the same challenges that Vero Beach has.

Mr. Brackett needed some more time to review this. He hoped that they would have a workshop to discuss this in March or at the very latest in May to put this matter to rest.

Mr. Falls said that they would meet to talk about the parking study and then be able to include some dollar figures in the upcoming budget.

Vice Mayor Moss suggested having a separate workshop just to discuss this item and review it with the community. She said that the City Clerk has an email list of people that need to be notified of the workshop once they have the date set.

Mr. Neville recalled there has been discussions on shared parking. He asked if the property owners have been notified to see if they are interested in doing this.

Mr. Paxton explained that there have been no specific studies. He was sure that there were some examples along the Treasure Coast. He gave an example of Fort Worth, Texas and how the City contracted with some private businesses and there were other case studies where there was paid parking, which generated revenue between the public and the private where the City covered the expenses. He said the issue comes down to having a contract

in place and the responsibilities of both parties. He has seen with parking garages that employees are not allowed to park on the first floor (ground level). They are given a parking permit to park on the upper level. He said the devil is in the details with these parking solutions. They need to come to terms with what makes the most sense.

Mr. Brackett reported on the parking arrangement that he had with the City of Fort Pierce for his private business that worked out very well. He said that these parking arrangements work out better when the City is involved because most businesses prefer working with the City. He said that the parking agreement that he had with the City of Ft. Pierce was for 15 years and there was never any issues. The City maintained the parking lot and things worked great. He is looking at having the same arrangement put in place for Downtown Vero Beach. He said that the City Manager and City Attorney are presently working on this agreement.

Mr. Brackett explained because of liability it is one (1) of the biggest reasons that businesses prefer to work with governments on these kind of parking agreements.

Mr. Ceaser Mistretta, owner of JM Stringer Gallery on Ocean Drive, has been involved with the parking issue for the last eight (8) years and nothing has been done. The first solution is generating 79 spots for \$479,000. He doesn't understand why they haven't done that already. He said the employees from the large hotels continue to park in front of his business. The employees come out every two (2) hours and change their cars around to different parking spaces. The employers should be forced to have parking spots for their employees. If some pressure was put on these big businesses to do that maybe they would not have all these parking problems. He said they have talked about parking meters and all agree they don't want to approach that subject. He felt that the example given for what the City of Stuart is doing was not good because shoppers are only allowed to be there for four (4) hours. That is a terrible idea. He requested that the City Council act immediately on this and get something done. He would like to be a part of the workshop discussion.

Mrs. Nancy Cook commented that she asked the President of Northern Trust if anyone had talked to him regarding shared parking and he said no. He said that it would not work anyway because of all the events that take place and people park in that parking lot. Mrs. Cook expressed that their businesses cannot open their doors if they don't have employees and employees need a place to park. She is an advocate of center island on-street parking because you get a lot of parking spaces and it is doable. She agreed with parking on commercial right-of-ways. She noted that the beachside real estate taxes, just in the City, contributed over \$3 million to the City so it is time to give some of that back. The residents on the barrier island are paying close to \$4 million dollars to the City. She said the bottom line is that they need more parking spaces.

**B) Airport Use Agreement between the City of Vero Beach and Elite Airways, LLC**

Mayor Young commented that he has a great affection for aviation. The airfield is like the Marina, which has been a part of heritage in Vero and that is important to them. As he

Q-A)



**City Council Agenda Item**  
**Meeting of January 21, 2020**

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**TO:** The Honorable Mayor and Members of the City Council  
**FROM:** Monte K. Falls, PE - City Manager *M. Falls*  
**DATE:** January 15, 2020 *1/15/2020*

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**SUBJECT:** Beachside Parking Study Final Presentation – PW Project #2018-13

**REQUESTED BY:** City Manager/Public Works Department

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The following is requested as it relates to the above-referenced agenda item:

- Request Council provide direction to staff on these solutions based on the attached supporting documentation.
  - No action required. (Information only)
-



## DEPARTMENTAL CORRESPONDENCE

TO: Monte K. Falls, PE, City Manager  
DEPT: City Manager

FROM: Matthew. T. Mitts, PE, Director *BRC for MTM 01/15/2020*  
DEPT: Public Works

DATE: January 15, 2020

RE: **Beachside Parking Study Final Presentation  
(PW Project #2018-13)**

### **Recommendation:**

- Consultant to deliver presentation on final report of study. Place this item on the City Council's agenda for January 21, 2020.

### **Funding:**

Funding for the beachside parking study is from the non-departmental professional services account no. 001.9900.519.331001. The total cost for both phases of the parking study is \$70,950.

### **Background:**

At their May 21, 2019 meeting, the City Council directed our consultant, Kimley-Horn, and staff to move forward with Phase II of the beachside parking study. Phase II explored possible solutions along with obtaining community input at public meetings. Workshops were held on September 24, 2019 at the Holiday Inn on Ocean Drive. Kimley-Horn presented their findings to the City Council on October 15, 2019 and received feedback that was incorporated into a final report.

The consultant has prepared the final report based on their professional judgment, experience with other municipalities' parking problems, and local community input. Solutions are identified in short (0-2 years), mid-term (3-5 years), and long-term (5-10 years) time frames.

Direction from Council is requested on these solutions.

**Analysis:**

**Strengths:** This study provides the City with meaningful input on existing conditions and possible solutions. While no silver bullet exists to solve our parking problems, this study provides context to analyze all of the pros and cons of various solutions in one document.

**Weaknesses:** Proposed solutions may require new funding sources to offset impacts to the City's current 'soft-landing' budget goals and existing missions.

**Opportunities:** This study provides the City with an external perspective from a consultant who has provided solutions to municipalities similar to the City. The City has explored some of the proposed solutions on an individual basis in the past, but without a comprehensive plan that includes short, mid, and long term goals. While no solution will likely garner support from 100% of the community, individual solutions may be more favorably supported if they are part of a larger plan.

**Threats:** The population of the County continues to grow and the City's assets in the beachside area include a unique blend of public and private uses that are an anchor for tourism and local residents. Parking problems left unchecked negatively impact the ability of residents to utilize our parks and to draw customers to local businesses.

Cc: Jason Jefferies, Planning Director

Attachments

DRC

# Vero Beach Parking Study

Vero Beach, FL

January 21, 2020



Kimley » Horn

Expect More. Experience Better.

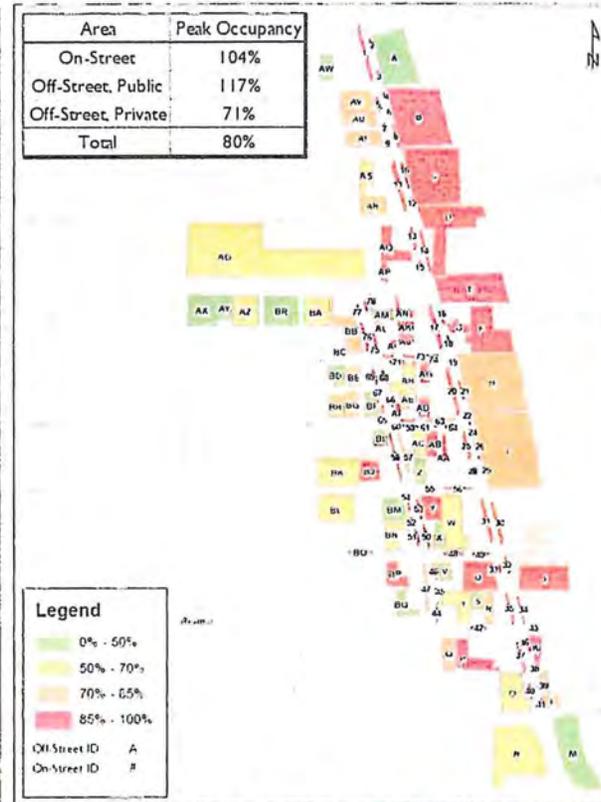
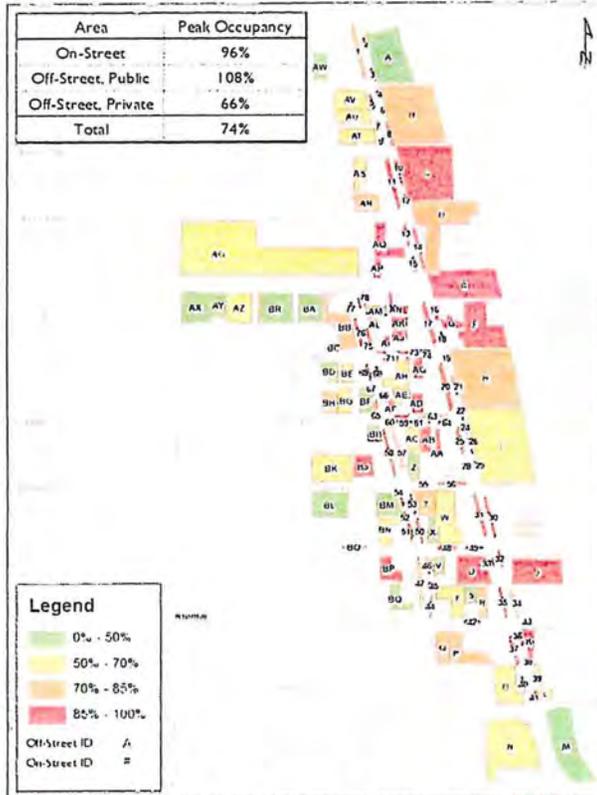


### Parking Occupancy - Vero Beach

5 Year Growth  
Peak Period

### Parking Occupancy - Vero Beach

10 Year Growth  
Peak Period



## Future Parking Demand Analysis

#### Public Parking Deficit

5-Years: 101 spaces

10-Years: 158 spaces

#### Private Parking Surplus

5-Years: 498 spaces

10-Years: 379 spaces

### Historical population growth in Indian River County 2000 to 2015

1.67% annual growth

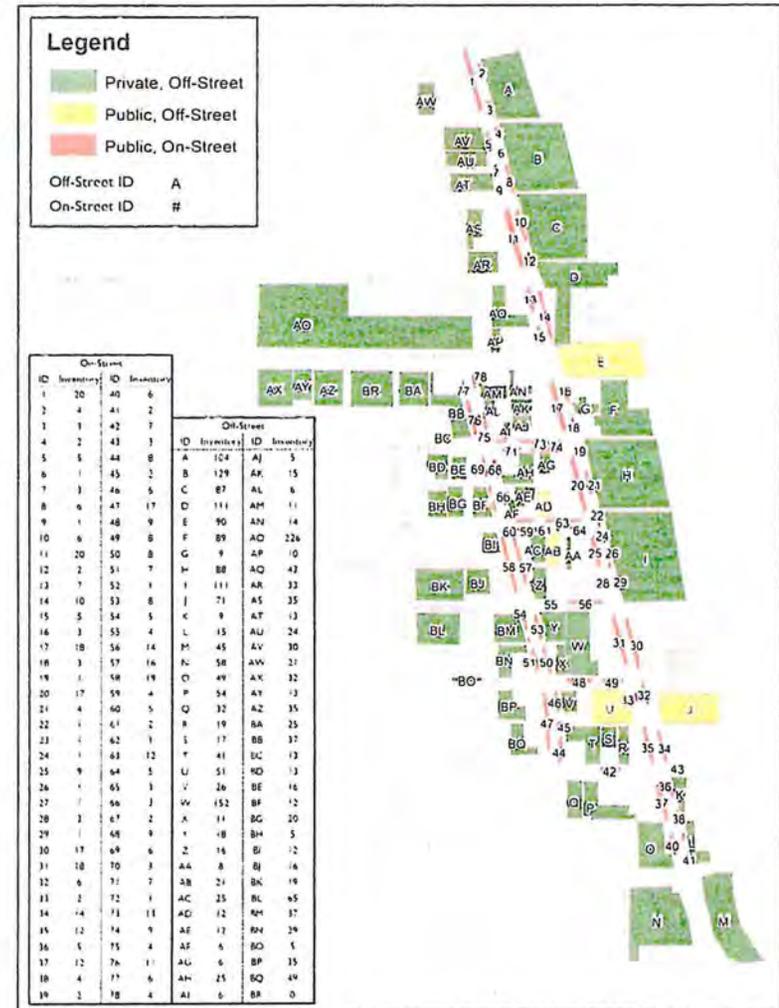
5-Years: 8.35%

10-Years: 16.7%

# Parking Supply/Demand Conclusions

- Peak times are during a weekday afternoon (approx. 11am – 3pm)
- Public parking is well utilized with minimal capacity during peak period
- Potential available capacity in private parking facilities
- Future parking demand based on County population growth
- Projected deficit of public parking and surplus of private parking
- Shared parking opportunities to maximize parking inventory

## Study Area - Vero Beach Parking Study Public & Private Parking, On and Off-Street



# Existing Parking Policies



- Free Public Parking
- 2-Hour Time Restrictions On-Street and Off-Street (Humiston Beach Park lot and Beachland Blvd. Lot), except along Cardinal Drive (3-Hour) between 8 am – 6 pm
- No time restrictions in three public parking lots
- No on-street parking along residential streets
- Previously offered remote employee lots with shuttle service at Riverside Theatre for Vero Beach Hotel and Spa
- Valet parking provided at various hotels
- Private parking restricted to visitors/employees of associated business

# Existing Parking Zoning Policies



- **Overlay District** (Cardinal Drive/Ocean Drive) with reduced requirements for residential and retail
- **Off-street parking minimums** for new construction, expansions, new use, or change in occupancy
- **Reduction of off-street parking** for abutting **on-street spaces**, but only for privately-built on-street spaces in Overlay District
- **Shared parking** reduction using either calculation matrix in Zoning, ULI Shared Parking model, or shared parking agreement with off-site parking (public or private)
- **Parking agreements** required for any off-site parking involving two different property owners
- **Valet and tandem parking policies**

# Impact of Existing Parking Policies

- Opportunity to abuse public parking by employees
- No incentive for short-term visitors to use off-street private parking
- Minimal long-term (i.e. 4+ hrs) public parking options available
- Difficult to incentivize off-site parking with current policies
- Opportunities to implement shared parking agreements between private businesses
- New uses or developments are required to provide parking



## **Short-Term Solutions (0 – 2 Years)**

1. Shared Parking with Private Facilities
2. Adding On-Street Parking
3. Improved Enforcement
4. Adjust Time Restrictions
5. Improved Way-Finding Signage



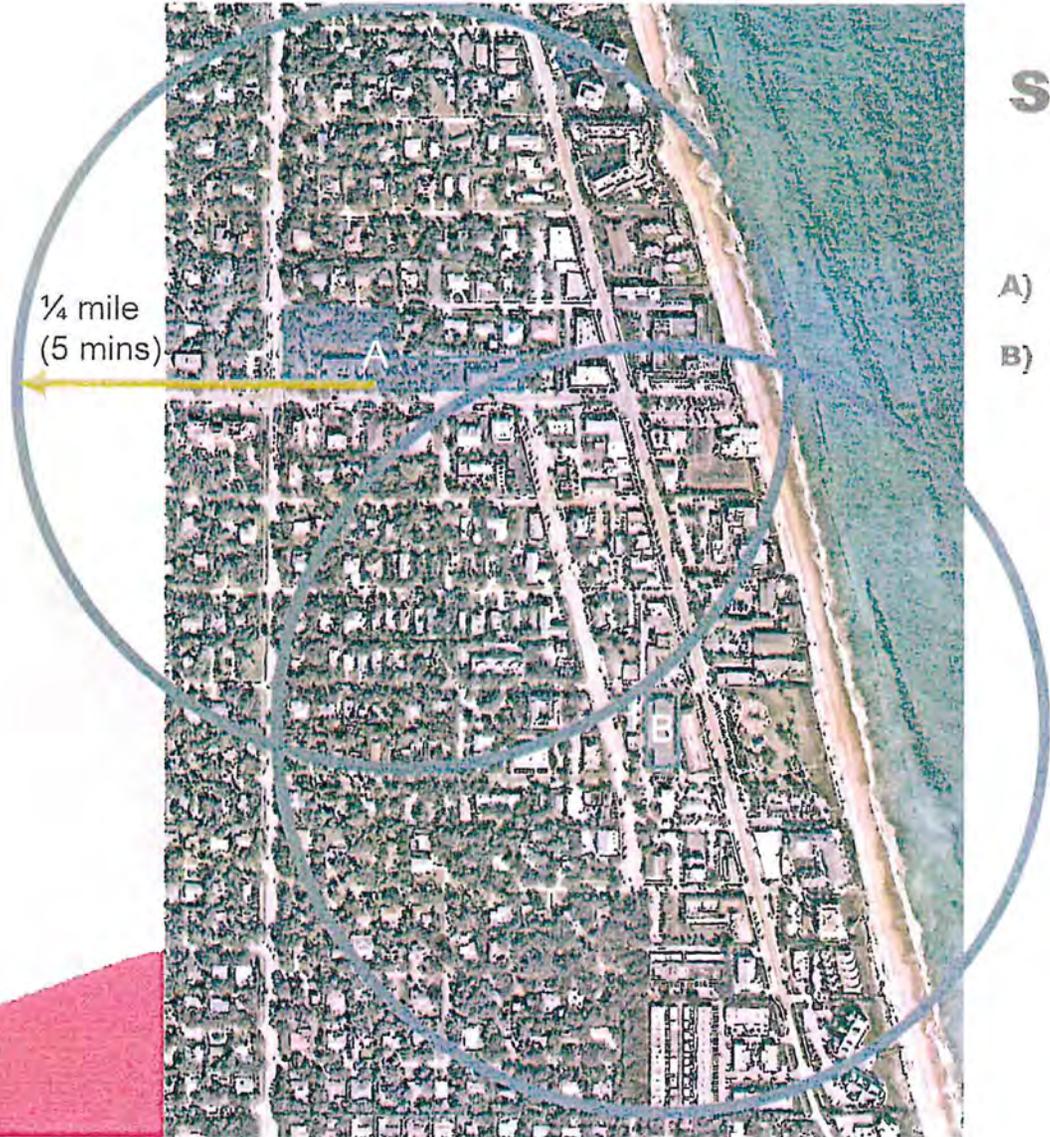
# Shared Parking

- Offer Private Parking Assets to Public through a Shared Parking Agreement
  - Between City and Private Entity, or
  - Between Private Entity and Private Entity
- Funding Methods: Assessment District (Non-Ad Valorem Tax), Improvement Fund, Fee In-Lieu
- Currently shared parking agreements are allowed between private businesses/landowners per City Zoning Code
- City should Work to Facilitate Agreements and Help Enforce Stipulations of Private Agreements
- Provide Financial Incentive to Private Parking Owners
- Define Responsibilities and Liability in Shared Parking Agreement

# Shared Parking Options

- A) Wilmington/Northern Trust Lot
- B) Park Place Garage

~100 Spaces Available



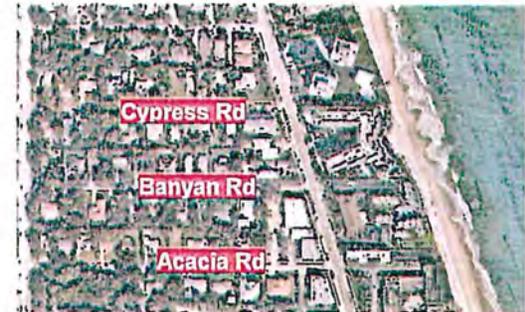
# Supply Additions On-Street Parking

Street	On-Street Parking
--------	-------------------

Cypress Rd	11
Banyan Rd	11
Acacia Rd	7
Camelia Ln	31
Dahlia Ln	8
Flamevine Ln	11
<b>TOTALS</b>	<b>79</b>

79 on-street spaces in front of commercial and multi-family residential buildings

~\$400,000  
(~\$5,000 per space)



## Center Island On-Street Parking

Net gain of approximately 110 spaces when considering ADA parking requirements

### Disadvantages to Design

- Eliminates mid-block left turn into driveways
- Sight-distance issues
- Increased U-turns and circulating into neighborhoods
- Greater vehicle-pedestrian conflicts
- Major construction logistics

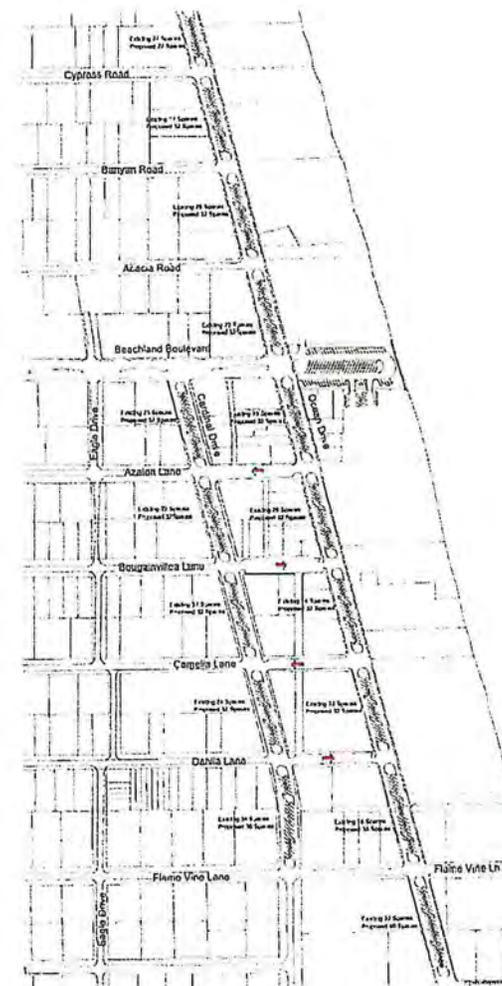


Figure 18: Ocean / Cardinal Parking Option

# Parking Management Improvements

## Zoning

- Allow and specify golf cart parking spaces

## Enforcement

- Upgrade enforcement technology
- Graduated fine structure
- Greater level of enforcement
- Permit system for added on-street spaces for residents and employees
- License Plate Recognition cameras and software (~\$75,000)

## Way-Finding Signage

- Provide real-time parking availability for public lots on Ocean Drive (~\$15,000 per facility)
- Consistently themed public parking signage
- Improve image of Vero Beach and convenience

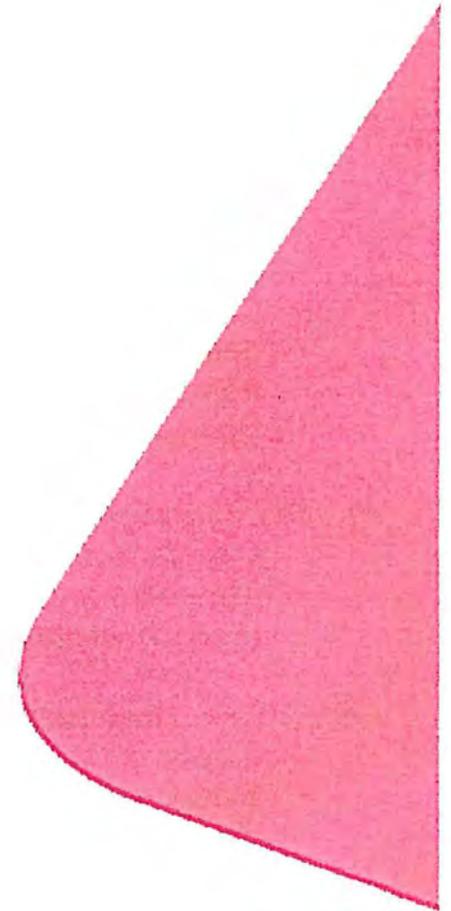
## Adjust Time Restrictions

- Extend on-street parking time restriction to 3 hours
- Extend parking lot time restriction to 4 hours
- Establish parking district and restrict parking for 1-hour after time restriction
- No time restrictions for new on-street parking on side streets
- Add short-term parking spaces (e.g. 30 mins)
- Conduct turnover analysis to define users and length of stay (~\$10,000)



## **Mid-Term Solutions (2 – 5 Years)**

1. Off-Site Employee Parking
2. Paid Parking
3. Modernized Parking Policy



# Off-Site Employee Parking

## History

- Previously offered off-site parking with shuttle service at Riverside Theater for Vero Beach Hotel and Spa employees (1 mile, 5 minutes drive)
- Not well utilized because of the inconvenience and lack of incentive

## Transportation

- Shuttle between off-site parking with at least 10 minute frequency of service (5 minutes preferred) and stops along Ocean Drive
- Shuttle between main employment centers and off-site parking
- Match shifts of major employers (i.e. hotel and restaurants)
- Offer real-time arrival info for shuttle
- Provide shelter at shuttle stops
- Free parking to incentivize utilization

~\$20,000 per shuttle per month 7 days a week, 6 AM to 6 PM



# Paid Parking

## Inventory

- On-Street: 511 spaces
- Off-Street: 245 spaces

## Benefits of Paid Parking

Balance parking demand

Incentivize people to use private parking areas

Provide funds to effectively manage parking system

Prevent long-term parkers from using on-street parking

Increase turnover of spaces

Convenience through multiple payment options

Incentivizes alternative modes of transportation



The  
High Cost  
of  
Free Parking  
GONALD SHOUF



# Paid Parking

## Technology

- Pay-Stations (~41 stations, \$330,000)
- Pay-by-Plate
- Mobile Pay

## Rates / Restrictions

- Discounted Rate for Residents
- Premium Rate On-Street
- Discounted Rate in Parking Lots
- 9 am to 5 pm, 7 days per week

## Management

- Upgrade Adjudication Process



# Modernized Parking Policy

Update parking minimum requirements to reflect economy and vision for the community

## Parking Variances in Zoning

- Fee In-Lieu of Parking
- Eliminate additional parking requirement for land use changes or renovations
- Transportation Demand Management (TDM) program reductions
  - Bike parking
  - Car share service
  - Employer offers incentives for not driving
- Transit-Oriented Development reductions



# **Long-Term Solutions (5 – 10 Years)**

Parking Garage



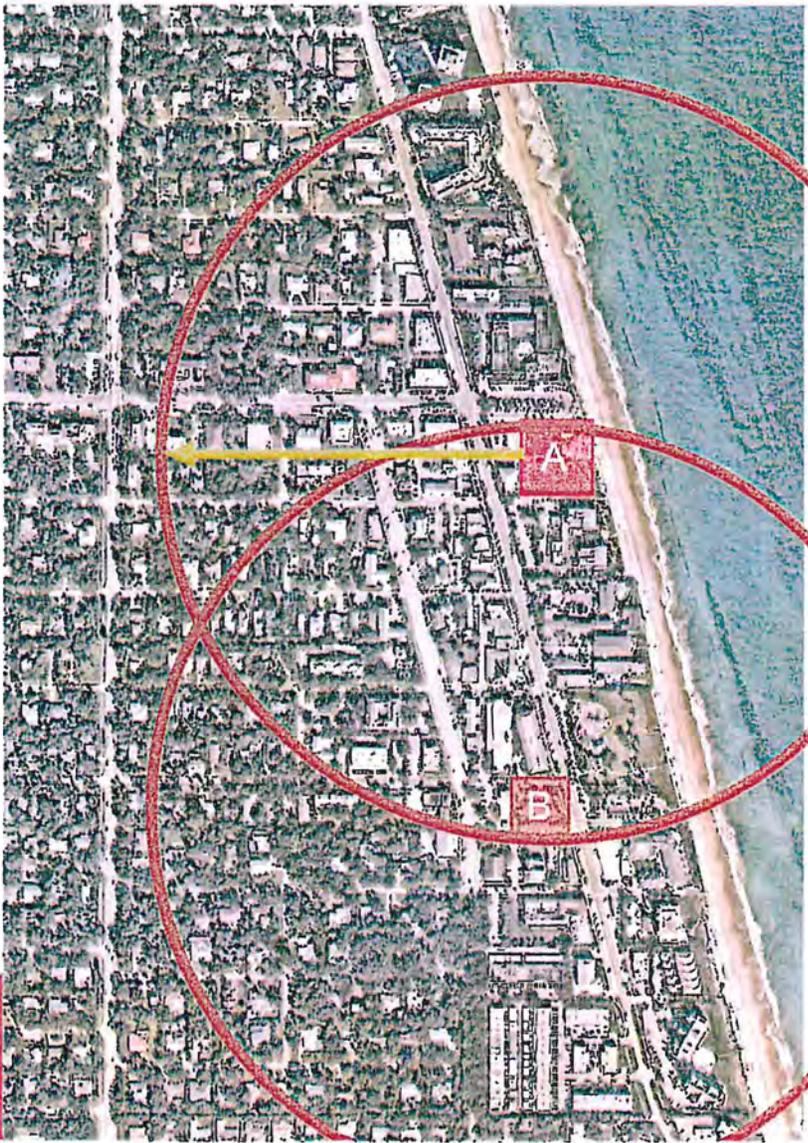
# Parking Garage

## Structured Parking Options

- A) Ocean Grill Private Lot
  - ~150 space net gain
  - ~\$4.8 million to construct
  
- B) Humiston Plaza Public Lot
  - ~100 spaces net gain
  - ~\$3 million to construct

Public Private Partnership

Consider Mixed Use Garage



1/4 mile  
(5 mins)

## Garage Site Analysis

Site	Net Gain Spaces *	Cost**	Geometrics	Location / Convenience	Highest and Best Use	Ownership	Traffic Access
Ocean Grill Private Lot	~ 150 spaces	\$4.8 million	Fair	Very Good	Poor	Private	Fair
Humiston Plaza Public Lot	~ 100 spaces	\$3 million	Poor	Good	Fair	City	Good

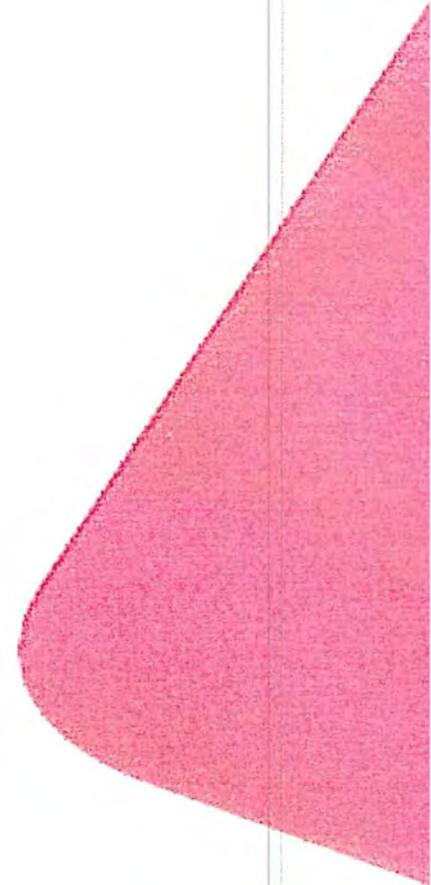
\*Assumes approximate spaces per level, 3 levels max, and number of spaces displaced

\*\* Assumes \$20,000 per space construction cost and does not include the cost to lease/purchase Ocean Grill Lot

## Summary of Recommendations

Time Period	Solution	Cost	City's Role
Short-Term (0-2 Years)	Shared Parking	Varies	Help Facilitate Deals
	Adding On-Street Parking	\$400,000 (79 spaces)	Manage Project
	Improved Enforcement	\$75,000 (LPR Equipment)	Purchase and Apply LPR Equipment
	Adjust Time Restrictions	Varies	Pass Legislation and Adjust Signage
	Dual Motorcycle/Golf Cart Parking	N/A	Modify Zoning Code
	Turnover/Length of Stay Analysis	\$10,000 (study)	Manage project with potential consultant
	Improved Way-Finding Signage	\$15,000 per facility real-time parking availability	Contract with Signage Company
Mid-Term (3-5 Years)	Off-Site Employee Parking	\$20,000 per mo per shuttle	Provide shuttle service to off-site parking
	Paid Parking	\$330,000 (41 pay-stations)	Implement pay-stations, signage, and mobile pay
	Modernized Parking Policy	Varies	Update parking requirements and policies
Long-Term (5-10 Years)	Construct Garage	\$3 - \$4.8 million (~100 to ~150 net spaces, cost does not include land costs and maint/oper)	Manage Project and Fund

**QUESTIONS?**

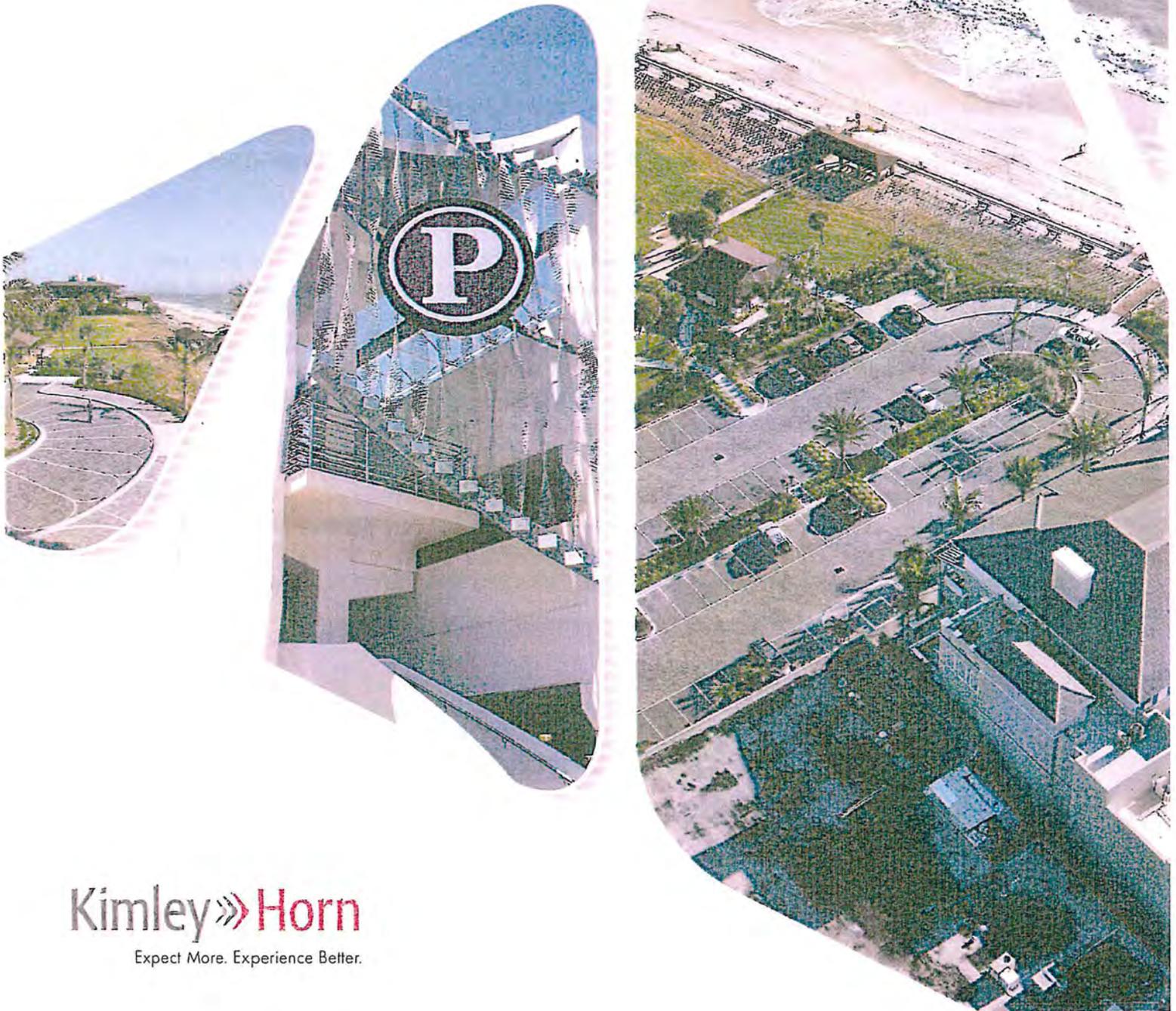




# VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

FINAL REPORT

January 2020



Kimley»Horn

Expect More. Experience Better.



## EXECUTIVE SUMMARY

A parking study of the Ocean Drive/Cardinal Drive area of Vero Beach was conducted to help improve parking conditions and support existing and future parking demand. Kimley-Horn worked with the City of Vero Beach (City) to define the methodology, goals, and recommendations. The following analyses were conducted as part of the parking study:

- Determine existing and future parking supply/demand balance
- Assess parking assets available for shared parking
- Provide guidance regarding progressive parking policy
- Develop solutions to support existing and future parking demand
- Determine parking management and operation improvements

### Existing Parking Demand Analysis

Parking inventory and occupancy counts of the City and privately-owned parking facilities were conducted during a 5-day peak season period in the Ocean Drive/Cardinal Drive area. This information was applied to assess the existing parking supply/demand balance of public and private parking.

#### *Parking Inventory*

A total of 3,108 parking spaces were surveyed within the Ocean Drive/Cardinal Drive area, which includes all commercial and public parking facilities and time restricted on-street parking. A total of 2,352 spaces are located in 65 private parking facilities that serve a wide range of land uses (e.g. commercial, office, restaurant, residential, bank, etc.). The City provides 245 parking spaces in 5 off-street parking facilities and 511 on-street parking spaces. Approximately 75% of the parking in the area is privately-owned and restricted to employees and patrons of those businesses. The other 25% of parking is made available to the public for free.

#### *Parking Occupancy*

Parking occupancy counts were conducted over a 5-day period from Wednesday, March 13, 2019 through Sunday, March 17, 2019, from 10 a.m. to 6 p.m. The peak period count was on Thursday, March 14<sup>th</sup> at 2 p.m., which was applied for the existing and future parking supply/demand analysis. Below is a summary of the parking occupancy counts during the peak period.

#### Occupancy of Parking Facilities During Peak Period

- Privately-Owned Off-Street Facilities: 61% Occupied
- Publicly-Owned Off-Street Facilities: 100% Occupied
- Publicly-Owned On-Street Facilities: 89% Occupied



## VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

### *Peak Parking Surplus/Deficit*

The existing surplus/deficit analysis shows that there is a parking deficit of 31 public parking spaces and a surplus of 655 spaces in the privately-owned parking facilities located in the Ocean Drive/Cardinal Drive area during the peak period (weekday afternoon). While there is substantial private parking available, there is a deficit in both public on- and off-street parking.

### *Future Parking Demand Analysis*

The future parking demand analysis considers the growth in the area over a 5 and 10-year period to determine whether there is adequate capacity to support future demand. Historical population growth in Indian River County was considered in estimating future parking demand. A 101 and 158-space parking deficit is projected for public parking in the Ocean Drive/Cardinal Drive area in 5 and 10 years, respectively. However, there is a projected surplus of 498 privately-owned spaces in 5 years and 379 privately-owned spaces in 10 years in the Ocean Drive/Cardinal Drive area. Both the existing and future parking demand analyses show that there is a substantial capacity of private parking available, which can be effectively leveraged through shared parking agreements.

### *Parking Management Action Plan*

A series of parking management and operation recommendations were developed to help achieve a parking system that is inviting to the varied needs of visitors, business owners, and employees. Below is a summary of the short, mid and long-term parking/transportation management and operation recommendations.

#### *Short-Term (0-2 years)*

- Implement shared parking
- Add on-street parking
- Modernize enforcement equipment
- Adjust time restrictions
- Implement a new wayfinding signage plan for the parking facilities that incorporates dynamic space availability signage, parking availability apps, and upgraded informational signage

#### *Mid-Term (3-5 years)*

- Provide off-site employee parking
- Enact paid parking
- Modernize parking policies

#### *Long-Term (6-10 years)*

- Design and construct a parking structure



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## INTRODUCTION

In February of 2005 the City of Vero Beach (City) adopted the Vero Beach Vision Plan, which documents goals and priorities for the City guiding future development and redevelopment for five key commercial districts, including Historic Downtown, Royal Palm Pointe, Miracle Mile/US 1, Ocean Drive/Cardinal Drive (i.e. Beach District and Overlay District), and Beachland Boulevard. To continue that effort the City of Vero Beach has engaged Kimley-Horn and Associates, Inc. to conduct a parking study of the Ocean Drive/Cardinal Drive area. The goals of the study are to address the following issues:

- Determine existing and future parking supply/demand balance
- Assess parking assets available for shared parking
- Provide guidance regarding progressive parking policy
- Develop solutions to support existing and future parking demand
- Determine parking management and operation improvements

## STUDY AREA

The Vero Beach Vision Plan defines five key commercial districts, which include:

- Historic Downtown
- Royal Palm Pointe
- Miracle Mile/US 1
- Ocean Drive/Cardinal Drive
- Beachland Boulevard

Each of these five Districts are identified in **Figure 1**.

Out of the five districts, Ocean Drive/Cardinal Drive was identified to have parking issues that are creating problems for businesses and patrons. The goal is to analyze parking conditions and develop district-specific solutions to address parking

demand and operational issues. In addition to analyzing public on- and off-street parking, private parking in the Ocean Drive/Cardinal Drive district was also studied, to understand the capacity for shared parking opportunities to help support existing and future demand.

Figure 1: Key Commercial Districts





## VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

### Ocean Drive/Cardinal Drive

The Ocean Drive/Cardinal Drive area is bounded by Date Palm Road on the north, the Atlantic Ocean on the east, SR A1A on the west, and Iris Lane on the south. This area is known for its quaint shops, hotels, restaurants and office buildings, making up Vero Beach's Central Beach Business District.

City-owned public parking includes on-street parking and a few off-street lots that all currently offer free parking with time restrictions. The Humiston Plaza lot, located on Ocean Drive, hosts a weekly farmers market on Saturday mornings. Private parking facilities located throughout Ocean Drive and Cardinal Drive, serve commercial stores/restaurants and office buildings. As part of the study all the City-owned parking facilities and private parking facilities were analyzed.

## EXISTING PARKING CONDITIONS

The existing parking inventory and utilization of all City-owned and privately-owned commercial parking facilities were analyzed in the Ocean Drive/Cardinal Drive area. There are five (5) off-street City-owned parking facilities and sixty-five (65) privately-owned commercial parking facilities in the study area.

### Methodology

The availability of public and private parking was determined based on parking inventory and occupancy counts during a five-day period. The identified parking facilities represent a variety of land uses from privately-owned facilities like retail locations and hotel buildings to publicly-owned facilities like in Sexton Plaza and Humiston Plaza.

For the peak surplus/deficit analysis, a 90% practical capacity factor was considered, which accounts for providing a satisfactory level of convenience to prevent user frustration looking for a space and supporting surges in demand. It is a standard practice in the parking industry to apply a parking capacity factor and not design a parking-system to full occupancy (i.e. 100% occupied). Since the parking occupancy counts were conducted during the peak season (e.g. March), no seasonality factor was applied for the surplus/deficit analysis.

### Parking Inventory

**Figure 2** shows the parking inventory per facility in the study area broken down by City-owned or privately-owned. There is a total of 3,108 spaces both on- an off-street in the study area. Only the City-owned parking facilities offer public parking that can be used by anyone visiting the Ocean Drive/Cardinal Drive area during a typical day. Private parking facilities are restricted to visitors and employees of the associated business. Riverside Theatre and Vero Beach Hotel and Spa previously offered remote employee parking with shuttle service to and from the Beach District. Some of the hotels currently offer valet parking which is limited to guests of the hotel only.

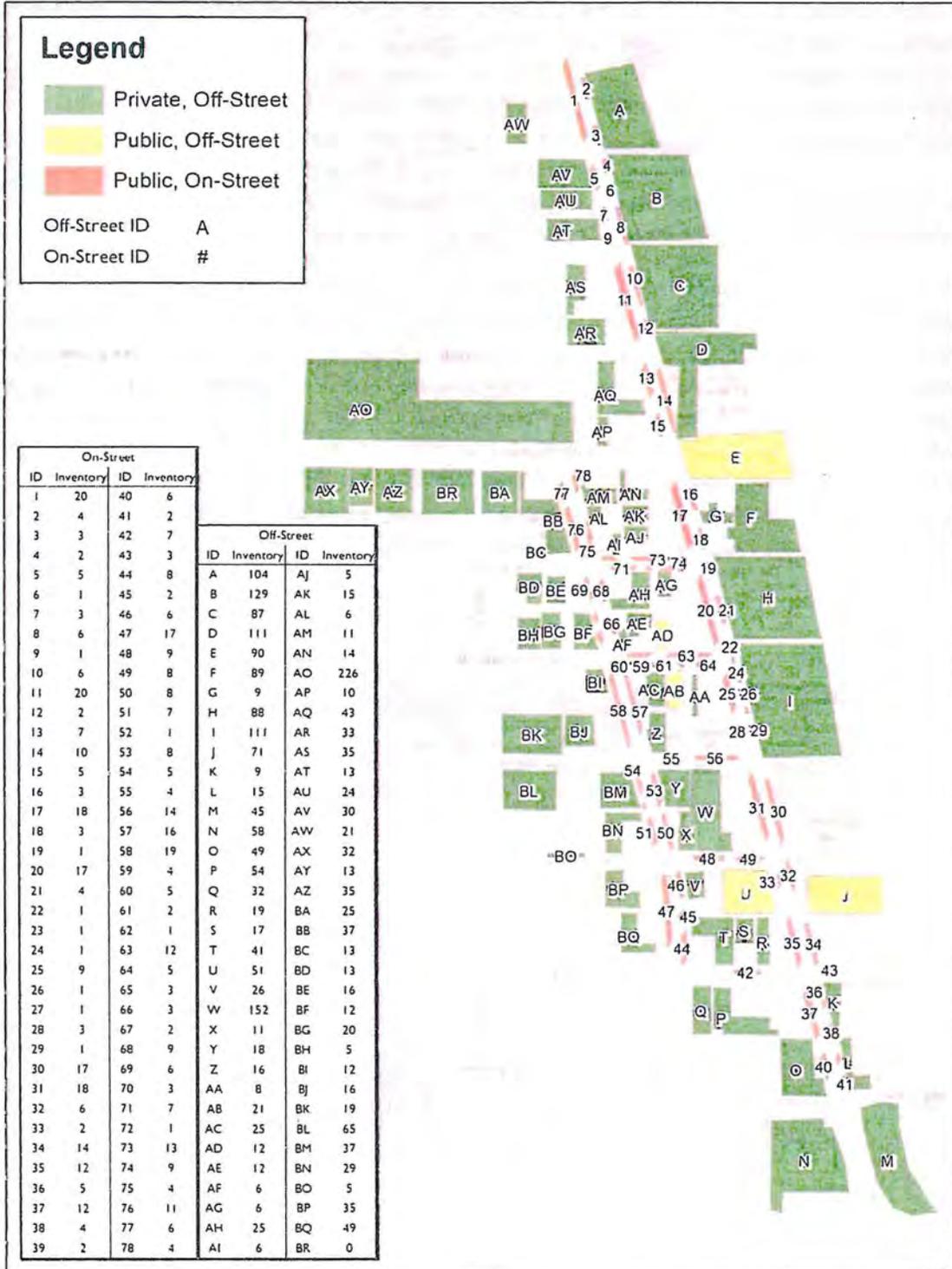
There are 2-hour time restrictions in the Sexton Plaza lot (E) and on-street between 8 A.M. and 6 P.M. However, there is a 3-hour time restriction along Cardinal Drive between 8 A.M. and 6 P.M.



# VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

Figure 2: Parking Inventory in the Ocean Drive/Cardinal Drive Area

## Study Area - Vero Beach Parking Study Public & Private Parking, On and Off-Street





# VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

Four of the City's public lots, including the Humiston Park lot (J) and Humiston Plaza lot (U), have no time restrictions.

## Parking Zoning Policies

The existing parking Zoning Code has reduced parking requirements for residential and retail properties in the Overlay District (i.e. Ocean Drive/Cardinal Drive area). This allows new construction, expansions, new use or buildings with a change in occupancy to take advantage of minimum parking requirements. Also, privately constructed on-street parking can be applied toward the parking requirement. Shared parking agreements between two private entities and the City can be created and submitted to the Planning and Development Department to meet the parking requirement. A shared parking analysis of a mixed-use development can also be applied to receive a reduction in the number of parking spaces required.

## Parking Requirements Benchmark Analysis

Parking requirements for Vero Beach and the Ocean Drive/Cardinal Drive (Overlay) area were compared to similar Florida cities, including: Winter Park, Delray Beach, and St. Armands, Sarasota. As shown in **Table 1**, the benchmark analysis considers the parking requirements for residential, retail, office, restaurant, and hotel for each of the four communities. Notably, Vero Beach uses aggressive parking requirements to promote and favor development in the Overlay District compared to the requirements for the rest of Vero Beach. The parking requirements align fairly well with the comparable communities and show to be on the low end for residential and retail uses. However, the parking requirements in the Overlay District are on the higher end for

Table 1: Benchmark Analysis of Parking Requirements

restaurant, hotel, and office land uses compared to the other three communities.

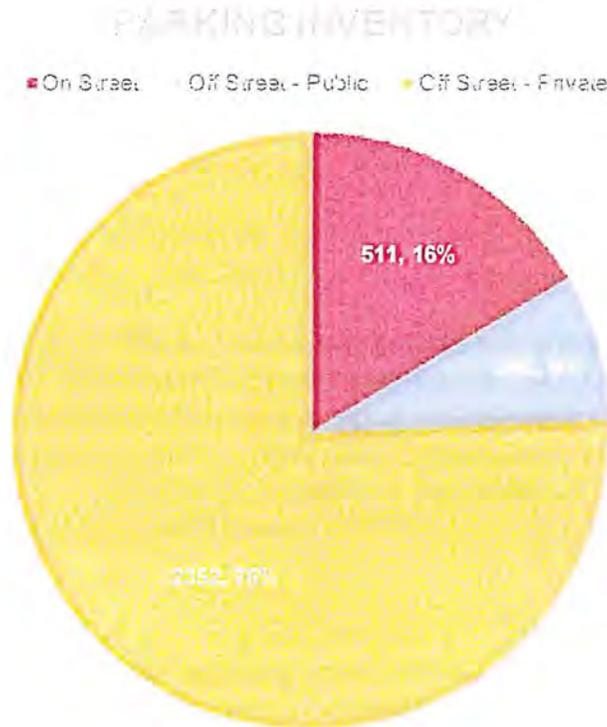
Land Use	Vero Beach	Winter Park	Delray Beach	St. Armands, Sarasota
Residential	1.5 to 2 per unit Overlay: 1 per unit	2 to 2.5 per unit	1 to 2 per unit	1 to 2 per unit
Retail	4 per ksf Overlay: 3.33 per ksf	4 per ksf	4.5 per ksf CBD: 2 per ksf	4 per ksf
Restaurant	5 to 13.33 per ksf	20 per ksf	12 to 15 per ksf CBD: 6 per ksf	6.6 per ksf
Office	3.33 per ksf	4 per ksf	3.5 to 4 per ksf CBD: 2 to 3.3 per ksf	2.85 per ksf
Hotel	1.25 per room + ½ to ¾ accessory use minimums	1 per room + accessory use minimums	0.7 per room + 1 per 800 sq. ft. of mtg. rooms and shops	1.1 per room + accessory use minimums CBD: 0.5 per room



## VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

**Figure 3** provides a breakdown of the parking inventory, which shows that of the 3,108 spaces 2,352 are privately-owned spaces, 245 are City-owned public off-street spaces, and 511 are on-street spaces. The majority of the parking in the study area (76%) is private parking and 24% is City-owned public parking, with 16% on-street and 8% off-street.

Figure 3: Parking Inventory Breakdown



### Parking Occupancy

To understand the existing parking demand and availability of parking in the Ocean Drive/Cardinal Drive area, parking occupancy counts were conducted over a 5-day period on Wednesday, March 13, 2019 through Sunday, March 17, 2019 every two (2) hours from 10 A.M. to 6 P.M.

**Figure 4** shows the parking occupancy for the public, private and on-street parking for each count in the Ocean Drive/Cardinal Drive area. The peak parking period was determined to be Thursday, March 14, 2019 at 2:00 P.M. During the peak parking count the on-street parking was 89% occupied, the off-street public parking was 100% occupied, and the private parking facilities were 61% occupied. Due to the high number of restaurants, office and commercial buildings in the area, peak occupancy occurring during a weekday afternoon is expected.



Figure 4: Parking Occupancy Count Summary

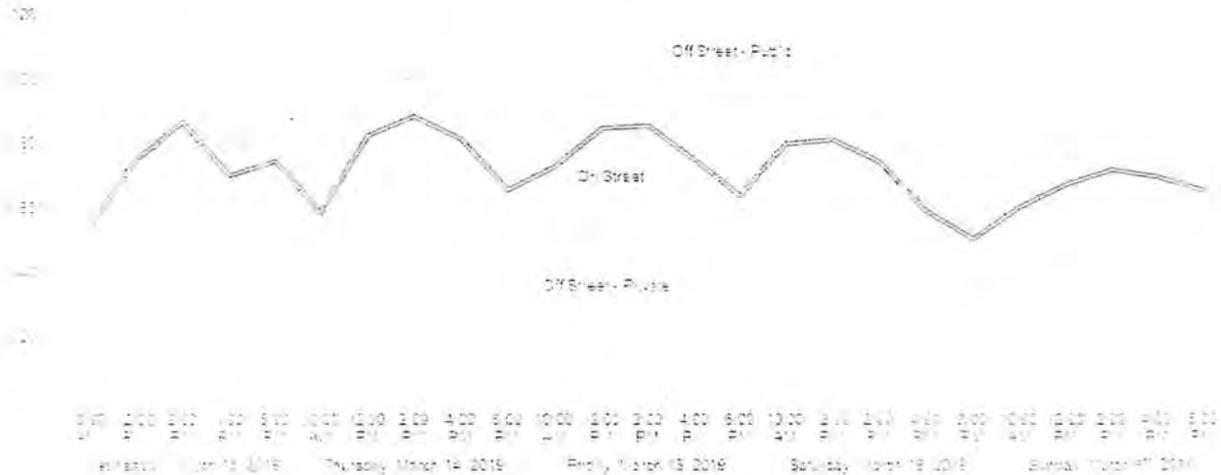


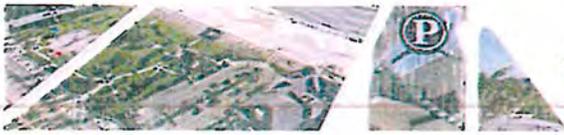
Figure 5 shows a heat map of the parking occupancy by facility during the peak parking period (Thursday, March 14<sup>th</sup> at 2 P.M.). As indicated in red on Figure 5, there were thirteen (13) parking facilities, not including on-street parking areas, operating at capacity (i.e. equal to or greater than 90% occupied) during the peak parking period. Of the 13 facilities, all 5 of the City-owned public parking areas were 100% occupied and 8 of the privately-owned parking facilities were equal to or greater than 90% occupied. Most of the on-street parking areas were operating at capacity during the peak period.

### Parking Surplus/Deficit

A parking surplus/deficit analysis was conducted to determine the amount of available parking or parking needed to support the existing demand. To accurately assess the stress on the parking system in relation to parking utilization, the concept of practical capacity needed to be defined. The level of utilization within a parking facility may reach a level where potential parkers become frustrated when trying to locate an available space and therefore perceive the facility as full. The professional standard in the parking industry is to use a practical capacity factor of 90%, which is the point when a parking facility is at capacity.

It is recognized that the parking occupancy counts were conducted during the peak season, which is typically between November and March. As such, no seasonality factor was applied to the peak parking surplus/deficit analysis. Figures 6 and 7 show the public and private parking surplus/deficit of each facility and on-street parking analyzed in the Ocean Drive/Cardinal Drive area.

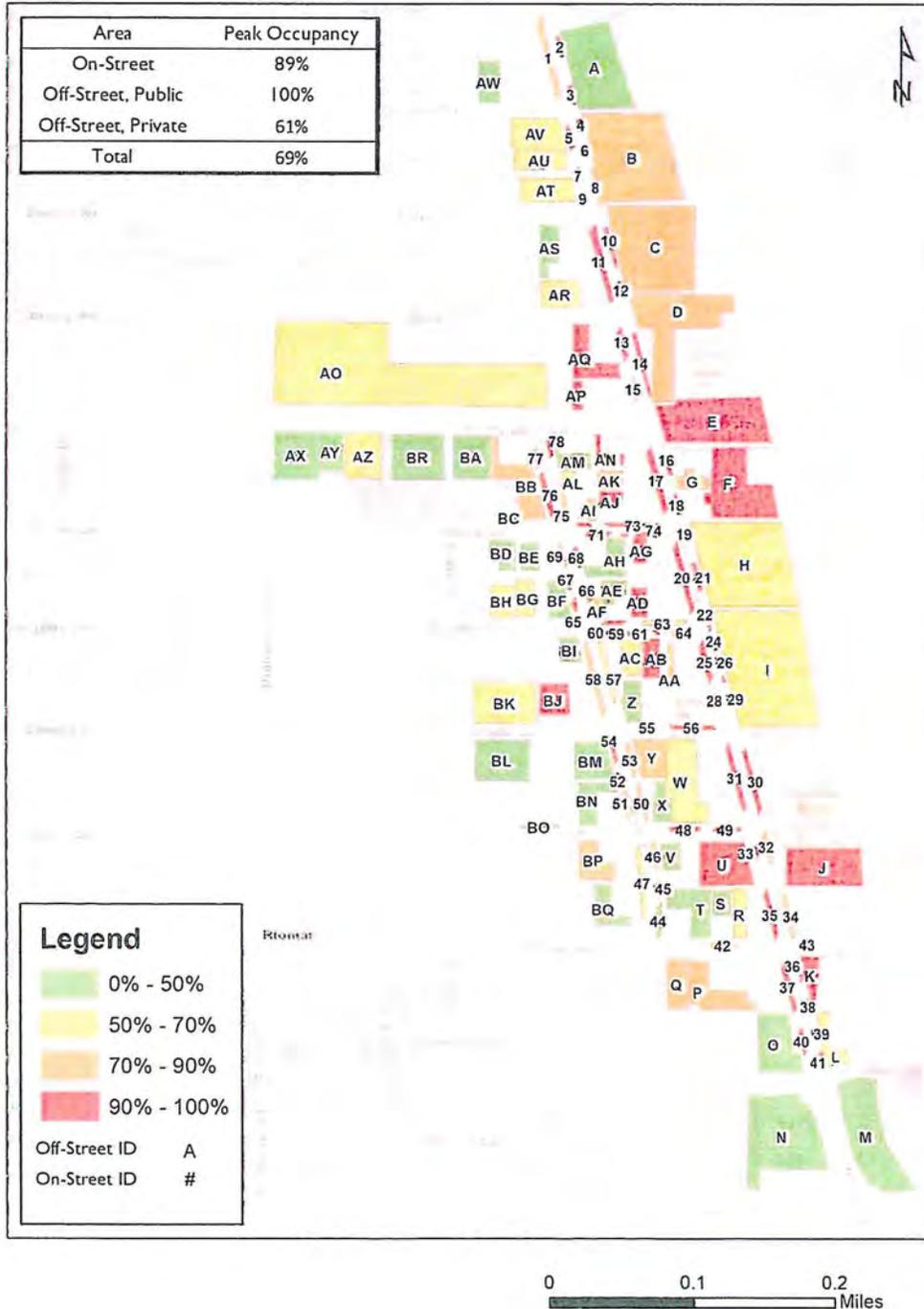
The existing parking conditions surplus/deficit analysis show that there is a deficit of 31 public spaces and a surplus of 655 spaces during the peak parking period. Between the Wilmington Northern Trust Lot and Park Place garage there is a total surplus of 129 spaces during the peak parking period for each facility. This analysis shows that while there is substantial capacity available of private parking, there is a deficit in both public on- and off-street parking during the peak period.



# VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

Figure 5: Existing Peak Period Parking Occupancy

## Parking Occupancy - Vero Beach Peak Period - Thursday, March 14 - 2:00 PM



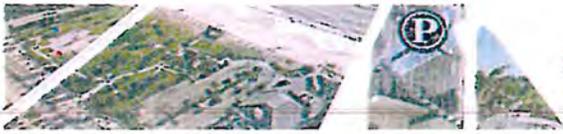
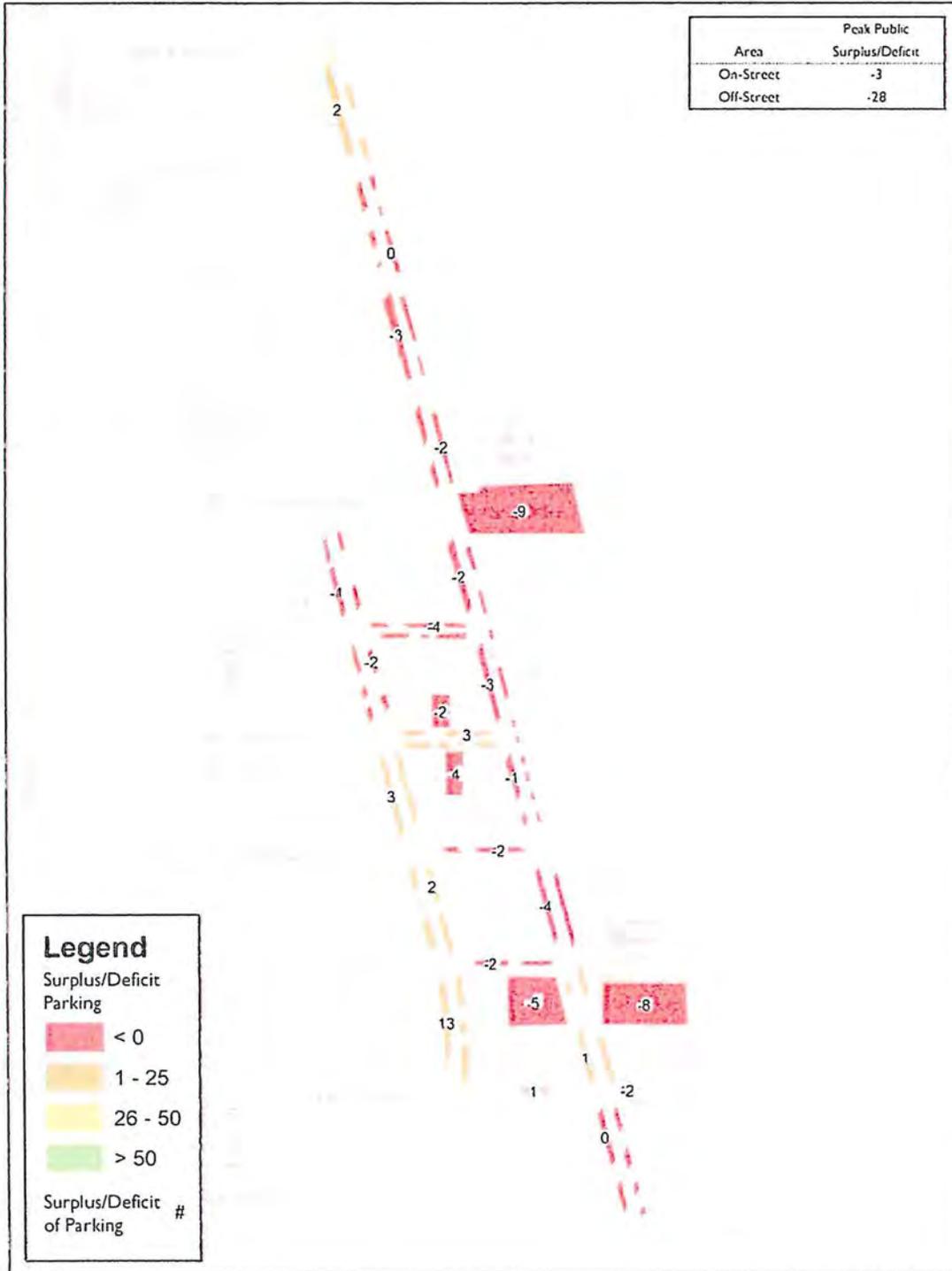


Figure 6: Peak Public Parking Surplus/Deficit

## Public Parking Surplus / Deficit - Vero Beach

Peak Period - Thursday, March 14 - 2:00 PM



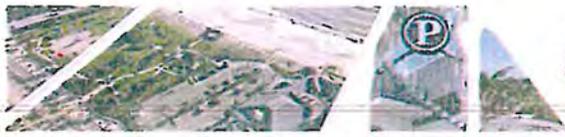


Figure 7: Peak Private Parking Surplus/Deficit

## Private Parking Surplus / Deficit - Vero Beach

Peak Period - Thursday, March 14 - 2:00 PM





### FUTURE GROWTH CONDITIONS

A goal of this study is to determine if there is effective parking supply to support future conditions and, if not, how much additional parking is needed. The future parking inventory and demand of City-owned and privately-owned parking was analyzed in the Ocean Drive/Cardinal Drive area over a 5 and 10-year period. Future peak demand was determined and compared with the effective parking supply in the Ocean Drive/Cardinal Drive area to determine the future peak period parking surplus/deficit. The overall goal is to identify how much additional parking is needed to support future demand in the area.

#### Future Parking Demand

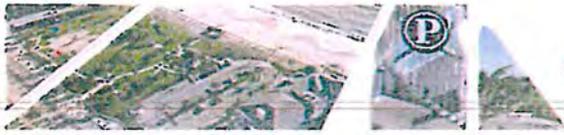
To determine the future peak weekday demand, an annual growth rate was determined from historical Indian River County population data between 2000 and 2015. It was determined that during this 15-year period Indian River County experienced an average annual population growth rate of 1.67%. The calculated annual growth rate of 1.67% was applied to the peak period occupancy count to estimate the 5 and 10-year parking demand. These parking demand volumes were applied to calculate the percent occupied and surplus/deficit of public and private parking both off and on-street. Since the City Planning and Development Department stated there are no specific development projects planned in the Beach District and the existing retail/commercial space is approximately 95% occupied, the population growth rate was the only factor considered in estimating future parking demand.

**Figures 8 and 9** show the peak occupancy per facility and on-street in the study area for the 5 and 10-year condition, respectively. This analysis shows that within a 5-year period the study area will be 74% occupied and there will be inadequate off-street public parking to support demand. In 10 years, the study area will reach a peak of 80% occupied and there will be inadequate parking both on-street and in public parking facilities.

#### Future Parking Surplus/Deficit

A parking surplus/deficit analysis was conducted to determine the amount of available parking or parking needed to support the future demand for the years 2024 and 2029. A practical capacity factor (90%) was applied to calculate the peak parking surplus/deficit. **Figures 10 and 11** show the on- and off-street public parking surplus/deficit in the Ocean Drive/Cardinal Drive area for the 5 and 10-year condition, respectively. **Figures 12 and 13** show the private parking surplus/deficit for each facility analyzed in the Ocean Drive/Cardinal Drive area for the 5 and 10-year condition, respectively.

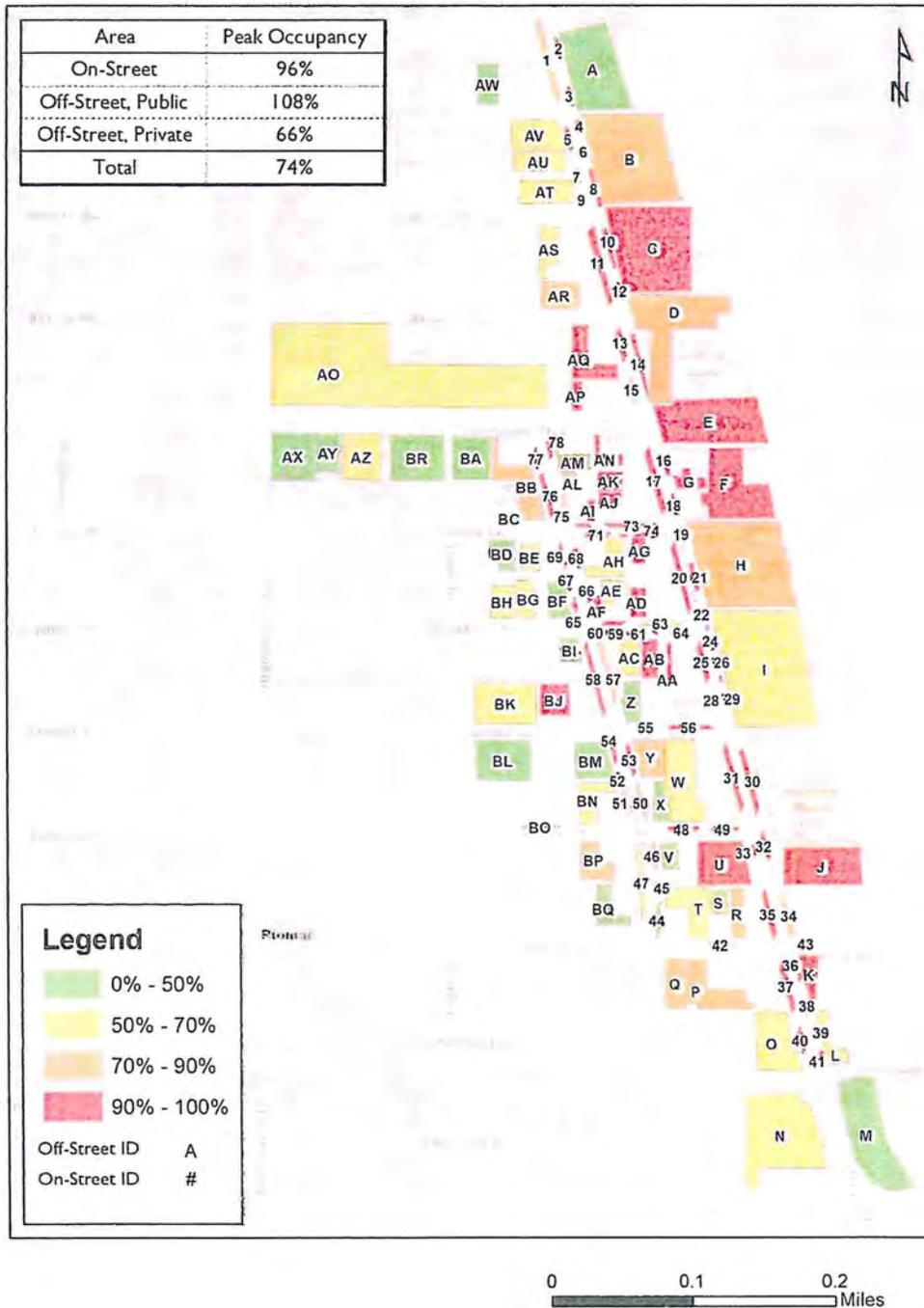
There is a projected deficit of 101 and 158 public parking spaces in 2024 and 2029, respectively. However, there is a projected surplus of 498 spaces in 2024 and 379 spaces in 2029 for private parking facilities in the Ocean Drive/Cardinal Drive area.



# VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

Figure 8: 5-Year Peak Parking Occupancy

## Parking Occupancy - Vero Beach 5 Year Growth Peak Period



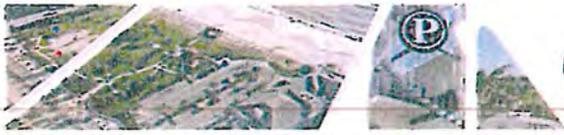


Figure 9: 10-Year Peak Parking Occupancy

## Parking Occupancy - Vero Beach

10 Year Growth  
Peak Period

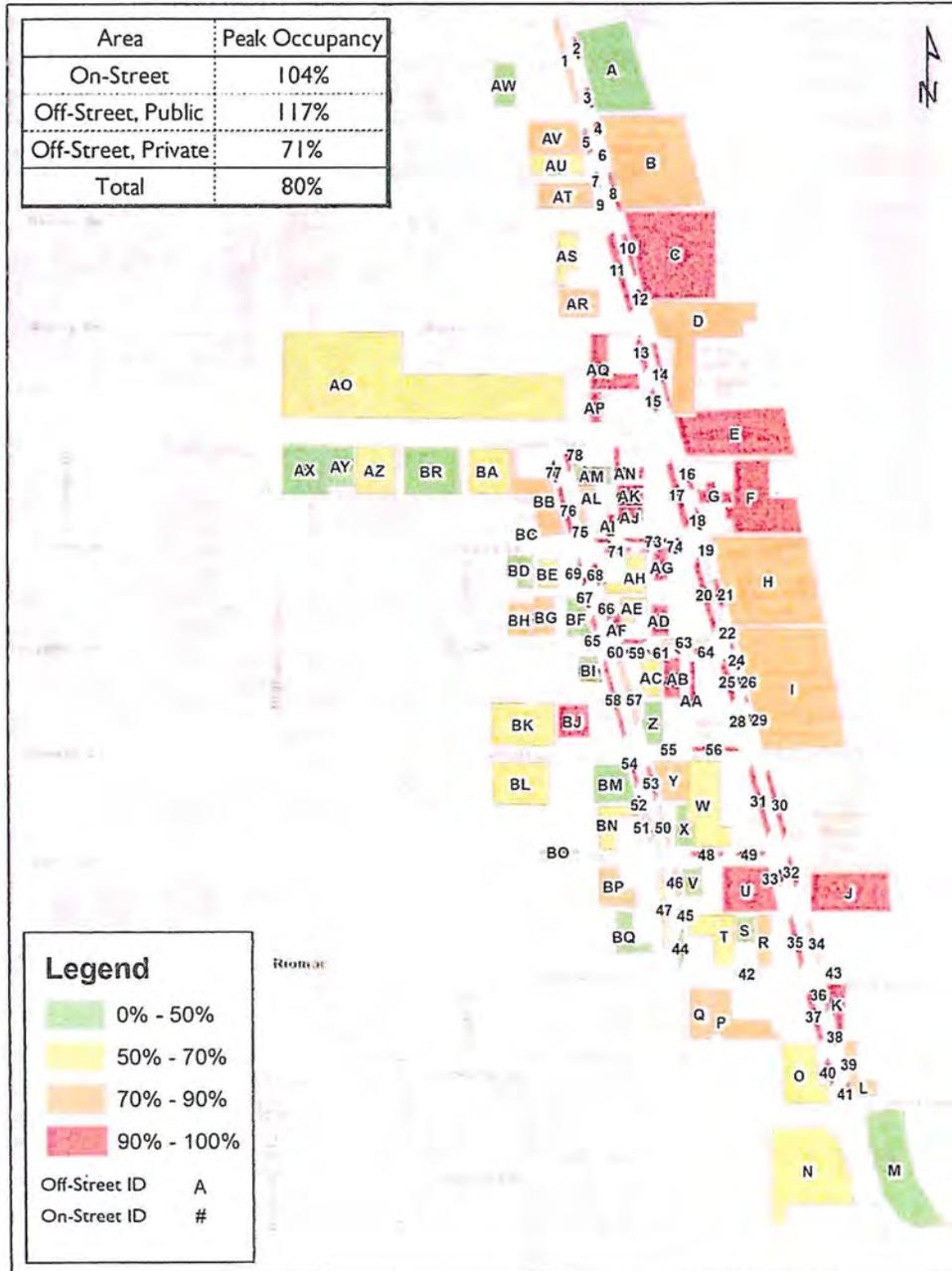




Figure 10: 5-Year Peak Public Parking Surplus/Deficit

## Public Parking Surplus / Deficit - Vero Beach

5 Year Growth  
Peak Period

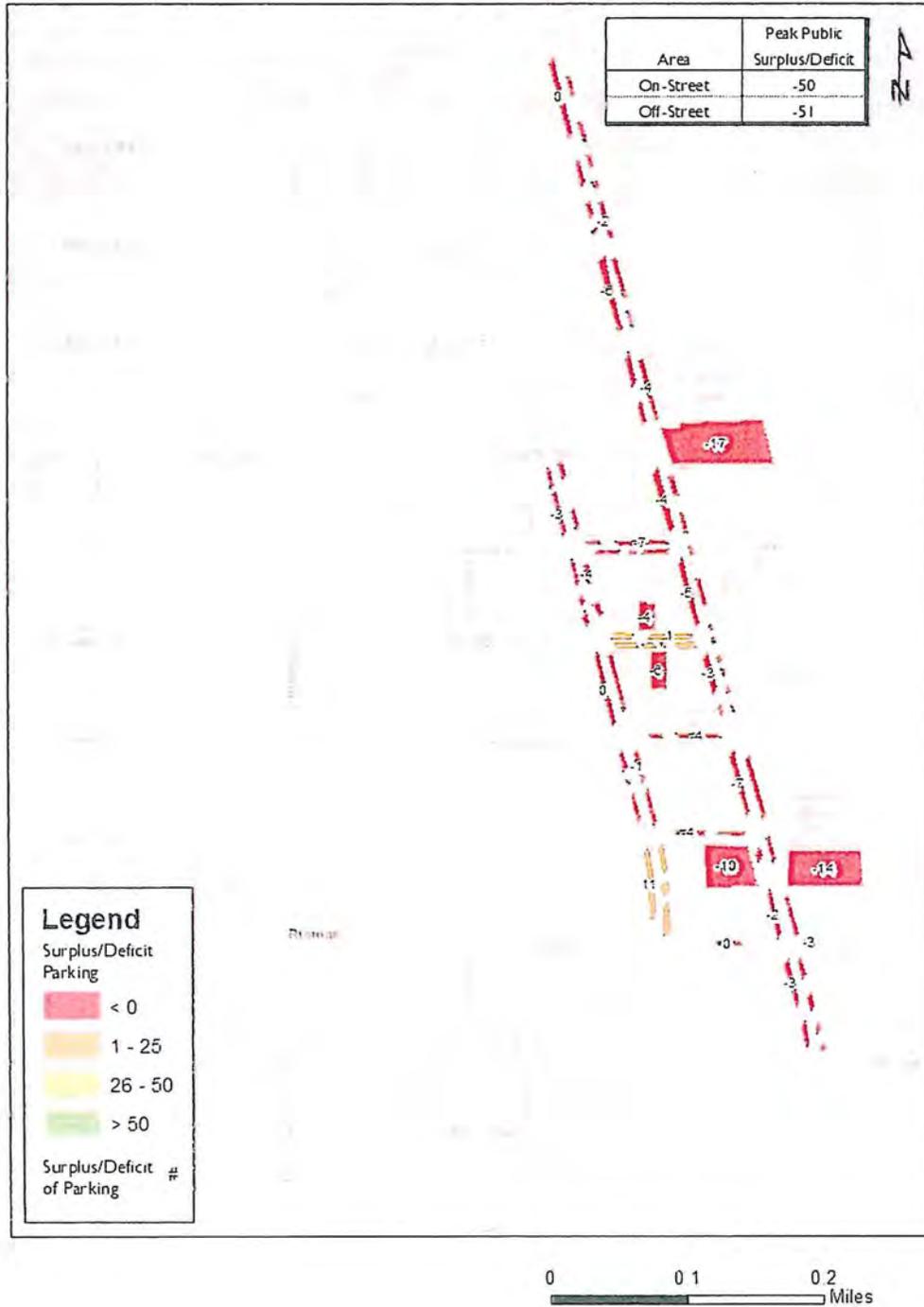




Figure 11: 10-Year Peak Public Parking Surplus/Deficit

## Public Parking Surplus / Deficit - Vero Beach

10 Year Growth  
Peak Period

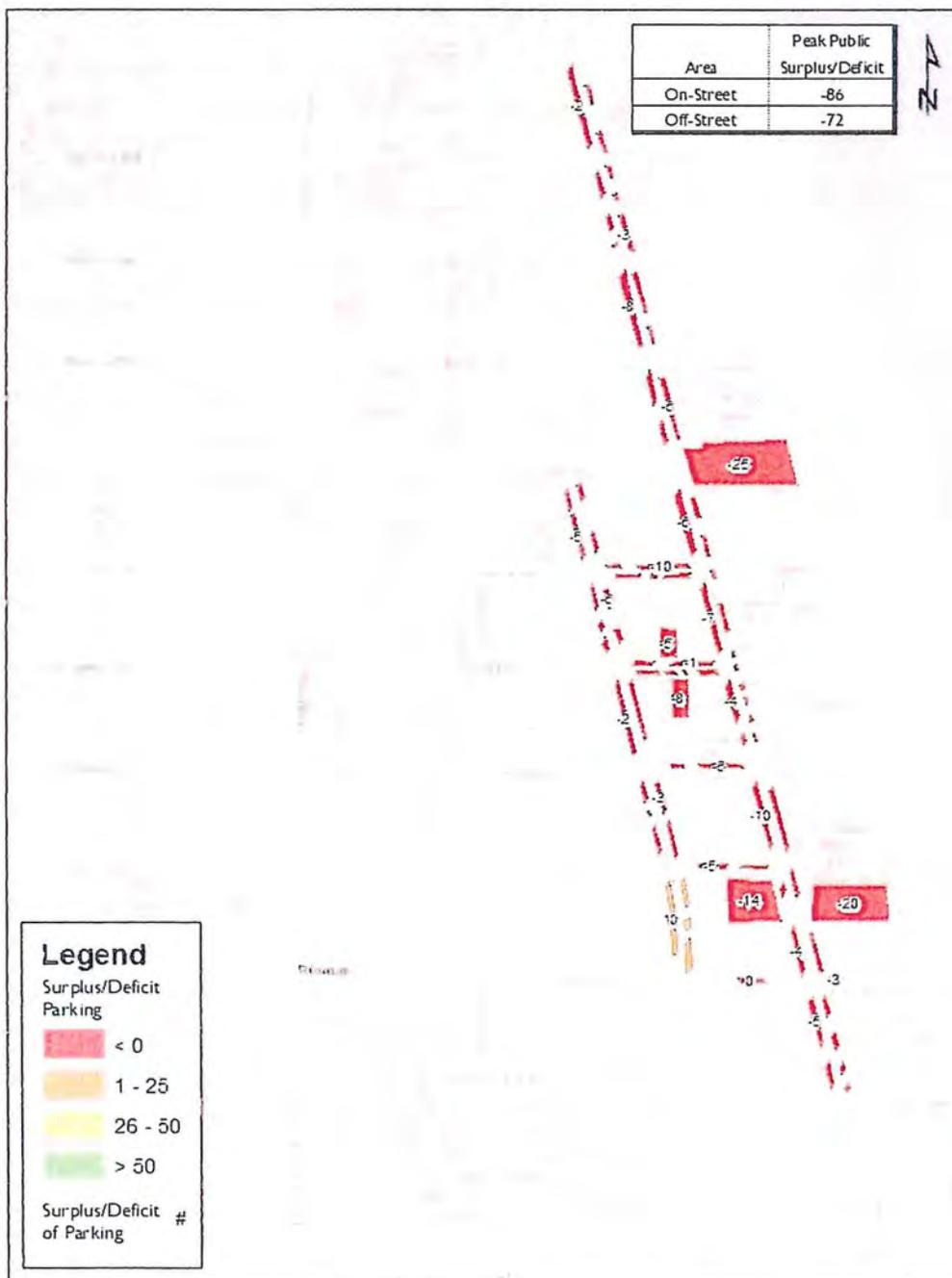


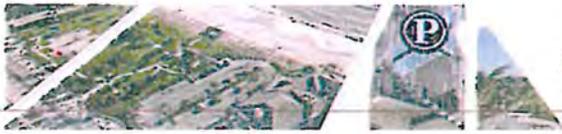


Figure 12: 5-Year Peak Private Parking Surplus/Deficit

## Private Parking Surplus / Deficit - Vero Beach

5 Year Growth  
Peak Period

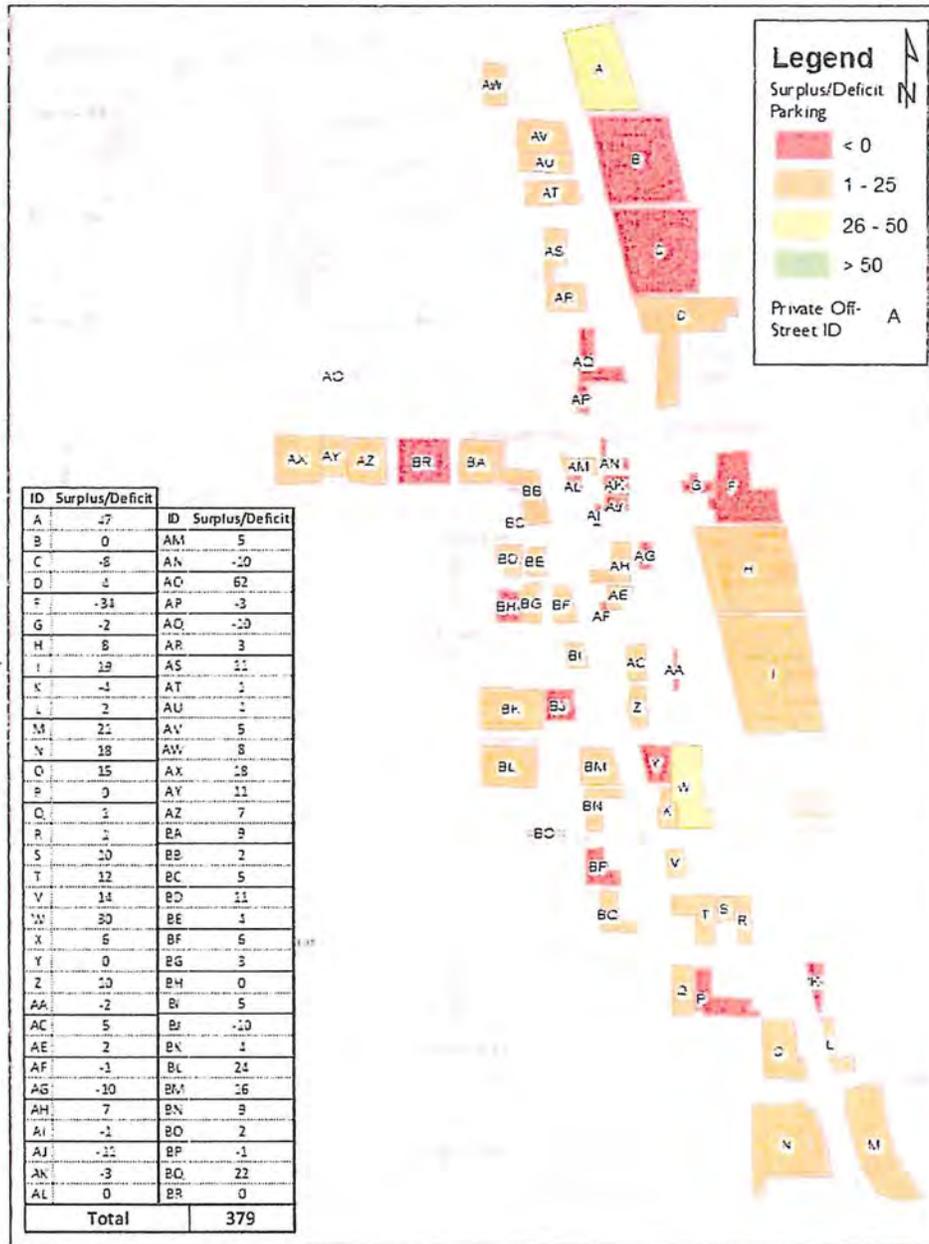




# VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

Figure 13: 10-Year Peak Private Parking Surplus/Deficit

## Private Parking Surplus / Deficit - Vero Beach 10 Year Growth Peak Period

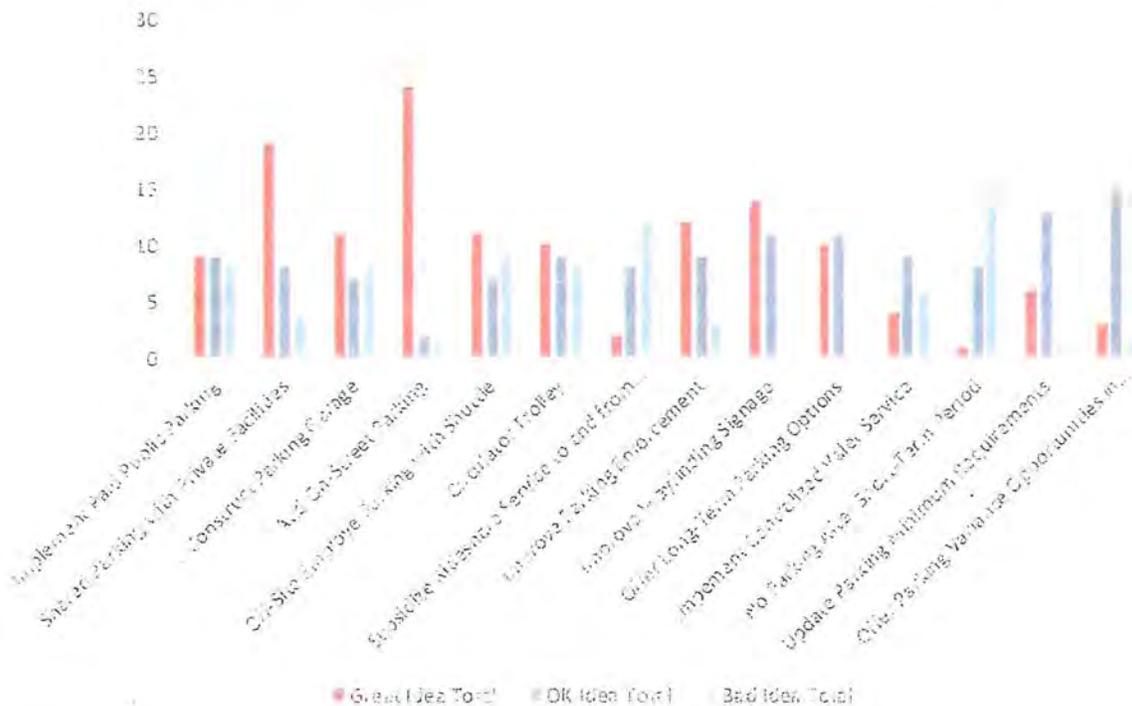




## PUBLIC WORKSHOPS

With the assistance of the City of Vero Beach staff, Kimley-Horn hosted two public workshops regarding the Vero Beach Parking Analysis on Tuesday, September 24, 2019. These workshops provided the public and stakeholders with the opportunity to understand the goals of the study and potential strategies to improve parking conditions. Surveys were issued to understand what parking improvement strategies were preferred. The results of the parking improvement strategies survey are provided in **Figure 14**. In addition to the surveys, City and Kimley-Horn staff engaged the public in productive discussions about parking/transportation issues and potential solutions. The public was also provided the opportunity to leave comments anonymously on cards or on the surveys.

Figure 14: Parking Improvement Strategies Public Workshops Survey Results



The results of the public workshop surveys are provided below:

### Strongly Support:

- Shared parking with private facilities
- Adding on-street parking

### Support:

- Improved wayfinding signage
- Improved enforcement



## VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

- Offering long-term parking options

### *Split Opinion:*

- Paid parking
- Constructing garage
- Off-site employee parking
- Circulator trolley
- Updating parking minimum requirements
- Offering parking variances
- Centralized valet service

### *Mostly Opposed:*

- Parking restriction after certain time period
- Subsidizing rideshare services

These public workshops and surveys helped in understanding some of the parking/transportation issues and developing short, mid and long-term parking solutions.

## PARKING IMPROVEMENT STRATEGIES

As discussed above, several parking improvement strategies were considered for the Ocean Drive/Cardinal Drive area of Vero Beach. A variety of strategies are recommended based on the parking demand analysis, observations, discussions with City staff, and feedback from the community. The suggested strategies are divided between short-term (0 – 2 years), mid-term (3 – 5 years) and long-term (6 – 10 years). The series of parking management solutions address continued growth and the influx of visitors and consider taking a more progressive, modern approach to parking management. The goal of these solutions is to address existing and potential parking issues in the Ocean Drive/Cardinal Drive area.

### Short-Term Parking Strategies (0 – 2 Years)

The short-term parking strategies address a lack of public parking, abuse of the public parking time restrictions, and improved convenience for visitors. Below is a summary of the short-term parking solutions in order of implementation:

1. Shared parking with private facilities
2. Adding on-street parking
3. Improved enforcement
4. Adjust time restrictions
5. Improved way-finding signage

The potential parking improvement strategies that garnered the strongest support was adding on-street parking and shared parking with private facilities. These solutions would help solve parking needs by both adding parking inventory and relegating previously off-limit under-used private parking for public use. Other supported solutions include improving wayfinding signage, improved



## VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

enforcement and offering long-term parking options. These are viable options, as these solutions can be implemented fairly quickly.

### Shared Parking

Structured parking is costly to construct (e.g. \$20,000 per space) and manage (e.g. \$500 per space per year) and may not be the highest and best use of land. Also, the growth in shared mobility (e.g. TNC's, bike share, electric scooters, micro-transit, etc.) and the potential for Autonomous Vehicles (AV) to disrupt parking needs, makes constructing parking a less attractive option since it may not be needed 10, 20, or 30 years from now.

Shared parking can be the most financially and environmentally effective strategy to address a shortage of public parking. Per the parking demand analysis there is substantial private parking available during the peak period. Shared parking agreements can be created either between the City and a private entity or between two private entities. Currently, shared parking agreements are permitted between two entities per the City Zoning Code (Section 63.06 – Parking agreements). Private parking may not be a very effective solution for visitor/public parking but is a viable solution to support employee parking in the area (i.e. office and commercial employees).

### Shared Parking Agreements

The City should work to promote and facilitate shared parking agreements to help maximize the utilization of existing parking assets and reduce the amount of additional parking needed. Financial incentive may be necessary to lease parking from a private business. The City should consider helping manage and enforce the stipulations of the parking agreement. The shared parking agreement should define the responsibilities and liability for each party. A sample shared parking agreement is provided in the **Appendix**. The following issues should be considered as part of the shared parking agreement:

- Users: monthly parkers (employees) or daily/hourly parking (public)
- Time periods: weekday, weekend, evening, daytime
- Maintenance/Operations: responsible parties, duties, cost share
- Utilities and Taxes: responsible parties, cost share
- Enforcement/Security: responsible parties, duties, cost share
- Improvements: responsible parties, cost share
- Insurance: responsible parties, cost share
- Indemnification: litigation cost share
- Term of agreement

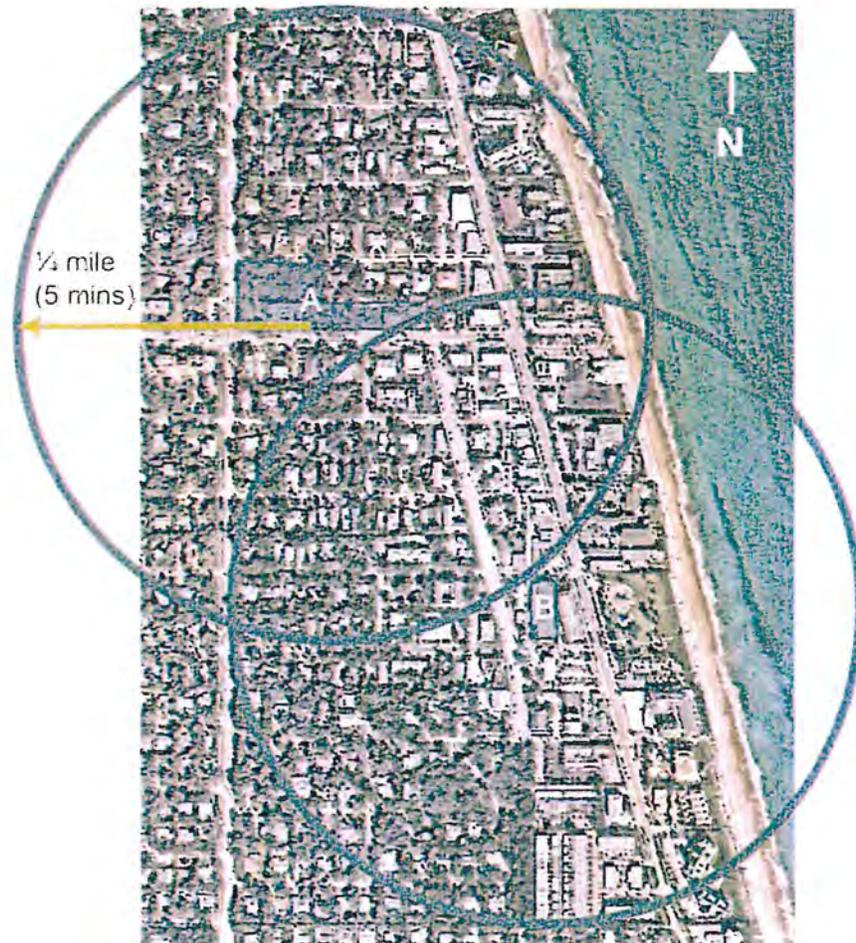
Again, two private entities could create a shared parking agreement, but the City should make efforts to make private parking available to the public. Funding methods include creating an Assessment District and issuing an ad valorem tax for the district, using an improvement fund, or an in-lieu fee. Although the current City Zoning Code already allows for shared parking agreements, the City should facilitate agreements, provide enforcement support, and incentivize private business to come to agreements.



## Shared Parking Facilities

Within the Cardinal Drive/Ocean Drive Area, two (2) locations were identified where a shared parking agreement would offer substantial parking during the peak periods. Shared parking agreements with the Wilmington/Northern Trust Lot and Park Place Garage would free approximately 100 parking spaces for public use. These locations are advantageous as they are both within a quarter mile, or a 5 to 10-minute walk to a lot of businesses in the study area. **Figure 15** shows the location and quarter-mile radius around the Wilmington/northern Trust Lot (A) and the Park Place Garage (B).

Figure 15: Shared Parking Facility Options



## Shared Parking Case Studies

Five (5) cities were identified where shared parking agreements or funding strategies were implemented with private businesses to add public parking or where public parking was constructed using a business tax. An example where a public parking facility was partially funded from a business tax is in the City of Sarasota where the St. Armands Business Improvement District (BID) applied funds from an ad valorem tax to help fund a new public parking structure. The city of Pasadena, California utilized in-lieu fees and shared parking agreements to lease



## VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

parking through a revenue split of parking revenue from private parking facilities and offer it to the public. Oak Park, Illinois leases parking from private businesses also through a revenue split that is made available to the public. Sacramento, California has shared parking agreements with 21 privately-owned parking facilities. The Fort Worth BID leases parking in downtown Fort Worth, Texas from private businesses and makes it available to the public for free during evenings and weekends. These cities demonstrate the possibilities and alternative solutions to create shared parking agreements with private businesses and help fund these agreements.

### Adding On-Street Parking

Another well supported parking solution by the public was adding on-street parking. Six (6) east-west streets were identified in the study area where additional on-street parking can be constructed adjacent to either commercial or multi-family buildings. It was determined that a total of approximately 79 on-street spaces can be added along Cypress Road, Banyan Road, Acacia Road, Camelia Lane, Dahlia Lane, and Flamevine Lane, which accounts for ADA spaces. The improvements to construct on-street parking with curb and gutter would cost approximately \$400,000 (approximately \$5,000 per space). A summary of the suggested on-street parking locations is shown in **Figure 16**.

### Center Island Parking

A study was finalized on March 20, 2007 (*Ocean Drive / Cardinal Drive and Beachland Boulevard Master Plan*) for the City that proposed center island parking along Cardinal and Ocean Drives. The study determined that a total of approximately 133 additional spaces could be added between Cardinal Drive and Ocean Drive at a cost of between approximately \$15,000 to \$16,000 per space (total of between \$2 million to \$2.15 million) in 2007 dollars.

This study did not consider ADA parking requirements. An updated assessment of the amount of parking added was performed when considering the ADA on-street parking requirements per the United States Access Board. When considering ADA requirements, a total of 110 on-street spaces are gained between Cardinal Drive and Ocean Drive, as an additional 23 ADA spaces would be needed that all require an access aisle. At a current price tag of approximately \$2.5 million (2020 dollars) this would equate to a cost of approximately \$22,700 per new space. This analysis assumes that the proposed landscaping in the center island per the the street design in the 2007 study is required.

In addition to the high price tag per space, the center island parking design option has a number of other disadvantages, including:

- Eliminates mid-block left-turns into driveways,
- Sight-distance issues when turning left onto side streets,
- Increased U-turns and circulating into neighborhood streets,
- Greater pedestrian-vehicle conflicts from increased mid-block pedestrian crossing, and
- Major construction logistics that would impact traffic and accessibility to the area.

The high cost and disadvantages associated with center island on-street parking along Ocean and Cardinal Drives makes it an unfavorable design option.



# VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

Figure 16: On-Street Parking Additions

Street	On-Street Parking	Parking Locations
Cypress Rd	11	
Banyan Rd	11	
Acacia Rd	7	
Camelia Ln	31	
Dahlia Ln	8	
Flamevine Ln	11	
<b>TOTALS</b>	<b>79</b>	



## VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

### *Golf Cart Parking*

There has been a rise in the utilization of golf carts across the nation and in Vero Beach. The current City Zoning Code does not have a design specification for golf car parking spaces. Many municipalities allow for motorcycle and golf carts to use the same parking spaces, which allows for some efficiency. The current minimum motorcycle space dimensions per the City Code is 4.5 feet wide by 8 feet long. A golf cart parking space needs to be a minimum of 5 feet wide by 10 feet long. It is suggested that the City Zoning Code is modified to specify spaces at 5 feet wide by 10 feet long for both motorcycles and golf carts.

### *Parking Enforcement Improvements*

The City of Vero Beach should modernize its parking enforcement practices to promote turnover of on-street spaces and the appropriate use of the Beach District parking facilities. It is suggested that the parking enforcement technology is modernized with License Plate Recognition (LPR) cameras, a graduated fine structure, and a customer-friendly approach to enforcement.

### *Modernized Technology*

The City currently employs one parking enforcement officer through the Police Department that uses a body camera, video camera, chalk, and digital ticketing system with printer. Modern enforcement technologies should be implemented to promote efficient and successful parking enforcement.



It is suggested the City invest in mobile vehicle mounted LPR cameras. LPR enforcement equipment allows for better management of time restricted parking areas by tracking vehicles based on their license plate and eliminating the opportunity for a person to move their vehicle or wipe off the chalk on their tire. LPR cameras also allow for the efficient collection of parking occupancy data, which can help inform decisions regarding parking management and operations, including: allocation of reserved parking, monthly parking permit issuance per facility, hours of enforcement, and time restrictions. It is suggested that regular parking occupancy counts are performed by the City to better maximize the existing City parking assets.

### *Graduated Fine Structure*

It is suggested the City implement a graduated fine structure, to reduce the number of repeat offenders and educate first time violators. First time offenders should receive a warning and information regarding the parking restrictions and fines. A late payment fee should also be added if fines are not paid in a timely manner. A sample fine structure is shown below.



## VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

Type of Violation	Current Fine Schedule	Proposed Fine Schedule
<ul style="list-style-type: none"> <li>Overtime parking</li> <li>Parking over line</li> </ul>	\$20.00	1 <sup>st</sup> Offense – Warning 2 <sup>nd</sup> Offense – \$20.00 3 <sup>rd</sup> Offense – \$30.00 4 <sup>th</sup> Offense – \$40.00
<ul style="list-style-type: none"> <li>Parking in a fire lane</li> <li>Improper parking</li> <li>All other parking violations (except improper parking in an ADA space)</li> </ul>	\$30.00	1 <sup>st</sup> Offense – Warning 2 <sup>nd</sup> Offense – \$30.00 3 <sup>rd</sup> Offense – \$40.00 4 <sup>th</sup> Offense – \$50.00

This type of change to the parking fines would require significant outreach and education to inform residents, employees, and business owners about the goals of the policy change and expectations.

### *Parking Ambassadors*

The preferred parking enforcement approach focuses on customer service and promoting “voluntary compliance” of the City’s parking facilities. With this approach, enforcement staff can be presented as parking ambassadors (PAs), rather than as regulatory or punitive agents. As such, the role of PAs should be to create a better customer experience by being highly visible and approachable to visitors to present PAs as community resources who help educate the general public while also serving in an important regulatory role for the City when called upon. Instead of issuing tickets for the first violation, educational brochures can be issued that provide a map of parking availability, and also inform the driver of upcoming changes to enforcement policies and any other policy changes, community events, or programs.

### *Time Restricted Parking*

Proper parking time restrictions and enforcement hours are necessary to make on-street parking available to short and long-term parkers, serve all user needs, and help spread parking demand evenly across the system. Currently, two (2) hour time restrictions are implemented at most on-street areas, in the Sexton Plaza lot and for a few spaces in the Humiston Park lot between 8 A.M. and 6 P.M. every day. Cardinal Drive has a three (3) hour parking time restriction. The four (4) other public lots have no time restriction. However, some of the Humiston Park lot has parking reserved for park visitors between 8 A.M. and 6 P.M., which is challenging to enforce.

### *Suggested Time Restrictions*

The current issues with the existing public parking time restrictions is that it allows long-term parkers (employees) to use the unregulated areas (e.g. no time restriction) and there is a lack of long-term parking available for visitors (e.g. greater than 2 hours). This makes it difficult for visitors to find parking and to stay for extended periods. Visitors and patrons may feel that they are rushed to avoid a parking ticket, which may limit economic growth.



# VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

**Table 2** shows the suggested public parking time restrictions. Extending on-street parking time restrictions to three (3) hours and off-street parking limits to four (4) hours would provide visitors greater options to enjoy the area, while preventing employees from monopolizing the unrestricted parking facilities. Short term, 30-minute parking spaces should be implemented in key locations adjacent to businesses that have quick turnover.

*Table 2: Suggested Public Parking Time Restrictions*

Public Parking Area	Time Restriction
Existing On-Street Parking	3-Hours, 8 A.M. to 6 P.M.
New On-Street Parking	Permit Parking (no time limit), 8 A.M. to 6 P.M.
Parking Lots	4-Hours, 8 A.M. to 6 P.M.

The suggested 79 on-street parking spaces to be constructed along side streets adjacent to commercial and multi-family properties should initially be made available to local residents and employees in the Ocean Drive/Cardinal Drive area through a permit system. A permit system is suggested to manage these spaces and make them available exclusively for residents and employees, instead of visitors. The suggested parking policies for the other on-street parking areas is going to displace employees and free up parking for visitors to the Beach District. This new parking is located in a less convenient area and should be made available to long-term parkers (i.e. employees). Also, since employees are being displaced this parking will become a vital asset to support their parking needs. Since these parking spaces are located along residential streets they should also be made available to residents in the area.

The designation and management of the public parking areas requires monitoring utilization to determine which users (e.g. employees or visitors) should be provided more or less parking. If it is determined that some of the off-street parking areas experience low activity once time restricted and the proposed on-street parking is over utilized, it makes sense to again place no time restriction on one or two of the public off-street parking lots. This designation of public parking will also depend on how much private parking is made available through shared parking agreements for either employees or visitors. In general, the exact designation of public parking is a moving target that needs to be monitored and calibrated to meet each user's needs.

### *Parking District*

To prevent long-term parkers (e.g. employees) from abusing the parking system by shuffling their vehicle, it is suggested that a parking district is established where people can't park in a public parking space on or off-street within the Beach District for one hour after having parked in a time restricted public parking area. This will require proper signage throughout the study area and the use of LPR cameras for enforcement. This type of time restriction will encourage long-term parkers (e.g. employees) to use designated long-term parking areas (e.g. proposed on-street parking and shared parking facilities).

Time restrictions can be a highly contested topic for any community. It is suggested that proper public outreach is conducted to help ensure the implemented time restrictions across the parking system are championed by legislature and the community. Proper public education and marketing



should be conducted to make the public fully aware of any time restriction changes and new signage should be installed that is easy to comprehend.

### *Employee Parking Designation*

It is suggested that private parking made available to the public from shared parking agreements and new on-street parking constructed along side streets (e.g. 79 spaces) be made available to employees in the Beach District through a permit system managed by the City. The one limitation of this study is that the number of employees parking in public parking facilities was not determined. One strategy to identify the number of employee vehicles is by performing a turnover study, which analyzes the length of stay. Length of stay information can be applied to estimate the number of employees. Identifying the number of employees parked in public spaces in the Beach District can be helpful in determining how many parking spaces are needed to support the employee parking demand and in defining parking designation policies for public parking to serve each user (e.g. visitors and employees). It is suggested that a parking turnover survey is conducted of the public on and off-street parking areas, which would cost approximately \$10,000.

### *Wayfinding Signage*

Effective wayfinding signage helps promote the utilization of convenient off-street parking. Wayfinding signage can take many forms, from traditional street signs to digital signs and mobile applications that integrate with navigational software. Below is a list of the suggested improvements to the Beach District wayfinding signage system.

- Develop a comprehensive and consistent static wayfinding signage plan to effectively direct people to major off-street parking areas.
- Integrate the City's logo and brand into the parking wayfinding signage to create a sense of place.
- Provide dynamic, real-time parking availability signage at the access points of the Ocean Drive lots (e.g. Sexton Plaza lot, Humiston Park lot, and Humiston Plaza lot).
- Implement easy to read and understand informational signage outside the City-owned parking lots with an identification or name (e.g. Humiston Plaza Lot).



An effectively designed parking wayfinding system will help activate lesser utilized parking facilities, reduce traffic from "cruising" looking for a space, enhance the user experience, and support the distinct branding of Vero Beach.

### *Mid-Term Parking Strategies (3 – 5 Years)*

The mid-term parking strategies address a potential lack of public parking, abuse of the public parking time restrictions, improved convenience for visitors, and economic development. Below is a summary of the mid-term parking solutions in order of implementation:

1. Off-site employee parking
2. Paid parking
3. Modernize parking policies



## Off-Site Employee Parking

Vero Beach Hotel and Spa previously offered off-site parking with shuttle service to employees at the Riverside Theater which is approximately one (1) mile (5 to 10-minute drive) from the Beach District. The off-site parking was not well utilized, as there was a lack of incentive for employees to park in a less convenient location and take a shuttle, when they can park near their destination for free. For off-site parking to work, the other parking option needs to either be less convenient or more costly.

If it is determined that there is still a deficit of parking after additional on-street parking has been constructed and all shared parking opportunities have been explored, it is suggested that off-site parking with shuttle service is implemented. The shuttle should have a 5 to 10-minute frequency with key stops along Ocean Drive. Main employment centers with a substantial number of employees using the shuttle should have a stop in front of their businesses and shift-times can be coordinated to provide shuttle service at the optimal times. Also, amenities such as shelters at shuttle stops, real-time arrival information and free parking at the off-site parking location can create comfortable conditions that will help attract users. One (1) shuttle would cost approximately \$20,000 per month, running seven (7) days a week, from 6 A.M. to 6 P.M.

## Paid Parking

Paid parking is an effective tool to influence behavior, redistribute parking demands, and promote economic activity through the turnover of parking spaces. Paid parking will also incentivize patrons destined to private businesses to use private parking provided by those businesses instead of parking in a public parking facility for free. If properly managed, implementing paid parking on-street and in public lots will increase availability for visitors by preventing abuse by long-term parkers. Paid parking also allows the opportunity to offer daily, long-term parking in public lots (e.g. Sexton Plaza lot, Humiston Park lot, and Humiston Plaza lot). Also, to help appease residents a discounted parking rate could be offered to residents.

### *Demand-Based Rate Structure*

Parking pricing across the Cardinal Drive/Ocean Drive parking system should be designed to spread parking demand more evenly and make convenient, short-term, on-street parking available to patrons. Parking pricing should be demand-based and grounded in supply/demand economics that help consumers make decisions based on convenience/cost tradeoffs. Price per facility and on-street area should correspond to demand and convenience to major attractions. It is suggested the hourly parking rate on-street is greater than off-street to incentivize long-term parkers to park off-street and make on-street parking available to short-term parkers. A sample parking rate structure is provided below.

On-Street Parking	Parking Lots
\$1.50 per hour – Cardinal Drive	\$1.00 per hour
\$2.00 per hour – Other on-street parking areas	\$8.00 per day

The benefits of creating a demand-based rate schedule between on and off-street parking includes:



## VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

- Reduced frustration among visitors trying to locate a space
- Reduced traffic from people “cruising” looking for an on-street space
- Making convenient, short-term on-street parking more available which helps businesses
- Greater turnover of prime parking spaces
- More balanced demand for parking in high demand areas
- Incentivizes visitors to use private parking when available
- Provides funds to effectively manage parking system
- Encourages alternative modes of transportation

### *Parking Rate Policies*

The following parking rate policies are suggested to help ensure a well-managed parking rate structure.

- Conduct a parking rate study to define the suggested rate structure across the system.
- Perform and review a parking supply and demand analysis annually to monitor the effectiveness of paid parking and adjust rates accordingly to help influence behaviors.
- Allow City staff the ability to make incremental adjustments to rate structure to align with market conditions without Commission approval beyond a threshold.
- Define how some portion of parking revenue monies are reinvested into the community.

Implementing or adjusting parking rates is always a sensitive topic in any community. It is suggested that proper planning, public relations efforts, and outreach is conducted to help ensure the successful implementation of rate changes.

### *Implementation*

Paid parking can be implemented using many different types of revenue control technology. One system that can be easily implemented is a mobile pay parking app. In addition to the mobile pay option, it is suggested that pay-by-plate pay-stations are installed on each block face with on-street parking and in public lots. A pay-by-plate revenue control system will allow for efficient enforcement with mobile LPR cameras. Proper informational signage would be needed on-street and in each lot informing people about paid parking time periods and payment options (e.g. mobile pay and pay-stations). Implementing a paid parking system on-street and in public lots will require contracting with companies that offer mobile pay parking and pay-by-plate pay-stations. The Cardinal Drive/Ocean Drive area was analyzed to determine the key locations for pay-stations on-street and in public lots. **Figure 17** shows 41 locations where pay-stations can be implemented, which would cost approximately \$300,000.



### *Modernized Parking Policy*

The City should revisit the parking code to determine if it aligns with City goals, meets community needs, promotes development, and maximizes existing parking assets. Below is a list of policies that should be considered as part of the Zoning Code review.



## VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

- Implementing a parking-in-lieu fee to fund future public parking facilities and offer developers a parking requirement reduction to help support growth
- Eliminate additional parking requirement for land use changes or renovations
- Offering parking requirement reductions with shared parking agreements, proximity to transit, and the implementation of Transportation Demand Management (TDM) strategies, such as:
  - Bike parking
  - Car share service
  - Incentives for not driving
  - Transit subsidies
- Modernized shared parking guidance

Figure 17: On and Off-Street Pay Station Locations





A modernized parking Zoning Code will help align parking requirements with community goals, maximize underutilized parking, and support economic development. It is essential that proper public outreach and analysis is conducted to determine the preferred adjustments to the Zoning Code.

### Long-Term Parking Strategies (6 – 10 Years)

Long-term parking strategies address a lack of public parking by recommending the construction of a parking garage. However, the construction of a parking facility is based on the future supply/demand balance which will be dependent on future growth, shared parking resources, off-site parking utilization, and the displacement of existing parking facilities from future development.

### Parking Facility

Two (2) potential parking facility sites were identified in the Cardinal Drive/Ocean Drive area, which are shown in **Figure 18**. The ¼-mile walking distance equates to an approximately 5 to 10-minute walk. Due to the 30-foot height limitation in the area, it was assumed that a 3-level parking garage could be constructed, which does not include any underground parking.

Location A is located on the southeast quadrant of the intersection of Beachland Boulevard and Ocean Drive. The property is currently occupied by the parking lot for Ocean Grill. It is directly adjacent to the beach. This facility could help support the parking demand of employees, visitors, and people going to the beach. However, as it is right on the beach it may not be the highest and best use as a parking garage. This site will provide a net gain of approximately 150 spaces, assuming a three (3) level garage. The cost of building the garage would be approximately \$4.8 million, assuming a construction cost of \$20,000 per space and not including the cost of the land itself. This site would require a public-private partnership between the City and Ocean Grill.

Location B is located on the southwest quadrant of the intersection of Dahlia Lane and Ocean Drive. The property is currently occupied by the Humiston Plaza public parking lot, across the street from Humiston Park. This facility could help support the parking demand of employees, beach visitors, and patrons of the adjacent businesses. This site has poor geometrics to support a garage, is in a good location, and is City-owned. A net gain of approximately 100 spaces with a three (3) level garage. The cost of building the garage would be approximately \$3 million, assuming a construction cost of \$20,000 per space.

**Table 3** provides a summary of the attributes associated with each potential parking facility location.



# VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

Figure 13: Potential Parking Facility Sites

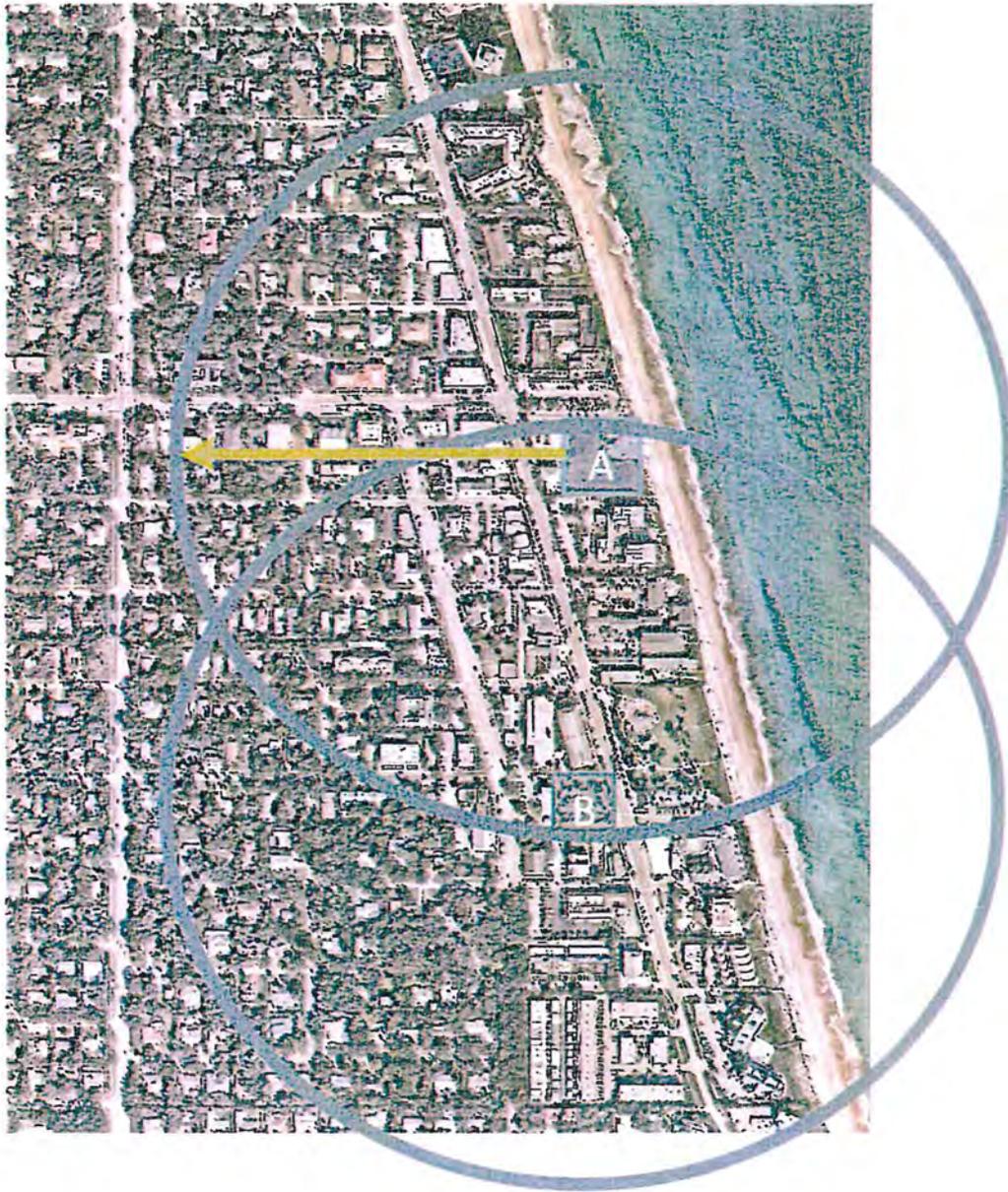


Table 3: Parking Facility Site Selection Analysis

Site	Net Gain Spaces *	Cost**	Geometrics	Location / Convenience	Highest and Best Use	Ownership	Traffic Access
Ocean Grill Private Lot	~ 150 spaces	\$4.8 million	Fair	Very Good	Poor	Private	Fair
Humiston Plaza Public Lot	~ 100 spaces	\$3 million	Poor	Good	Fair	City	Good



## PARKING MANAGEMENT ACTION PLAN

To have a parking system that maximizes its existing parking assets it is essential to operate the parking system in a customer-friendly and efficient manner. The City of Vero Beach is concerned with providing a parking system that is inviting to the varied needs of visitors, business owners, and employees. The major goals of the study are to:

- Determine existing and future parking supply/demand balance
- Assess parking assets available for shared parking
- Provide guidance regarding progressive parking policy
- Develop solutions to support existing and future parking demand
- Determine parking management and operation improvements

Parking management and operation recommendations include nine (9) strategies aimed to improve parking and transportation conditions and the overall user experience and attractiveness of the Cardinal Drive/Ocean Drive area for all users and promote the goals established above. The nine (9) recommended parking management strategies are listed below in order of priority.

### Short-Term (0-2 Years)

1. Implement shared parking
2. Add on-street parking
3. Improve enforcement
4. Adjust time restrictions
5. Improve wayfinding signage

### Mid-Term (3-5 Years)

6. Provide off-site employee parking
7. Enact paid parking
8. Modernize parking policy

### Long-Term (6-10 Years)

9. Construct garage

A series of short- (0-2 years), mid- (3-5 years) and long-term (6-10 years) improvements are suggested to the parking and transportation system in the Cardinal Drive/Ocean Drive area. The nine (9) recommended strategies provide a road map to improve parking and transportation conditions in the Cardinal Drive/Ocean Drive area. The City should realize this is going to take time and hard work and that these action items are not set in stone, but instead should be reassessed every year to ensure they are addressing the most pertinent issues and challenges facing the City. The action plan table below is a basic outline of suggested improvements and does not provide detailed steps as this needs to happen at the local level and need to be championed by the City Planning and Engineering departments. It is important that someone within the City is tracking the progress, delegating tasks and seeing them through to completion



# VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

for this parking management action plan to be successful. **Table 4** provides a 10-year parking management action plan.

*Table 4: 10-Year Parking Management Action Plan*

Strategy	Description
<b>Short-Term (0-2 years)</b>	
<b>Shared parking agreements</b>	The City should coordinate with the private sector to help promote the utilization of private parking facilities through shared parking agreements whether between two private entities or between the City and a private entity.
<b>Additional on-street public parking</b>	Additional public parking is needed to support future growth. The City should construct additional on-street parking spaces along side streets in front of commercial or multi-family properties. These spaces should be designated to residents and employees in the Beach District through a permit system between 8:00 A.M. and 6:00 P.M.
<b>Modernize enforcement equipment</b>	Purchase LPR mobile enforcement cameras. Requires developing and issuing an RFP to bid out equipment to parking enforcement technology vendors. LPR cameras should be applied to enforce parking time restrictions.
<b>Update parking enforcement hours and time restrictions</b>	Adjust the parking time restrictions to provide more long-term parking areas and make public parking lots available to visitors. On-street parking 3-hours, public lots 4-hours, added on-street parking to be permit parking. Require parkers to not park in Beach District for 1-hour after time restriction period.
<b>New wayfinding signage and parking availability</b>	Implement a new wayfinding signage plan that includes static signage, informational signage, and dynamic parking availability signage for public lots on Ocean Drive. Wayfinding signage should enhance City branding.
<b>Mid-Term (3-5 years)</b>	
<b>Off-Site Employee Parking</b>	Provide a shuttle service that transports employees from an off-site parking location to their places of business in the Beach District.
<b>Implement Paid Parking</b>	Implement a demand-based rate structure for on and off-street public parking to help eliminate abuse of the parking system and make priority parking more available to visitors. A rate study and community outreach efforts should be performed. Pay-by-plate pay-stations and mobile pay should be implemented.
<b>Modernize parking policies</b>	Modernize parking policies in the Zoning Code to align with community goals. Parking policies to be updated may include parking requirements, parking facility design, shared parking, parking variances, and a parking fee-in-lieu. Parking policy changes should be based on a data driven approach and community outreach efforts.
<b>Long-Term (6-10 years)</b>	
<b>Public parking structure</b>	If needed, a public parking structure should be constructed to support future demand and economic development in the Beach District.



# APPENDIX: Sample Shared Parking Agreement

**SUNDANCE SQUARE PARKING LEASE AGREEMENT**

BY AND BETWEEN

CITY CENTER DEVELOPMENT CO., L.P., SRB CITY INVESTMENTS, L.P.,  
T-L CITY INVESTMENTS, L.P., AND DDR/DTC CITY INVESTMENTS, L.P., co-owners,  
and SUNDANCE PLAZA PROPERTIES LLC (collectively, Landlord)

AND

THE BOARD OF DIRECTORS OF TAX INCREMENT REINVESTMENT  
ZONE NUMBER THREE, CITY OF FORT WORTH, TEXAS  
(Tenant)

Effective as of December 1, 2014

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## PARKING LEASE AGREEMENT

This Parking Lease Agreement (this "*Lease*") is entered into as of the 4<sup>th</sup> day of April, 2017, with the intent to be bound hereby as of December 1, 2014 (the "*Effective Date*"), between CITY CENTER DEVELOPMENT CO., L.P., SRB CITY INVESTMENTS, L.P., T-L CITY INVESTMENTS, L.P., and DDR/DTC CITY INVESTMENTS, L.P., each a Texas limited partnership, as co-owners, and SUNDANCE PLAZA PROPERTIES LLC, a Texas limited liability company (collectively, "*Landlord*") and THE BOARD OF DIRECTORS OF TAX INCREMENT REINVESTMENT ZONE NUMBER THREE, CITY OF FORT WORTH, TEXAS ("*Tenant*"), a tax increment reinvestment zone created pursuant to the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code (the "*TIF Act*"). Landlord and Tenant are each herein referred to individually as "party" and collectively as the "parties."

### RECITALS

A. City Center Development Co., L.P., SRB City Investments, L.P., T-L City Investments, L.P., and DDR/DTC City Investments, L.P. (successors-in-interest to City Center Development Co.) are the co-owners of the parking garages located at 215 Commerce Street ("*Garage I*") and at 400 Jones Street ("*Garage II*"), and Sundance Plaza Properties, LLC, (successor-in-interest to Sanguinet Building, L.P. and to Fine Line Diversified Realty, Inc.) is the owner of the parking garage located at 420 Throckmorton Street ("*Garage III*") all located in downtown Fort Worth, Texas, (Garage I, Garage II, and Garage III collectively referred to as the "*Garages*") in the Tax Increment Reinvestment Zone Number Three (the "*TIF*" or the "*Zone*") as highlighted on Exhibit A attached hereto, which Garages serve the tenants of each location.

B. Pursuant to the TIF Act, Tenant has been formed in order to address and promote a broad range of public purposes within the Zone. Among the main priorities of Tenant is to assist in enhancing traffic flow and alleviating parking congestion in the areas of heaviest use in the commercial, entertainment and tourist locations of the downtown Fort Worth area. Tenant has determined that, given its location, the Garages may provide a viable solution to the after-hours parking requirements of visitors to downtown entertainment facilities. In furtherance of the public purposes set forth above and to provide a viable solution to the current and anticipated parking needs in the downtown improvement district, Tenant desires to lease the Garages from Landlord for use during evening and weekend hours by the general public, including visitors to downtown entertainment, dining and shopping facilities, and for daytime use by Fort Worth Public Library ("*Library*") patrons (collectively referred to as "*Visitors*").

C. Landlord and Tenant desire to enter into this Lease.

D. The Board of Directors of Tenant has approved the terms and conditions of this Lease and has authorized the undersigned signatory to execute this Lease on its behalf pursuant to a majority vote of a quorum of its members at a duly held meeting in accordance with its bylaws.

E. Execution of this Lease will automatically terminate (i) the Amended and Restated Parking Lease Agreement dated April 22, 1999 by and between Tenant and City Center Development Co. and (ii) the Parking Lease Agreement dated November 10, 1999, as amended as of November 1, 2006, by and between Tenant and Fine Line Diversified Realty, Inc. (the "*Previous Leases*").

F. Upon execution of this Lease, Landlord shall provide a Rent credit to Tenant in the amount of any rent charged to Tenant under the Previous Leases from and after December 1, 2014 that is in excess of the Rent provided under this Lease for the same period.

## AGREEMENTS

The parties acknowledge and agree that the Recitals above are incorporated herein and form the basis of this Agreement.

1. **PARKING SPACES.** As of the Commencement Date (hereinafter defined), Landlord leases to Tenant, and Tenant leases from Landlord, the parking spaces in the Garages as described below (the "***Parking Spaces***"), for the Rent and subject to the provisions of this Lease, including the limitation on the number of Parking Spaces available for use by Tenant and the restrictions upon the hours of use thereof. The lease of the Parking Spaces shall permit Visitors to have access to the Garages during the "***Permitted Hours***", as described in Section 5 below.

For purposes of this Section, the following Parking Spaces in the Garages shall be made available to Visitors, for their non-exclusive, in common use, during the Permitted Hours:

Garage I – 295 unreserved Parking Spaces for free public parking on evenings and weekends;

Garage II – 1,250 unreserved Parking Spaces for free public parking on evenings and weekends;  
and

Garage III – 766 unreserved Parking Spaces for free public parking on evenings and weekends and 64 unreserved Parking Spaces for daytime use for validated Visitors to the Library.

2. **TERM.**

(a) Subject to the other provisions hereof, this Lease shall be for a term (the "***Term***") commencing on December 1, 2014 (the "***Commencement Date***") and expiring on December 31, 2025. The term "***Lease Year***" shall mean each twelve (12) month period during the Term, with the first Lease Year commencing on the Commencement Date and ending on the day prior to the first anniversary thereof.

(b) Notwithstanding anything to the contrary contained in this Lease, if either (i) a matter within Landlord's reasonable control or (ii) the use of one or more of the Garages by Landlord's tenants, invitees, or employees results in there being fewer Parking Spaces available to Visitors during the Permitted Hours than the amounts specified above in paragraph 1, and if such reduction in availability results in Visitors being unable to park in one or more of the Garages (a "***Parking Reduction Incident***"), Rent shall be equitably abated based upon the ratio between the number of Parking Spaces which are unavailable because of the Parking Reduction Incident and the number of Parking Spaces specified in Section 1 above for the Garages impacted by the Parking Reduction Incident. Further, if a Parking Reduction Incident shall continue for more than ten (10) consecutive days of Tenant use or for more than an aggregate of twenty (20) days of Tenant use in any one calendar year, Tenant may, at its option and upon written notice delivered to Landlord within thirty (30) days thereafter, terminate this Lease as to the Garages impacted by this Parking Reduction Incident, with Rent to be proportionately adjusted for the remainder of the Term based upon the number of Parking Spaces still available in the other Garages.

3. RENT.

(a) Beginning on the Commencement Date, and on the first day of each successive month through the Term, Tenant shall pay Landlord one-twelfth of the annual Rent as such term is hereinafter defined. All operating expenses of the Garages are the responsibility of Landlord, except as otherwise provided for in Section 6(b).

The term "*Rent*" shall mean, during the first five (5) Lease Years of the Term, an annual amount equal to \$178,164.00, allocated as follows: Garage I - \$22,130.00 (12.42%), Garage II - \$93,770.00 (52.63%), and Garage III - \$62,264.00 (34.95%). On the commencement of the sixth (6<sup>th</sup>) Lease Year and at the beginning of each Lease Year thereafter, Rent shall be increased to equal the sum of \$178,164.00 plus the percentage increase in the Consumer Price Index for All Urban Consumers for Dallas-Fort Worth, Texas: All items, compounded annually, as issued by the Bureau of Labor Statistics (the "*CPI*") for each Lease Year in excess of the fifth Lease Year.

Tenant shall pay Landlord Rent (plus any applicable tax thereon) in equal monthly installments, in lawful money of the United States of America, in advance on or before the first day of each calendar month during the Term, upon Tenant's receipt of an invoice from Landlord, without deduction, setoff, or abatement. If the day on which Rent is first due is other than the first day of a calendar month, Rent for such partial month shall be prorated on a daily basis. All Rent and other payments which are due under this Lease shall be made payable to Landlord at the following address:

c/o Sundance Square Management  
201 Main Street, Suite 700  
Fort Worth, TX 76102

or at such other place as may, from time to time, be designated in writing by Landlord. Landlord's invoice shall be sent to Tenant at the following address:

Tax Increment Reinvestment Zone Number Three  
c/o Downtown Fort Worth, Inc.  
777 Taylor St., Suite 100  
Fort Worth, Texas 76102

or at such other place as may from time to time be designated in writing by Tenant.

4. USE. Tenant shall use and occupy the Parking Spaces only for providing parking for motor vehicles of Visitors and for no other purposes. Tenant and Visitors shall use the Garages only in accordance with Landlord's reasonable rules and regulations established generally for the use of the Garages, as reasonably modified or amended from time to time. Landlord shall be responsible for the traffic flow of Visitors within the Garages.

5. HOURS OF USE. Tenant's use of the Garages shall be solely during the following hours (collectively, the "*Permitted Hours*"): (a) Monday through Friday from 6:00 p.m. until 3:00 a.m. the following day, and on Saturday and Sunday from 10:00 a.m. until 1:00 a.m. the following day, and (b) only for the 64 unreserved Parking Spaces in Garage III available to Visitors to the Library, during the daytime operating hours of the Library. Visitors to the Library entering Garage III before 6:00 p.m. on weekdays are limited to 2.5 hours of free parking. Landlord shall provide, at its own expense, signs at appropriate and logical locations in the Garages specifying the Permitted Hours for parking and the accessibility of the Garages to Visitors and indicating the garage levels where public parking is available.

Notwithstanding the foregoing, depending upon the experiences of the parties with respect to actual usage after the Commencement Date, the parties may mutually agree to expand the Permitted Hours at no additional Rent increase to Tenant.

## 6. OBLIGATION OF TENANT.

(a) Mechanic's and Materialmen's Liens. Tenant shall have no authority or power, express or implied, to create or cause any mechanic's or materialmen's lien, charge or encumbrance of any kind against the Garages or any portion thereof. Tenant shall promptly cause any such liens which have arisen by reason of any work or materials claimed to have been provided to or undertaken by or through Tenant for the Garages to be released by payment, bonding or otherwise within thirty (30) days after request by Landlord, and Tenant shall, to the extent not prohibited by law, indemnify each and all of the Landlord Indemnitees (defined below) against losses arising out of any such claim. Tenant's indemnification of Landlord contained in this Paragraph 6(a) shall survive the expiration or earlier termination of this Lease.

(b) Repairs. Tenant shall not in any manner deface or injure the Garages, and shall pay the cost of repairing and replacing any damage or injury done to the Garages or any part thereof by Tenant or Tenant's Visitors, agents, contractors or employees. If Tenant fails to make such repairs or replacements within fifteen (15) days after written notice from Landlord, Landlord may at its option make such repairs or replacements, and Tenant shall reimburse Landlord upon demand for payment from Landlord for the cost thereof upon presentation of a valid repair invoice and documentation that damage was caused by Visitors.

(c) Tax Appraisals. Tenant waives all rights under the Texas Property Tax Code, now or hereafter in effect, including without limitation all rights under Section 41.413 thereof, granting to tenants of real property or lessees of tangible personal property the right to protest the appraised value, or receive notice of any reappraisal, of all or any portion of the Garages (including any personalty), irrespective of whether Landlord has elected to protest such appraised value. To the extent such waiver is prohibited, Tenant appoints Landlord as its attorney-in-fact, coupled with an interest, to appear and take all actions on behalf of Tenant which Tenant may take under such code.

## 7. INDEMNITY.

(a) INDEMNITY. TO THE EXTENT NOT PROHIBITED BY LAW, TENANT HEREBY AGREES TO INDEMNIFY, PROTECT, DEFEND AND HOLD HARMLESS LANDLORD, ITS DESIGNATED MANAGEMENT, CONSTRUCTION AND MARKETING FIRMS, BEPCO, L.P., AND THEIR RESPECTIVE PARTNERS, MEMBERS, AFFILIATES AND SUBSIDIARIES, AND ALL OF THEIR RESPECTIVE OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES, SERVANTS, PARTNERS, REPRESENTATIVES, INSURERS AND AGENTS (COLLECTIVELY, "LANDLORD INDEMNITEES") FOR, FROM AND AGAINST ALL LIABILITIES, CLAIMS, FINES, PENALTIES, COSTS, DAMAGES OR INJURIES TO PERSONS, DAMAGES TO PROPERTY, LOSSES, LIENS, CAUSES OF ACTION, SUITS, JUDGMENTS AND EXPENSES (INCLUDING COURT COSTS, REASONABLE ATTORNEYS' FEES AND COSTS OF INVESTIGATION), OF ANY NATURE, KIND OR DESCRIPTION, DIRECTLY OR INDIRECTLY ARISING OUT OF, CAUSED BY, OR RESULTING FROM (IN WHOLE OR PART) (1) TENANT'S OR THE VISITORS' USE, OCCUPANCY OR ENJOYMENT OF THE GARAGES, (2) ANY ACTIVITY, WORK OR OTHER THINGS DONE, PERMITTED OR SUFFERED BY TENANT AND VISITORS, AND THEIR AGENTS AND EMPLOYEES IN OR ABOUT THE GARAGES, (3) ANY BREACH OR

DEFAULT IN THE PERFORMANCE OF ANY OBLIGATION ON TENANT'S PART TO BE PERFORMED UNDER THE TERMS OF THIS LEASE, (4) ANY ACT, OMISSION, NEGLIGENCE OR WILLFUL MISCONDUCT OF TENANT OR ANY OF ITS VISITORS, AGENTS, CONTRACTORS, EMPLOYEES, BUSINESS INVITEES OR LICENSEES, OR (5) DAMAGE, TO TENANT'S PROPERTY, OR THE PROPERTY OF TENANT'S VISITORS, AGENTS, EMPLOYEES, CONTRACTORS, BUSINESS INVITEES OR LICENSEES, LOCATED IN OR ABOUT THE GARAGES (COLLECTIVELY, "LIABILITIES"), EVEN IF SUCH LIABILITIES ARE CAUSED IN PART BY THE NEGLIGENCE OF ANY LANDLORD INDEMNITEE, BUT NOT TO THE EXTENT SUCH LIABILITIES ARE CAUSED BY THE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF ANY SUCH LANDLORD INDEMNITEE. TENANT SHALL PROMPTLY ADVISE LANDLORD IN WRITING OF ANY ACTION, ADMINISTRATIVE OR LEGAL PROCEEDING OR INVESTIGATION AS TO WHICH THIS INDEMNIFICATION MAY APPLY, AND TENANT, AT TENANT'S EXPENSE, SHALL ASSUME ON BEHALF OF EACH AND EVERY LANDLORD INDEMNITEE AND CONDUCT WITH DUE DILIGENCE AND IN GOOD FAITH THE DEFENSE THEREOF WITH COUNSEL SATISFACTORY TO LANDLORD; PROVIDED, HOWEVER, THAT ANY LANDLORD INDEMNITEE SHALL HAVE THE RIGHT, AT ITS OPTION, TO BE REPRESENTED THEREIN BY ADVISORY COUNSEL OF ITS OWN SELECTION AND AT ITS OWN EXPENSE. IN THE EVENT OF FAILURE BY TENANT TO FULLY PERFORM IN ACCORDANCE WITH THIS PARAGRAPH 7, LANDLORD, AT ITS OPTION, AND WITHOUT RELIEVING TENANT OF ITS OBLIGATIONS HEREUNDER, MAY SO PERFORM, BUT ALL COSTS AND EXPENSES SO INCURRED BY LANDLORD IN THAT EVENT SHALL BE REIMBURSED BY TENANT TO LANDLORD, TOGETHER WITH INTEREST ON THE SAME FROM THE DATE ANY SUCH EXPENSE WAS PAID BY LANDLORD UNTIL REIMBURSED BY TENANT, AT THE RATE OF INTEREST PROVIDED TO BE PAID ON JUDGMENTS, BY THE LAW OF THE JURISDICTION TO WHICH THE INTERPRETATION OF THIS LEASE IS SUBJECT. THIS INDEMNIFICATION SHALL NOT BE LIMITED TO DAMAGES, COMPENSATION OR BENEFITS PAYABLE UNDER INSURANCE POLICIES (EXCEPT AS PROVIDED BELOW), WORKERS' COMPENSATION ACTS, DISABILITY BENEFIT ACTS OR OTHER EMPLOYEES' BENEFIT ACTS AND SHALL SURVIVE THE EXPIRATION OR EARLIER TERMINATION OF THIS LEASE. NOTWITHSTANDING ANYTHING IN THIS PARAGRAPH 7 OR ELSEWHERE CONTAINED IN THIS LEASE TO THE CONTRARY, THE OBLIGATIONS OF TENANT UNDER ANY INDEMNIFICATION SET FORTH IN THIS LEASE SHALL BE LIMITED TO THE SUM OF INSURANCE PROCEEDS APPLICABLE TO THE LIABILITY IN QUESTION, PLUS OTHER AMOUNTS ALLOCATED TO TENANT FROM THE GOVERNING BODY OF TENANT OR DERIVED FROM OTHER SOURCES WHICH COULD LEGALLY BE USED BY TENANT TO SATISFY TENANT'S OBLIGATIONS UNDER THIS LEASE, TAKING INTO CONSIDERATION THE CONSTITUTIONAL AND OTHER LEGAL LIMITATIONS ON TENANT'S ABILITY TO CREATE DEBT, IF ANY. FURTHER, TENANT'S OBLIGATIONS WITH RESPECT TO THE INDEMNIFICATION OF LANDLORD INDEMNITEES FOR NEGLIGENCE OF LANDLORD INDEMNITEES SHALL BE LIMITED TO INSURANCE PROCEEDS APPLICABLE TO THE LIABILITY IN QUESTION.

(b) **Insurance.**

(i) Except as otherwise expressly provided below, Tenant at all times during the Lease Term shall, at its own expense, keep in full force and effect (A) commercial general liability insurance providing coverage against bodily injury and disease, including death resulting therefrom, personal injury and property damage to a combined single limit of not less than \$3,000,000 to one or more than one person as the result of any one accident or occurrence, which shall include provision for contractual liability coverage insuring Tenant for the performance of its indemnity obligations set forth in Paragraph 7(a) of this Lease, (B) worker's compensation insurance to the statutory limit and employer's liability insurance to the limit of \$500,000 per occurrence, and (C) all risk property insurance covering full replacement value of all Tenant's personal property if any. Landlord and its designated property management firm shall be named as additional insureds on each of said policies (excluding the worker's compensation policy) and said policies shall be issued by an insurance company or companies authorized to do business in Texas and which have policyholder ratings not lower than "A-" and financial ratings not lower than "VII" in Best's Insurance Guide (latest edition in effect as of the date of this Lease and subsequently in effect as of the date of renewal of the required policies). Each of said policies shall also include a waiver of subrogation provision or endorsement in favor of Landlord, and an endorsement providing that Landlord shall receive sixty (60) days prior notice of any cancellation of, non-renewal of, reduction of coverage or material change in coverage on said policies. Notwithstanding the foregoing, Tenant shall not be required to maintain workers' compensation coverage if Tenant has no employees; provided, however, that in such event Tenant shall provide to Landlord written certification that Tenant has no employees. Tenant shall provide such certification(s) concurrently with the delivery of the other certificates of insurance required above. Tenant hereby waives its right of recovery against any Landlord Indemnitee of any amounts paid by Tenant or on Tenant's behalf to satisfy applicable worker's compensation laws. The policies or duly executed certificates showing the material terms for the same, together with satisfactory evidence of the payment of the premiums therefor, shall be deposited with Landlord on or prior to the date Tenant first occupies the Garages and upon renewals of such policies not less than fifteen (15) days prior to the expiration of the term of such coverage. If certificates are supplied rather than the policies themselves, Tenant shall allow Landlord, at all reasonable times, to inspect the policies of insurance required herein.

(ii) It is expressly understood and agreed that, except as specifically provided herein, the coverages required represent Landlord's minimum requirements and such are not to be construed to void or limit Tenant's obligations contained in this Lease, including without limitation Tenant's indemnity obligations hereunder. Neither shall (A) the insolvency, bankruptcy or failure of any insurance company carrying Tenant, (B) the failure of any insurance company to pay claims occurring nor (C) any exclusion from or insufficiency of coverage be held to affect, negate or waive any of Tenant's indemnity obligations under Paragraph 7(a) or any other provision of this Lease. With respect to insurance coverages, except worker's compensation, maintained hereunder by Tenant and insurance coverage separately obtained by Landlord, all insurance coverages afforded by policies of insurance maintained by Tenant shall be primary insurance as such coverages apply to Landlord, and such insurance coverages separately maintained by Landlord shall be excess, and Tenant shall have its insurance policies so endorsed. The amount of liability insurance under insurance policies maintained by Tenant shall not be reduced by the existence of insurance coverage under policies separately maintained by Landlord. Tenant shall be solely responsible for any premiums, assessments, penalties, deductible assumptions, retentions, audits, retrospective adjustments or any other kind of payment due under its policies.

(iii) Tenant's occupancy of the Garages without delivering the certificates of insurance shall not constitute a waiver of Tenant's obligations to provide the required coverages. If Tenant provides to Landlord a certificate that does not evidence the coverages required herein, or that is faulty in any respect, such shall not constitute a waiver of Tenant's obligations to provide the proper insurance.

8. **TENANT ALTERATIONS.** Tenant accepts the Garages in AS IS condition for the Term, and neither Landlord nor Tenant have any obligation to make any alterations to the Garages.

9. **CASUALTY.**

(a) If any of the Garages, or any portion thereof, shall be damaged by fire or other casualty to the extent that it shall be substantially unusable for the purpose contemplated hereunder for a period in excess of ninety (90) days, then Landlord, at its option, may either perform such repairs or reconstruction as it may deem advisable or terminate this Lease as to the damaged Garage(s). The Rent allocable to the damaged Garage(s) shall be abated from the date of the casualty until the completion of such repairs or reconstruction.

(b) Tenant shall have the right to terminate this Lease, as to the damaged Garage(s) only, upon the following conditions:

(i) The Garage(s) shall be substantially destroyed by casualty or other act of God, and is then not actually used for its intended purpose for a period of one hundred eighty (180) days (it being understood that Rent allocable to the damaged Garage(s) shall be abated from the date of such casualty until the Garage(s) are restored); and

(ii) Tenant has given Landlord sixty (60) days prior written notice of such termination no later than (30) days after the one hundred eighty (180) day period of non-use.

(c) If any of the Garages are substantially destroyed by casualty or other act of God and restoration does not commence within ninety (90) days, or is not completed within one (1) year, after such casualty, Landlord may terminate this Lease, as to the damaged Garage(s) only, by providing written notice thereof to Tenant.

10. **CONDEMNATION.** If all or part of the Garages should be taken for any public or quasi-public use, by right of eminent domain or otherwise, or should be sold in lieu of condemnation, and if such taking shall render the Garage(s) unusable for the purpose contemplated hereunder for a period in excess of ninety (90) days, then Landlord, at its option, may either perform such repairs or reconstruction as it may deem advisable or terminate this Lease as to the Garage(s) taken. Tenant shall have no claim for any casualty or condemnation proceeds, which shall belong solely to Landlord; provided, however, the Rent allocable to the taken Garage(s) shall be abated from the date of the taking until the completion of such repairs or reconstruction. If the taking results in a reduction of the number of Parking Spaces available to Tenant, the Rent shall be reduced prorata by a fraction, the numerator of which shall be the number of Parking Spaces lost to such reduction and the denominator of which shall be 2,375.

11. **SUBORDINATION.** This Lease shall be subordinate to all deeds of trust and ground leases now or hereafter encumbering the Garages, and all refinancings, replacements, renewals, modifications, extensions or consolidations thereof. Tenant agrees to attorn to any mortgagee, ground lessor, trustee under a deed of trust or purchaser at a foreclosure sale or trustee's sale as landlord under this Lease. Landlord shall use its reasonable efforts to obtain from each such mortgagee, ground lessor,

and trustee a non-disturbance, subordination and attornment agreement reasonably acceptable to Tenant. Tenant covenants and agrees that Tenant shall, within ten (10) business days after Landlord's request, execute in recordable form and deliver to Landlord whatever true and correct instrument may be required to acknowledge and further evidence the subordination of this Lease and/or the attornment by Tenant to such mortgagee, ground lessor, trustee or purchaser. If within the required time after submission of any such instrument, Tenant fails to execute the same, Landlord is hereby authorized to execute the same as attorney-in-fact for Tenant. Any holder of a deed of trust covering all or any part of the Garages may at any time elect to have this Lease have priority over its deed of trust by executing unilaterally an instrument of subordination or placing a clause of such subordination in any pleadings or in its deed of trust and recording the same.

**12. QUIET ENJOYMENT; TERMINATION WITHOUT CAUSE.**

(a) Landlord hereby covenants and agrees that if Tenant shall perform all of the covenants and agreements herein stipulated to be performed on Tenant's part, Tenant shall at all times during the continuance hereof have peaceable and quiet enjoyment and possession of the Garages by or through Landlord, subject, however, to the terms of this Lease and to all mortgages, ground leases, deeds of trust, and other encumbrances to which this Lease is subordinate, all applicable laws and other governmental and legal requirements, and repair and maintenance of the Garages (from time to time).

(b) Landlord shall have the right, in addition to any and all termination rights given Landlord under other provisions of this Lease, to terminate this Lease so long as such termination is necessary or desirable to accommodate a tenant in the Garages. Such termination shall become effective on the day that is fully twelve (12) months after the date of notice, and if such day does not fall on the first of the month, then the termination will be effective as of the first day of the next full calendar month. On termination of the Lease pursuant to this paragraph, Tenant and its assignees, subtenants, or licensees shall have no further obligations or liabilities under the Lease arising after the effective termination date, including without limitation, the payment of Rent.

**13. ASSIGNMENT AND SUBLETTING.** Tenant may not assign, transfer, mortgage, pledge, or encumber this Lease, or sublease the Parking Spaces or any part thereof, without the prior written consent of Landlord, which may be withheld in Landlord's sole discretion. Any assignment, transfer, mortgage, pledge, or encumbrance of this Lease, or sublease of the Parking Spaces or any part thereof, without the prior written consent of Landlord shall be void. It is the understanding and intent of Landlord and Tenant that a merger, consolidation, change in control or transfer by operation of law, whether in one transaction or in multiple transactions, shall be deemed an assignment under this **Paragraph 13** and require the consent of Landlord. Landlord shall be entitled to any and all profits resulting from any sublease, license or assignment of Tenant's interest under this Lease.

**14. RIGHTS UPON DEFAULT.**

(a) Events of Default. The following events shall be deemed to be events of default (herein so called) by Tenant under this Lease: (i) Tenant shall fail to pay Rent or any other rental or sums payable by Tenant hereunder when due or shall fail to comply with or observe any other provision of this Lease and such failure shall continue for ten (10) days after written notice to Tenant; provided, however, that if the nature of such default is not susceptible of cure within such ten (10) day period, Tenant shall not be in default if it shall promptly commence its curative response within such ten (10) day period and diligently and expeditiously prosecute the cure to completion within a total of sixty (60) days (ii) Tenant shall make a general assignment for the benefit of creditors; (iii) any petition

shall be filed by or against Tenant under the United States Bankruptcy Code, as amended, or under any similar law or statute of the United States or any state thereof, and such petition shall not be dismissed within forty-five (45) days of filing, or Tenant shall be adjudged bankrupt or insolvent in proceedings filed thereunder; and (iv) a receiver or trustee shall be appointed for all or substantially all of the assets of Tenant, and such appointment shall not be vacated or otherwise terminated, and the action in which such appointment was ordered dismissed, within forty-five (45) days of filing. Notwithstanding the foregoing, if Tenant's failure to pay a monetary amount due pursuant to this Lease shall be by reason of non-available revenues (and contingent upon Tenant being in compliance with Tenant's obligations under Section 3) as certified to Landlord by an authorized representative of Tenant within five (5) days after receipt of written notice of the failure to pay, then Landlord may not exercise the remedy of termination in Section 14(b) (ii) below until thirty (30) days after delivery of written notice of such failure.

(b) Remedies. Upon the occurrence of any event of default and the expiration of any applicable notice and cure period specified in this Lease, Landlord shall have the option to pursue any one or more of the following remedies without any further notice or demand whatsoever and without releasing Tenant from any obligation under this Lease:

(i) Landlord may enter the Garages without terminating this Lease, perform any covenant or agreement or cure any condition creating or giving rise to an event of default under this Lease and Tenant shall pay to Landlord on demand, as additional rent, the amount expended by Landlord in performing such covenants or agreements or satisfying or observing such condition. Landlord or its agents or employees shall have the right to enter the Garages, and such entry and such performance shall not terminate this Lease or constitute an eviction of Tenant.

(ii) Landlord may terminate this Lease by written notice to Tenant (and not otherwise) or Landlord may terminate Tenant's right of possession without terminating this Lease. In either of such events Tenant shall surrender possession of and vacate the Garages immediately and deliver possession thereof to Landlord, and Tenant hereby grants to Landlord full and free license to enter the Garages, in whole or in part, with or without process of law and to expel or remove Tenant, a Visitor and any other person, firm or corporation who may be occupying the Garages or any part thereof and remove any and all property therefrom, using such lawful force as may be necessary, including, without limitation, the towing of automobiles.

(iii) Notwithstanding any prior election by Landlord to not terminate this Lease, Landlord may at any time, including subsequent to any re-entry or taking of possession of the Garages or exclusion of Tenant from the Garages allowed hereinabove, elect to terminate this Lease. Tenant shall be liable for and shall immediately pay to Landlord the amount of all Rent and other sums of money due under this Lease as may have accrued as of the date of termination. Tenant shall also immediately pay to Landlord, as agreed and as liquidated damages, an amount of money equal to Rent for twelve (12) months or the remainder of the Term, whichever is less ("*Liquidated Damages*"), and Landlord waives all rights to seek any additional damages or payment for loss in excess of the amount paid as Liquidated Damages.

(c) Effect of Suit or Partial Collection. Institution of a forcible detainer action to exclude or remove Tenant from the Garages shall not be construed to be an election by Landlord to terminate this Lease. Landlord may collect and receive any rent due from Tenant and the payment thereof shall not constitute a waiver of or affect any notice or demand given, suit instituted or judgment obtained by Landlord, or be held to waive or alter the rights or remedies which Landlord may have at law or in equity or by virtue of this Lease at the time of such payment.

(d) **Remedies Cumulative.** All rights and remedies of Landlord herein or existing at law or in equity are cumulative and the exercise of one or more rights or remedies shall not be taken to exclude or waive the right to the exercise of any other.

(e) **Notice to Mortgagees.** If Landlord defaults under this Lease, Tenant shall not exercise any right or remedy it may have under this Lease or at law or in equity unless and until (i) Tenant gives notice of such default (specifying the nature of such default and how such default may be remedied) to any lessor under a ground lease or any mortgagee of the Garages of which Landlord has previously supplied to Tenant a name and address for delivery of notices, and (ii) such lessor and/or mortgagee fails to cure, or to cause to be cured, such default within thirty(30) days after such lessor's or mortgagee's receipt of notice (plus such additional period, as may be required in the exercise of reasonable diligence or as the mortgagee may reasonably require).

(f) **Late Payment Charge and Interest Payable.** Landlord may, without further notice to Tenant, impose a late payment charge equal to five percent (5%) of any amount due if not paid within ten (10) days from the date required to be paid hereunder. In addition, any payment due under this Lease not paid within twenty (20) days after the date herein specified to be paid shall bear interest from the date such payment is due to the date of actual payment at the rate of twelve percent (12%) per annum or the highest lawful rate of interest permitted by Texas or Federal law, whichever rate of interest is lower.

(g) **Cashier's Check.** If Tenant fails to timely make two (2) consecutive payments of Rent or any two (2) such payments are returned for insufficient funds, then, in addition to any other remedy Landlord may have, Landlord may require that all future payments be made by cashier's check or money order.

**15. HOLDING OVER.** If Tenant or any party claiming under Tenant remains in possession of the Garages after the expiration or earlier termination of the tenancy created hereunder and without the execution of a new lease, Tenant shall be deemed to be occupying the Garages as a tenant at the sufferance and subject to all of the provisions of this Lease except those relating to term and except that the monthly Rent shall be one hundred twenty-five percent (125%) of the amount payable during the last month of the Term (without waiver of Landlord's right to recover damages as permitted by this Lease or by law). Said tenancy may be terminated by Landlord or Tenant by giving written notice to the other at any time. Landlord's acceptance during any such holdover period of Rent payments from Tenant of less than the full amounts to which Landlord is entitled under this **Paragraph 15** shall not be deemed to constitute a waiver of Landlord's right to later collect from Tenant the difference between the amounts actually paid by Tenant and the full amounts due hereunder. No holding over by Tenant, whether with or without consent of Landlord, shall operate to extend the Term.

**16. CERTAIN RIGHTS RESERVED BY LANDLORD.** Landlord shall have the following rights:

(a) **Alterations.** To decorate and to make repairs, alterations, additions, changes or improvements, whether structural or otherwise, in, about or on the Garages, or any part thereof, including, but not limited to, changing the arrangement, location and/or size of entrances or passageways, doors and doorways, and corridors, elevators, stairs, toilets (if any) or other parts of the Garages and to change, alter, relocate, remove or replace parking spaces, driveways and aisles in the Garages; and to otherwise alter or modify the Garages and during the continuance of any such work, to take such measures for safety or for the expediting of such work as may be required, in Landlord's reasonable judgment, all without affecting any of Tenant's obligations hereunder.

(b) Rules and Regulations. To establish and amend from time to time reasonable rules and regulations governing the use of and parking within the Garages. Should any vehicles of Visitors be parked in unauthorized spaces or left in Parking Spaces during other than Permitted Hours, such Visitors' vehicles shall be subject to all rules related to unauthorized parking, including towing of any such vehicle.

(c) Signs. To prohibit all signs, posters, advertisements, or notices from being painted or affixed or displayed on any portion of the Garages; provided, however, Tenant shall have the right to place directional signage and notices on or near elevators (and temporary directional signage for ingress and egress in other areas of the Garages) for the benefit of the Visitors with the consent of Landlord, not to be unreasonably withheld or delayed unless consent to such signage is also required from a third party, in which event consent may be withheld if the third party withholds its consent. Tenant shall remove all such temporary signs from the Garages promptly after the conclusion of any downtown entertainment events for which the Garages are being used by Tenant.

(d) Security Measures. To take all such reasonable measures as Landlord may deem advisable for the security of the Garages and their occupants; provided however, Landlord shall have no obligation to provide any such security and shall have no liability to Tenant, any Visitor, or their respective employees, agents, invitees or licensees for loss of property or personal injury except to the extent caused by Landlord's gross negligence or willful misconduct. Tenant shall cooperate fully in Landlord's efforts to maintain security in the Garages and shall follow all rules and regulations reasonably promulgated by Landlord with respect hereto.

(e) Miscellaneous. To take such other actions necessary or desirable to its obligations as owner and operator of the Garages or to comply with its obligations under any lease for space in Owner's buildings entered into prior to the Commencement Date. Landlord shall use all reasonable efforts to minimize the interference to Tenant resulting from the exercise of the rights reserved pursuant to Section 16(a), (b), (d), and (e) above.

17. ESTOPPEL CERTIFICATES. Tenant shall promptly upon request from the Landlord, from time to time, execute and acknowledge a certificate stating:

- (a) whether or not this Lease is in full force and effect;
- (b) whether or not this Lease has been modified or amended in any respect, and submit copies of such modifications or amendments, if any;
- (c) whether or not there are existing defaults under this Lease and specifying the nature of such defaults, if any; and,
- (d) such other information as may reasonably be requested by Landlord.

18. AMENDMENT. Any agreement hereafter made between Landlord and Tenant shall be ineffective to modify, release, or otherwise affect this Lease, in whole or in part, unless such agreement is in writing and signed by both parties.

19. SEVERABILITY. If any term or provision of this Lease shall to any extent be held invalid or unenforceable, the remaining terms and provisions (including the unaffected portion of the invalid or unenforceable provision) of this Lease shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.

20. **WAIVER.** The failure of either party to this Lease to complain of any action, non-action, or default of the other party shall not constitute a waiver of any of such party's rights under this Lease. Waiver by either party to this Lease of any right for any default of the other party shall not constitute a waiver of any right for either a prior or subsequent default of the same obligation or for any prior or subsequent default of any other obligation. No right or remedy of either party under this Lease or covenant, duty, or obligation of either party under this Lease shall be deemed waived by the other party to this Lease unless such waiver is in writing and signed by the waiving party.

21. **PARTIES AND SUCCESSORS.** Subject to the limitations and conditions set forth elsewhere herein, this Lease shall bind and inure to the benefit of the respective heirs, legal representatives, successors, and assigns of the parties hereto.

22. **NOTICE.** All notices, requests and communications under this Lease shall be given in writing, addressed to Landlord or Tenant at their respective address set forth below and either (i) hand delivered, (ii) sent by telecopy or a nationally recognized overnight courier service, or (iii) mailed by registered or certified mail, return receipt requested, postage prepaid.

To Landlord:                   c/o Sundance Square Management  
201 Main Street, Suite 700  
Fort Worth, Texas 76102  
Attn: Property Manager  
Fax Number: (817) \_\_\_\_\_

To Tenant:                   Tax Increment Reinvestment Zone Number Three  
c/o Downtown Fort Worth, Inc.  
777 Taylor Street, Suite 100  
Fort Worth, Texas 76102  
Attn: TIF Administrator  
Fax Number: (817) 335-3113

Copy To:                    Director of Economic Development  
200 Texas Street  
Fort Worth, Texas 76102  
Fax Number: (817) 392-7328  
  
Office of the City Attorney  
200 Texas Street  
Fort Worth, Texas 76102  
Fax Number: (817) 392-8359

Any notice under or pursuant to this Lease and given in accordance with this Section shall be deemed received upon the earlier of (1) actual receipt, (2) if mailed, three (3) days after deposit in an official depository of the United States Postal Service, (3) if sent by a nationally recognized overnight courier service, the first business day after delivery to such service, and (4) if sent by facsimile, the day of the facsimile. Any party may change its address for notice purposes by sending the other party a notice to the new address.

23. **LIMITATIONS ON LIABILITY.** If Landlord shall fail to perform any covenant, term or condition of this Lease and, as a consequence, if Tenant shall recover a money judgment against Landlord, such judgment shall be satisfied only out of the proceeds received at a judicial sale upon execution and levy against the right, title and interest of Landlord in the Garages and in the rents or other

income from the Garages receivable by Landlord, and Landlord shall not have any personal, corporate or other liability hereunder.

24. **CAPTIONS.** The captions in this Lease are inserted only as a matter of convenience and for reference and they in no way define, limit, or describe the scope of this Lease or the intent of any provision hereof.

25. **NUMBER AND GENDER.** All genders used in this Lease shall include the other gender, the singular shall include the plural, and the plural shall include the singular, whenever and as often as may be appropriate.

26. **GOVERNING LAW AND VENUE.** THE VALIDITY, ENFORCEABILITY, INTERPRETATION, AND CONSTRUCTION OF THIS LEASE SHALL BE GOVERNED BY THE LAWS OF THE STATE OF TEXAS (WITHOUT REGARD TO CONFLICT OF LAW RULES) AND THE LAWS OF THE UNITED STATES APPLICABLE TO TRANSACTIONS IN TEXAS. ALL OBLIGATIONS OF THE PARTIES CREATED HEREUNDER ARE TO BE PERFORMED, AND EXCLUSIVE VENUE SHALL LIE, IN TARRANT COUNTY, TEXAS.

27. **MEMORANDUM OF LEASE.** Tenant may not, without the prior written consent of Landlord, record this Lease or a memorandum or other instrument with respect to this Lease.

28. **ENTIRE AGREEMENT.** This Lease, including all exhibits and schedules which may be attached hereto (which exhibits and schedules are hereby incorporated herein and shall constitute a portion hereof), contains the entire agreement between Landlord and Tenant with respect to the subject matter hereof. Further, the terms and provisions of this Lease shall not be construed against or in favor of a party hereto merely because such party is the "Landlord" or the "Tenant" hereunder or such party or its counsel is the draftsman of this Lease.

29. **TIME OF ESSENCE.** Time is of the essence of this Lease and each and all of its provisions in which performance is a factor.

30. **BROKER.** Each of Tenant and Landlord represents and warrants to the other that it has not been represented by any broker or agent in connection with the negotiation or execution of this Lease. To the extent not prohibited by law, each of Tenant and Landlord shall indemnify and hold harmless the other and its respective officers, employees, directors, partners, employees, and agents from and against all claims (including costs of defending against and investigating such claims) of any broker or agent or similar party claiming by, through or under the indemnifying party in connection with this Lease.

31. **ATTORNEY'S FEES.** In the event Tenant or Landlord defaults in the performance of any of the terms, agreements or conditions contained in this Lease and the enforcement of this Lease, or any part thereof, or the collection of any rent due or to become due hereunder, or recovery of the possession of the Premises, is placed in the hands of any attorney who files suit upon the same, the non-prevailing party shall pay the reasonable attorney's fees of the prevailing party.

32. **AUTHORITY.** Notwithstanding anything herein to the contrary, it is understood and agreed that any financial obligations of Tenant hereunder are payable solely from funds that are designated as TIF funds. Landlord reserves the right to request evidence of the approval of this Lease and authorization of Tenant's signatories to bind Tenant, which evidence shall be satisfactory in form and content to Landlord and its counsel. Tenant represents to Landlord that the obligations of Tenant under this Lease are enforceable against Tenant in accordance with its terms and shall deliver

upon execution of this Lease, as evidenced by signature and approval herein to form and legality from an Assistant City Attorney for the City of Fort Worth, that this Lease is enforceable against Tenant. Tenant further represents that it has executed this Lease in compliance with the requirements of the TIF Act and the payment obligations of Tenant to Landlord under this Lease, in return for the number of Parking Spaces leased by Landlord and the uses of the Garages accorded to Tenant and Visitors hereunder, fall within the funding parameters set forth in the TIF Project and Financing Plan. In the event another entity becomes successor in interest to Landlord, and that entity assumes all of Landlord's obligations under this Lease, the authority granted by Tenant to execute this Lease shall apply to a new successor in interest to Landlord under the same terms and conditions authorized herein.

33. **FORCE MAJEURE.** If either party is unable to perform any obligation under this Lease due to unavailability of materials or equipment, strikes or other labor difficulties, governmental restrictions, casualties or other causes beyond such party's reasonable control, such obligation shall be stayed for the duration of such condition. Except as otherwise expressly provided in this Lease, this paragraph shall not affect or postpone the payment of Rent or other amounts due pursuant to this Lease.

34. **COUNTERPARTS.** This Lease may be executed in one or more counterparts and each counterpart shall, for all purposes, be deemed an original, but all such counterparts shall together constitute one and the same instrument. An executed Lease, modification, amendment, or separate signature page shall constitute a duplicate if it is transmitted through electronic means, such as fax or e-mail, and reflects the signing of the document by any party. Duplicates are valid and binding even if an original paper document bearing each party's original signature is not delivered.

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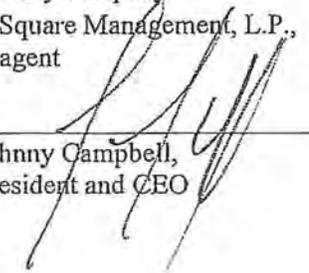
EXECUTED as of the date hereinabove first set forth.

**LANDLORD:**

**CITY CENTER DEVELOPMENT CO., L.P.,**  
a Texas limited partnership,  
**SRB CITY INVESTMENTS, L.P.,**  
a Texas limited partnership,  
**T-L CITY INVESTMENTS, L.P.,**  
a Texas limited partnership, and  
**DDR/DTC CITY INVESTMENTS, L.P.,**  
a Texas limited partnership, as Co-Owners  
By Sundance Square Management, L.P.,  
attorney-in-fact and managing agent

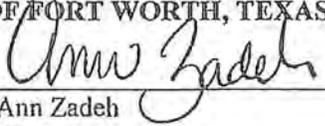
By:   
\_\_\_\_\_  
Johnny Campbell,  
President and CEO

**SUNDANCE PLAZA PROPERTIES LLC,**  
a Texas limited liability company  
By Sundance Square Management, L.P.,  
managing agent

By:   
\_\_\_\_\_  
Johnny Campbell,  
President and CEO

**TENANT:**

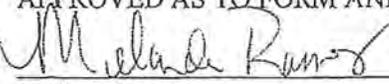
**THE BOARD OF DIRECTORS OF TAX INCREMENT  
REINVESTMENT ZONE NUMBER THREE,  
CITY OF FORT WORTH, TEXAS**

By:   
\_\_\_\_\_  
Ann Zadeh  
Chair

**Board Approval:**

Resolution No. 2014-07  
Approved: 10-29-2014

**APPROVED AS TO FORM AND LEGALITY:**

  
\_\_\_\_\_  
Melinda Ramos  
Senior Assistant City Attorney

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**EXHIBIT "A"**  
**REINVESTMENT ZONE AND**  
**PROPERTY LOCATION**

it now in moving to the Azalea Lane item, but it is there and yes, she knows it's taxes. She meant ad valorem. She said taxes are taxes; it's all your money and it's all your land too by the way and so is this building.

At this time, the City Council heard item 10-A) on today's agenda.

**B) OLD BUSINESS**

**1) 2020 US Census**

**a) Frequently asked questions and facts Sheet attached.**

**b) Employment Opportunities attached.**

**c) List of websites for additional information attached.**

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

Vice Mayor Moss explained that the Census is conducted every 10 years by the Federal government. Data from the Census provides the basis for distributing more than \$675 billion in Federal funds annually to communities across the country to support vital programs. She said it is not only their civic duty, but it also affects the amount of funding their community receives. Beginning in mid-March, people will receive a notice in the mail to complete the 2020 Census. Once they receive it, they can respond online. In May, the U.S. Census Bureau will begin following up in person with households that haven't responded to the Census. All of this information is available on the City's website. The Census Bureau will never ask for someone's social security number, bank or credit card account number, money/donations or anything on behalf of a political party. Strict Federal law protects all Census responses. The penalty for wrongful disclosure is a fine of up to \$250,000 or imprisonment for up to five (5) years, or both. Vice Mayor Moss said that the public can learn more about the 2020 Census by visiting [2020census.gov](http://2020census.gov). There are now PSA spots available, which contain video and information regarding the 2020 Census. She would be providing regular updates to the Council. It is very important that everyone responds to the Census request. The process will end in July.

Mr. Neville commented that this is the first time that people will be able to do the Census online. He said that hopefully people will take advantage of that convenience.

**2) Vote on the additional 70 parking spaces then hold a workshop on how they are going to pay for the additional parking spaces (estimated cost \$400k). – Requested by Councilmember Joe Graves**

Mr. Graves wanted to discuss their consultant's recommendation on how they can capture 79 spaces for beachside parking. He said after talking to the business owners, they are upset about the parking situation. He didn't think that they could keep kicking the can down the road and taking no action. The issue of how to fund this would be a separate discussion. He felt that it was time that they make a decision on beachside parking. He wanted to take a vote today on capturing these 79 spaces for the beachside area and support their businesses in that location.



Mr. Falls agreed that a decision from the Council would be great. He just wanted to make sure that everyone knows the \$400,000 is a construction estimate. They have seen how bids can come in all over the place and estimates can only be three (3) things. They can be lower, higher, or exactly right. This cost is for construction only and does not include any design work.

Vice Mayor Moss asked if this will be in next year's budget or do they have funds available now for this project or are they talking about the next fiscal year.

Mr. Falls stated that they will talk about how they want to fund it at a workshop. He said they could always do a budget amendment if they wanted to proceed quicker than putting it in a work program.

Mr. Brackett agreed with Mr. Graves that this matter was not going away. They need to resolve this and probably the easiest way is to install these 79 parking spaces. They will have to work out the funding, but this has to be done. People can't keep moving their cars around from space to space every few hours. They have the same issue downtown, but there may be some other opportunities downtown to help solve the parking situation.

Vice Mayor Moss recalled that the last time they talked about this there was a consensus of Council on this particular item. She thought they were going to discuss parking at a workshop. She said she doesn't have a problem not holding the workshop if it is not needed.

Mayor Young noted that this was one of the initial recommendations and they may also want to consider some other implications on enforcement if they want to go down that road.

Mr. Graves wanted to still pursue the issue of shared parking arrangements and try to find parking alternatives for the employees. He recalled Mrs. Cook saying that they have a very beautiful beach and business area and if they don't want to put t-shirt shops and souvenir shops all along their beachside they need to do something. He said businesses south of Beachland have multiple businesses without any parking spaces. He felt that as a City Council this was something that they could do, which according to their consultant would resolve the short-term problem.

Vice Mayor Moss asked the City Manager if they could give direction to him to pursue this by a consensus of Council. She is uncomfortable voting on it if they don't have an actual number on what this is going to cost. She asked how are they going to proceed with this.

Mr. Falls said that he hated to initiate any project without a known mechanism to fund it. He thought what Mr. Graves was looking for was a commitment from Council to the public that they are serious about adopting one of these policies. This scenario will give them 79 spaces. As he has said several times whatever they do here will set the template for what they want to do in other locations. If they want to build parking spaces at the City's expense then just be aware that other locations may be making the same request.

Mr. Neville commented that he was in favor of funding some engineering study so that they can get some real information on this. He doesn't like the idea of a vast asphalt scape going down Camelia Lane. He said there are ways to do this. He would like to explore other opportunities. He wants this done in a way that is reflective of the neighborhood and not as a business thoroughfare. Vice Mayor Moss asked if they could use pavers. Mr. Neville said that he was a business owner and a property owner on Cardinal Drive and Camelia Lane for 30 plus years. The property he owned actually had 14 access parking spots beyond what was required by Code. In that time he only had one (1) person come to him and ask him if they could use the parking spaces and the only reason they were asking was because they needed to get a permit. No one in all those years ever asked him to share that parking, which he would have been happy to do and not charge \$400 a month. The only thing that he would have charged someone was to clean the parking spaces if they got dirty. He knows that there are parking lots in that area that are underutilized. He cannot understand why property and business owners cannot sit down and have a discussion on how they can make this work. He knows that it can work. All they need to do is designate four (4) or five (5) spots at some of these underutilized parking spaces and provide them to staff. He said with Northern Trust the parking lot is empty most of the time so there are ways they can deal with this that won't cost them anything. He did not understand why Mrs. Cook did not come to him looking for parking spaces for her employees. And why other people who own parking lots who have spaces that are never used could not offer them to businesses in this area.

Mr. Brackett encouraged Council to go and talk to business owners that have parking lots because he hears they are not real receptive.

Mr. Falls added he has met with landowners on the beach who own multiple properties and they were less than enthusiastic about the idea. However, if someone watching this meeting has a parking lot and wants to partner with the City to please give him a call. The other item that Mr. Neville brought up is those parking lots are not in the residential portions of those streets, but they are in the commercial portion of the street and they also could look at additional paving surfaces, but they have to make sure that they get the look that they want. He is open to all ideas.

Mr. Neville proposed that they initiate an engineering survey and look at different surface alternatives. He said they want to keep the look of those streets as much as they can the way they are now.

Mr. Graves agreed that they could look at various ways of doing this.

Mr. Neville suggested doing an engineering study to find out what it will really cost and then move from there.

Mr. Falls said that he would bring something back to the next City Council meeting that they could talk about.

Vice Mayor Moss asked that he look at pavers. She suggested looking at what they are doing in the Dog Park. She said that is a high traffic area and it is a better look than asphalt.

Mr. Falls said that they would look at a couple different alternatives.

**Mr. Graves made a motion to move forward with recommending that they capture the 79 parking spaces as recommended by their consultant. Vice Mayor Moss seconded the motion.**

Mrs. Nancy Cook explained why parking partnerships will not work. She said that people are going to look for free parking instead of where they have to pay to park. She hoped that they would regulate curb cuts on side streets. Some are huge and limited to what is necessary for a car to get in and out. She mentioned that Center Street parking gets them a lot of parking spaces. She expressed the number of spaces it gets them is invaluable. It is hard to say what the commercial value of parking spaces is. She brought up the Three Corners project and said that requires a lot of parking and she doesn't know where the parking will be. She attended the charrette meeting held on the beachside and felt that the consultant showed a lack of respect.

Mr. Falls said that they could take a look at the curb cuts and see how many spaces they have and they might be able to add on to these 79 spaces.

Mr. Ken Daige asked Council if they were voting to spend \$400,000. He was told no and that in their workshop that Council holds they will be discussing where the funding resources will come from. Mr. Daige expressed the importance of letting the property owners and business owners know about this project.

Mr. Neville amended the motion to include getting an engineering study and knowing where the money was going to come from.

**The original motion passed 5-0 with Mr. Neville voting yes, Mr. Graves yes, Mr. Brackett yes, Vice Mayor Moss yes, and Mayor Young yes.**

Mr. Falls will come back to Council at their next meeting with an update.

Mr. Neville withdrew his motion.

**3) Update on information received from Florida Department of Transportation (FDOT) concerning future projects. – Requested by Councilmember Robbie Brackett**

Mr. Brackett commented that the Florida Department of Transportation (FDOT) has given them a three (3) year reprieve concerning the grants that the City receives from the Airport. He said it was a great day when they received that letter. He wanted to personally thank Senator Debbie Mayfield, Representative Erin Grall, County Commissioner Peter O'Bryan and Charles Sembler for their help.



**SPECIAL CALL CITY COUNCIL MINUTES  
TUESDAY, FEBRUARY 25, 2020 8:30 A.M.  
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

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

**1. CALL TO ORDER**

**A) Pledge of Allegiance**

Mayor Young called the meeting to order and Mr. Neville led the Council and audience in the Pledge of Allegiance.

**B) Roll Call**

The City Clerk performed the roll call.

**2. ITEMS FOR DISCUSSION:**

Mayor Young commented that this morning the City Council will have the opportunity to ask questions and spend some time on the items that are on the agenda where in a business City Council meeting they may not have the time to do that. He said that today they have an opportunity to look at these items and address them. The intent is to provide staff an opportunity to have some insight on their thinking and not so much to take action. This is just an opportunity to discuss these things. He hopes to have the meeting completed by 11:30 a.m. He doesn't want to spend more than an hour per item and maybe move faster than that. He said that they have a Steering Committee meeting scheduled for this afternoon and he wanted to provide a break in between the meetings. He then went over the items that they would be discussing this morning.

Mr. Graves asked if public comment would be allowed after each item. Mayor Young told him that is the intent.

**A) Parking – Capital Improvements**

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Vice Mayor Moss suggested holding another meeting in the evening to discuss parking. She was happy to hear what the people attending today's meeting had to say, but would also like to give a chance to some of the restaurant owners, hotel owners, etc., who could not be at this morning's meeting because of their schedule. There have been some concerns expressed from the public about where these 79 spaces are going to go and will they be interfering in the community.

Mr. Monte Falls, City Manager, explained that the parking spaces are on the side streets in the beach business district. He said they are located on numerous streets.

Vice Mayor Moss asked about the area west of Cardinal Drive.

Mr. Matt Mitts, Public Works Director, showed on the map where the spaces will be located.

Mr. Falls added that there will be 29 spaces north of Beachland and the remainder of parking spaces are south of Beachland.

Vice Mayor Moss had some concerns with the spaces west on Cardinal Drive because Cardinal Drive is in the business district.

Mr. Mitts explained that 47 parking spaces are west of Cardinal Drive and if the parking spaces didn't go on Cardinal Drive, then there would only be 39 parking spaces.

Mayor Young had some concerns on how this was going to be funded.

Mr. Falls explained that he would be bringing the proposal to Council at their March 17<sup>th</sup> City Council meeting with the cost of the project that has been given to them by their consultant.

Mr. Graves recalled that the Council voted to move forward with the project and then discuss how they were going to fund it.

Mr. Neville understood that part of the design would not consist of a big street of pavement.

Mr. Falls explained that there will be permanent spaces that look like parking spaces. He will bring photos to show them what the parking spaces will look like.

Mr. Neville brought up Azalea Lane and asked if there would be angle parking there. He said they could certainly do something there before having asphalt to curb to sidewalk.

Mr. Falls said that they would be introducing parking spaces to a narrow right-of-way so there will not be much room for landscaping.

Mr. Neville was thinking about the actual surface itself.

Mr. Falls went over what the Code requires and that is that the spaces be paved.

Mayor Young asked for ideas on how to fund the project.

Mr. Falls explained that the cost for construction would be in the \$400,000 range, then the cost for the engineering and design would be around \$120,000, so they are looking at a cost of \$520,000 for the parking spaces.

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Mayor Young commented that when looking at ways to fund this, they must also keep in mind wanting to reduce expenses as they move forward because of the sale of the Electric Utility and the downfall. This will need to be a shared expense between the City and the barrier island. Likewise if it was in the historic district they would have to pay.

Mr. Falls explained what the City has done in the past when they have an assessment project that benefits certain property owners. The City pays one-third of the cost and the property owners pay two-third of the costs. He said that is what has been done with paving projects.

Mayor Young said that they need to look at this proportional based upon what businesses have allocated for parking.

Mr. Falls commented that they could look at the assessment formula in different ways. He said they would need to look at the Code when the district was put in place. He reiterated that the City has not allocated money for this particular project and it is not in the budget.

Mayor Young felt there was some urgency in getting this project started.

Mr. Falls said that they could go full steam ahead and he was very optimistic that they could start the work in this budget year. He went over what has to be done first. He said if they put the project in next year's budget it doesn't preclude them from starting the design work.

Mr. Graves briefly went over the people utilizing the parking. He said that one-third of the people using the parking are customers impacting the businesses.

Mr. Falls said that the people receiving the benefits assist in paying for the work. That is what they have done in the past. The City's taxpayers pay a portion and the other is people receiving the services.

Mr. Graves felt that the cost and business owners on the beach need to be considered. If they don't support them they will have t-shirt shops on Ocean Drive. He said that the business owners are frustrated. He said that they needed to capture these spaces because no one seems to want to proceed with the alternative.

Mr. Brackett liked the idea of getting the design work ready for the July budget workshops. They all want to support the businesses there. The City takes their tax money and uses it appropriately. He felt that 50% might be a reasonable amount to pay and asked staff to look at that. He said the City Manager brought up the idea of deficit parking, which he liked.

Mr. Neville commented that those property owners who have plenty of parking spaces are not willing to share them. He shared his story again that he owned property in this area

and over the last five (5) years of owning that property, no one ever approached him about shared parking.

Vice Mayor Moss agreed with Mr. Brackett that the City pays at least 50%. Her concern was the sense of community streets west of Cardinal Drive. A lot of times people don't want to walk that far. She has parked quite a few blocks away and walked back, but a lot of people won't do that. They need to be realistic about this and who do they think is going to walk that far.

Mr. Brackett commented that there is excessive or access to parking in two (2) or three (3) areas. He said that both Northern Trust and Ocean Grill have excessive or access to parking spaces. There is not like a ton of businesses that have this additional parking.

Mayor Young asked what is the cost for the design.

Mr. Falls said that he would bring to Council a proposal that will be ready for them to sign and the consultant can get to work. He said another consideration that they might want to consider is having a moratorium as far as impacting of availability for parking spaces. He said that they currently have a property owner that has access parking on his site and made application to expand his building and take up to 10 spaces in doing that. He asked from City Council direction for staff to take a look at the Code and revise parking and make it stricter and bring back something to the City Council for action. He asked Council if they wanted to put a moratorium in place until that is done so they don't have other businesses take existing parking spaces.

Vice Mayor Moss answered yes.

Mr. Falls said that staff will look into this and he will bring this item back at their March 17<sup>th</sup> City Council meeting.

Mrs. Nancy Cook was very happy to hear encouraging words that they are doing something to secure the value of the commercial and residential area. She asked if anyone knew what proportion of City finances has been dedicated to the beach areas for over the last five (5) to 10 years. She said part of their consideration should be how long have the beach property owners suffered from the lack of parking spaces.

Mr. Brian Heady commented that he has a handicap sticker and has never used it. He has found spaces close enough to where he wants to go. He is 73 years old and doesn't mind walking and he thanked God for good health. He said there was an interesting comment made by Vice Mayor Moss and former Mayor Howle that they have never had a problem finding a parking space. He said that businesses don't have parking problems, it is a customer problem. He commented that now even Kmart has closed down. Americans are changing the way that they shop. He recalled that the City gave back all the money to the businesses that paid into the shared parking assessment because they didn't need it for parking. Now they are talking about taxing the taxpayers of the City to pay for these spaces. The consultants hired have been paid a lot of money to do this study and the end

result of the study is most parking spaces are privately owned and they have value. Parking spaces have value and people charge for them. He said they are seeing that with some of the businesses located downtown.

Mr. Ken Daige recalled that the parking issues have come to Council over the years and no one wants to pay for it and that is the biggest issue. He is hoping that Council will do something and move forward. If they look at the records there has been a lot of money spent on consultants and studies and these studies sit on the shelf. He commented that sometimes people from the mainland come before Council looking for money and are told no. He told Council that they have to do what they have to do. If they pull some money from the General Fund to pay for this, that money needs to be put back. He was curious about the ad valorem taxes collected for the commercial districts. This is an infrastructure need and he understands that the tourist tax can cover that. He said if it doesn't, then the Council needs to hire an attorney to handle the case and appeal the County's decision. This is an opportunity for them to make their case.

Mr. Dave Windfield commented that he has never seen anyone park on Camelia Lane and walk to Ocean Drive other than once a year when they have the Christmas Parade. He thinks it is a waste of money if they do this. No one is going to park on Camelia Lane and walk to Ocean Drive. He said that no one wants to park and then have to walk. If they want more parking on Ocean Drive, then make it one-way going south and you can put parallel parking on the east side.

Ms. Cindy Lawson, Finance Director, stated that when they talk about taxes, not all taxes are created equally. She said that ad valorem taxes are used for the general operation fund. She said that capital projects, such as this one are put in the general capital fund. They can use the one-cent sales tax for capital improvements. The one-cent sales tax is created by law and cannot be spent on anything else except for infrastructure. Her proposal to them is whatever portion the City pays comes out of construction money and to not take this money out of the Ad Valorem Fund.

Mr. Falls commented that with the beach beautification process the City went in and made some side streets one-way and improved the parking along Ocean Drive in the 1980's. That was done with one-cent sales tax money. The only project done by assessment was at Royal Palm Pointe where they did some work there. The City has done some things to encourage development over there. He will bring this information back to Council.

Vice Mayor Moss questioned how much would it cost if they were to have Ocean Drive go one-way. Mr. Falls did not know what it would cost to do that. He said by doing that some of the property owners would struggle with getting access to their property. Vice Mayor Moss asked him to look at how many spaces they could get if they were to make it one-way.

Mr. Brain Heady brought up the sale of the Dodgertown property. He said that there needs to be good numbers on what this is going to cost and those numbers need to be given to the public. He expressed they need to have good facts and be truthful.

Ms. Lawson clarified on how the Dodger property was paid off and that they did clearly lose money.

**B) Commercial Airservice in Vero Beach & Airport Vision Plan**

Mayor Young commented that the City of Vero Beach has an exceptional airfield. With the transition to commercial airlines and impact going across the threshold that they hit about a year ago the grants proportions changed to 80/50. This matter has been deferred for three (3) years. However, the City Council will need to make a decision on how they want to continue with services at the Airport. The next Airport Commission meeting is scheduled for April 9<sup>th</sup> so he wanted to get thoughts from the City Council as they continue moving forward to avoid another situation in absorbing the cost of maintaining infrastructure at the Airport.

Mr. Falls explained that the City has four (4) Departments that have an Enterprise Fund. They are the Airport, Marina, Water and Sewer Department and Solid Waste. Generally the Enterprise Funds make a contribution of 6% into the General Fund. The Airport cannot do that. All the money that the Airport generates stays at the Airport. It is imperative that the revenue at the Airport always exceeds the expenditures. It is a critical component of the Airport to be self-sustaining.

Vice Mayor Moss referred to the Airport Master Plan in which one of the goals has been reached and that was to have a commercial airline at the Airport. Then another goal was for commercial development at the Airport. She said there has been progress made for commercial development compared to 2016. Now, they are considering having an advertising agency to help lease some of the commercial space.

Mr. Eric Menger, Airport Director, stated that on the aeronautical side they have made some significant process. There have been three (3) new hangars and Taxiway Eco is built and a proposal to build an additional three (3) hangars along Taxiway Eco, all of which will bring in additional rental income to the Airport. Also, there has been other development on the Airport with Corporate Air on the west side, which will bring in additional revenue to the Airport. He reiterated on the aeronautical side there has been pretty significant growth. He said on the non-aeronautical side little has happened, and it has been much slower. That is why they need to have an advertising agency to assist them with trying to develop mainly the non-aeronautical side. He said when land is relatively inexpensive and mortgage rates are low, in the vicinity of the Airport sometimes it is difficult to lease to businesses when they can buy land elsewhere. So what you have to try to market is location, location, location. He is working with the City Attorney's office in trying to soften their lease terms to allow the business owners to be able to see their way clear to investing in a leased property and build on it even though they know at the end of the lease period the property will revert back to the City.

Mr. Brackett asked what is the vacancy rate of their existing land that already has buildings on it.

understands why they put a water feature in. He thanked the Mayor for his indulgence to all the citizens rather than being rude. He said that he still doesn't understand why there is not a Police Officer at the meeting. He asked is there a reason.

Mayor Young thought Chief Currey had a commitment, but he was here earlier.

↓ Mr. Dave Windfield said recently they had someone on the City Council make a statement about central business parking. He said the statement was something like, *I met with shop owners who are angry. This has been going on for a long time. We need to support the business owners in this City. I'm ready to do this.* Mr. Windfield said that he would like the City Council to invite these angry shop owners to come and tell them that they endorse this plan for parking in central beach. He said that he wants them to come here and tell them that they want the green right-of-way, pouring a bunch of concrete in the residential streets is going to fix some kind of problem that they have on Ocean Drive. He felt the taxpayers should hear from them. The City Council had a meeting last week and apparently this is going to cost the taxpayers somewhere in the neighborhood of \$500,000 to dig up the right-of-way in residential streets of central beach and pour a bunch of concrete there. This is about money and he thinks they all know that. There are shop owners on Ocean Drive who feel they are not making enough money. They feel that some sort of parking issue is hurting their business. He didn't think that was true. He asked how many of these shop owners do they think are open on Sunday. He said hardly any of them are open. He said Sunday is an incredible day for shopping. He said if they go shopping in this City on a Sunday the retail stores are packed with people, but not on Ocean Drive. They are closed and their doors are locked and yet the City Council wants to spend \$500,000 of taxpayer's money to fix some problem they say is hurting their business. He questioned how bad could their business be if they can afford to have their doors locked on a Sunday. He asked the City Council to please invite them here and have them endorse their plan and tell them that this is going to fix their problem on Ocean Drive. He does not think it is.

Vice Mayor Moss thought she said this last week at the workshop. She expressed concern about parking spaces that would be west of Cardinal Drive. She has serious doubts about that. She thinks that putting a parking lot in a community will disrupt the sense of community physically and also people's perception of it. She said that she is very concerned about that, she doesn't think there is any good way to do it and she doesn't think it would be used. She asked the City Manager to deduct the spaces that are west of Cardinal Drive so they can discuss it as two (2) options. Mr. Falls said they will have that summarized.

Mayor Young said he thinks that the public's input is valuable to them. He said don't ever think that their comments don't have an impact because they do. He said if they are not comfortable speaking at the meeting to please reach out to them by email or individually.

## **6. CITY COUNCIL MATTERS**

### **A) NEW BUSINESS**

9-C)



**City Council Agenda Item**  
**Meeting of March 17, 2020**

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**TO:** The Honorable Mayor and Members of the City Council  
**FROM:** Monte K. Falls, P.E. - City Manager *MK Falls 3/10*  
**DATE:** March 10, 2020

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**SUBJECT:** Beachside Parking Engineering Services – WO #11 to EC-9-2017 – PW Project #2018-13

**REQUESTED BY:** City Manager/Public Works Director

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The following is requested as it relates to the above-referenced agenda item:

- Request Council review and direction based on the attached supporting documentation.
- No action required. (Information only)

## DEPARTMENTAL CORRESPONDENCE



TO: Monte K. Falls, PE, City Manager  
DEPT: City Manager

FROM: Matthew. T. Mitts, PE, Director *MTM*  
DEPT: Public Works

DATE: March 9, 2020

RE: **Beachside Parking Engineering Services**  
**(WO #11 to EC-9-2017)**  
**(PW Project #2018-13)**

### **Recommendation:**

- Review and execute a work order for engineering services related to the addition of 79 on-street parking spaces as identified in the Vero Beach Parking Study. Place this item on the City Council's agenda for March 17, 2020.

### **Funding:**

Funds for engineering services related to additional beachside parking are not included in the FY 19-20 adopted budget. If Council desires to proceed with this work order, there is sufficient unappropriated surplus in the FY 19-20 Fund 304-General Government Capital and Construction fund to approve this now and incorporate it into a subsequent budget amendment. Please note that this additional expenditure and any related construction costs will impact future fiscal years in the adopted Five Year Capital Plan and this can be addressed during our budget adoption for FY 20-21.

### **Background:**

At the January 21, 2020 council meeting, the City's consultant, Kimley-Horn & Associates, Inc., presented the final report of the Beachside Parking Study. The consultant prepared the final report based on their professional judgment, experience with other municipalities' parking problems, and local community input. Solutions identified include short-term (0-2 years), mid-term (3-5 years), and long-term (5-10 years) time frames.

**Parking Recommended by Consultant:** One of the short-term solutions recommended is to add 79 on-street parking spaces at the locations shown in the attached Parking Locations Exhibits. The final parking study stated an approximate

construction cost of \$5,000 per parking space for the addition of on-street parking with a total estimated construction cost for the 79 recommended spaces of \$400,000.

Table 1: Parking Recommended by Consultant

Street	On-Street Parking
Cypress Road	11
Banyan Road	11
Acacia Road	7
Camelia Lane	31
Dahlia Lane	8
Flamevine Lane	11
<b>Total</b>	<b>79</b>

**Parking East of Cardinal Drive:** Of the 79 parking spaces, 47 of the spaces are located west of Cardinal Drive. There would be an approximate construction cost of \$160,000 to move forward with only the remaining 32 on-street parking spaces east of Cardinal Drive.

Table 2: Parking East of Cardinal Drive

Street	On-Street Parking
Cypress Road	11
Banyan Road	11
Acacia Road	7
Flamevine Lane	3
<b>Total</b>	<b>32</b>

**Parking Across from C1-A and RM-10/12 Zoning Only:** Of the 79 parking spaces, there are an estimated 15 spaces where the zoning across the street from the proposed location is zoned R-1A residential single family. There would be an approximate construction cost of \$320,000 to move forward with the 64 on-street parking spaces that are not adjacent to or across the street from properties zoned R-1A residential single family.

Table 3: Parking Across from C-1A and RM-10/12 Zoning Only

Street	On-Street Parking
Cypress Road	9
Banyan Road	7
Acacia Road	6
Camelia Lane	31
Dahlia Lane	8
Flamevine Lane	3
<b>Total</b>	<b>64</b>

**Parking within the Overlay District:** Of the 79 parking spaces, 38 parking spaces are not proposed within the overlay district. There would be an approximate construction cost of \$205,000 to move forward with the 41 parking spaces proposed within the overlay district.

Table 4: Parking within the Overlay District

Street	On-Street Parking
Banyan Road	11
Acacia Road	7
Camelia Lane	12
Dahlia Lane	8
Flamevine Lane	3
<b>Total</b>	<b>41</b>

As requested by the City Council at the February 4, 2020 meeting, a work order is provided to identify scope and associated cost of engineering services for the 79 on-street parking spaces recommended by the consultant. The work order identifies the cost for engineering services for 79 spaces is \$120,250.

Additionally, a second work order is provided as an alternate option which identifies the scope and associated cost of engineering services for the 32 parking spaces located east of Cardinal Drive. The second work order identifies the cost for engineering services for the 32 parking spaces is \$103,260.

Both work order options require the consultant to provide a design alternative of a permeable paving system. This will allow the City to explore the pros and cons of a permeable paving system and select which paving option to move forward with for construction.

The additional information provided in this correspondence has been requested since the February 4, 2020 City Council meeting. Based on the enclosed information, should City Council decide to adjust the scope of the project to a scope other than that outlined in the two work orders provided, a revised work order for the revised scope will be brought back to Council at a future date.

**Analysis:**

**Strengths:** The final report for the beachside parking study identified a 31 space parking deficit during the peak parking period. The addition of 79 on-street parking spaces will provide sufficient parking for the current occupancy.

**Weaknesses:** There are no funds budgeted for engineering and construction of additional beachside parking. As a result, approval of this project may

reduce funding for other capital projects in future years unless additional revenues related to this project can be generated.

Opportunities: Providing additional public parking may increase the economic growth of the beachside area.

Threats: Some of the locations identified for additional on-street parking are in closer proximity to adjacent residential areas. This may not be favorable to nearby residents.

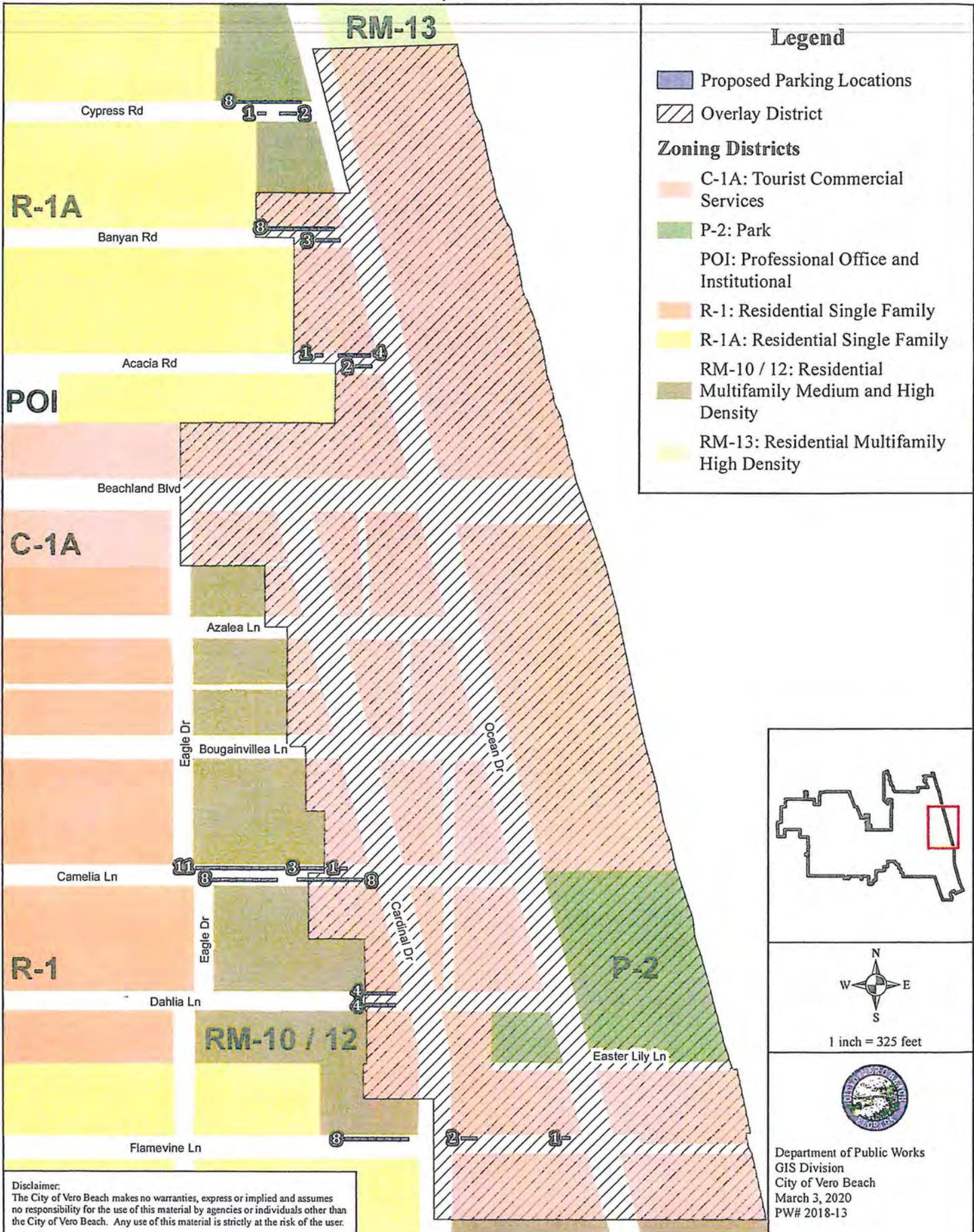
Cc: Jason Jefferies, Planning Director  
Cindy Lawson, Finance Director

Attachments: Parking Locations Exhibit 1  
Parking Locations Exhibit 2  
Figure 16 of the Vero Beach Parking Study  
Work Order No. 11 to Contract No. EC-9-2017 (Option 1: 79 spaces)  
Work Order No. 11 to Contract No. EC-9-2017 (Option 2: 32 spaces)

DRC

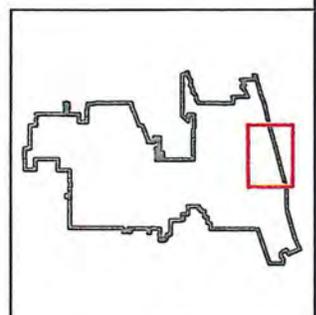
# Parking Locations Exhibit 1

## City of Vero Beach



### Legend

- Proposed Parking Locations
  - Overlay District
- Zoning Districts**
- C-1A: Tourist Commercial Services
  - P-2: Park
  - POI: Professional Office and Institutional
  - R-1: Residential Single Family
  - R-1A: Residential Single Family
  - RM-10 / 12: Residential Multifamily Medium and High Density
  - RM-13: Residential Multifamily High Density



1 inch = 325 feet



Department of Public Works  
 GIS Division  
 City of Vero Beach  
 March 3, 2020  
 PW# 2018-13

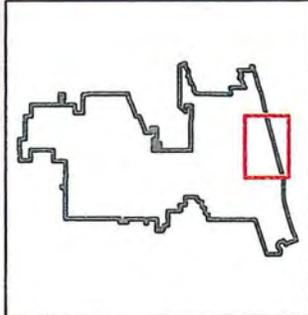
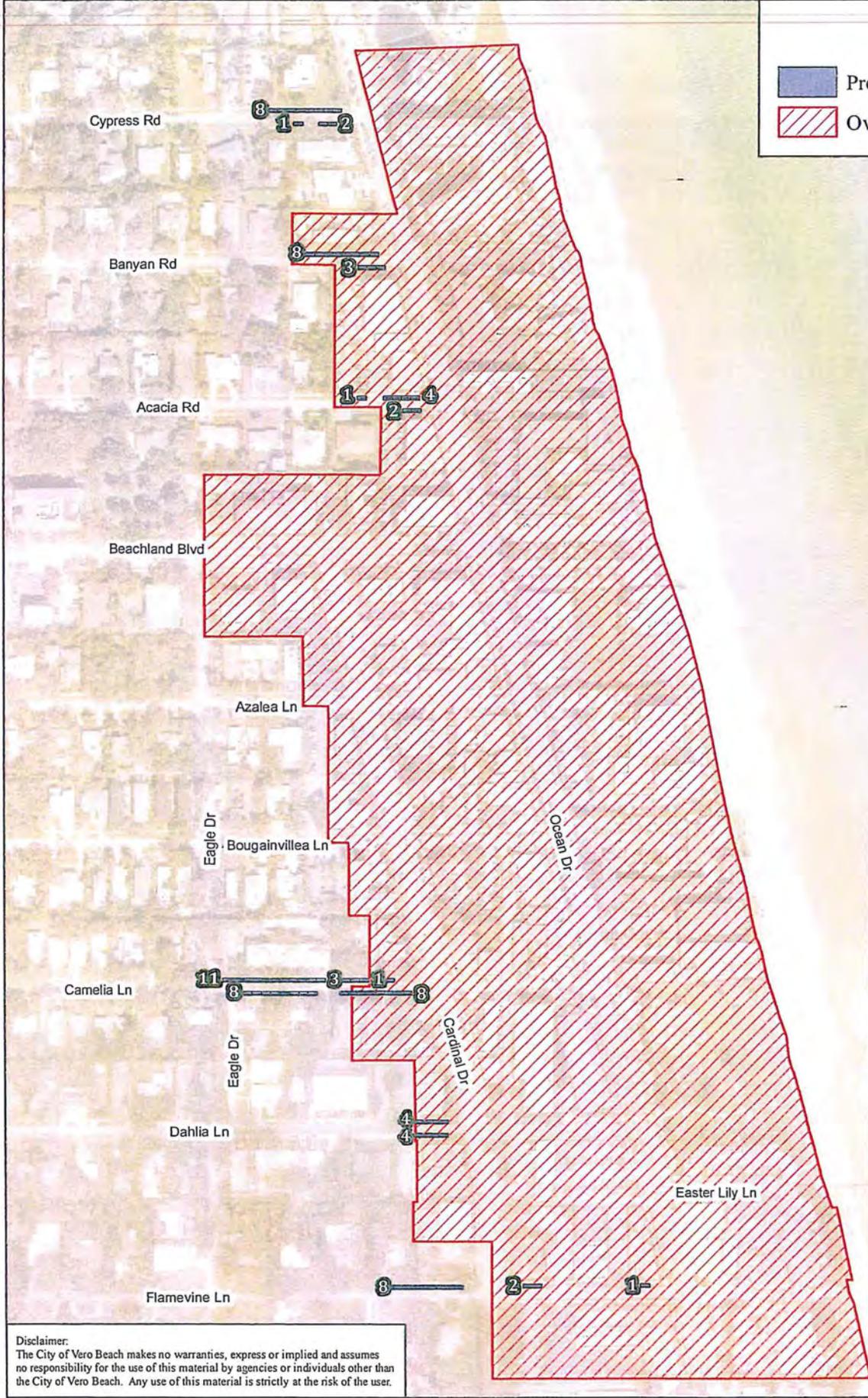
**Disclaimer:**  
 The City of Vero Beach makes no warranties, express or implied and assumes no responsibility for the use of this material by agencies or individuals other than the City of Vero Beach. Any use of this material is strictly at the risk of the user.

# Parking Locations Exhibit 2

## City of Vero Beach

**Legend**

- Proposed Parking Locations
- Overlay District



1 inch = 325 feet

Department of Public Works  
 GIS Division  
 City of Vero Beach  
 March 3, 2020  
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# VERO BEACH PARKING STUDY: Ocean Drive/Cardinal Drive Area

Figure 16: On-Street Parking Additions

Street	On-Street Parking	Parking Locations
Cypress Rd	11	
Banyan Rd	11	
Acacia Rd	7	
Camelia Ln	31	
Dahlia Ln	8	
Flamevine Ln	11	
<b>TOTALS</b>	<b>79</b>	

**CITY OF VERO BEACH, FLORIDA**  
**DEPARTMENT: PUBLIC WORKS**  
**PROJECT: ON-STREET PARKING ADDITION BEACHSIDE**  
**CONTRACT NO. EC-9-2017**  
**WORK ORDER NO. 11**  
**TO PROFESSIONAL SERVICES MASTER AGREEMENT**  
**DATED MARCH 9, 2017 BETWEEN CITY OF VERO BEACH**  
**AND KIMLEY-HORN AND ASSOCIATES, INC.**

This Work Order is issued pursuant to and incorporates herein that certain Professional Services Master Agreement ("Master Agreement") entered into on March 9, 2017 by and between the City of Vero Beach, Florida ("City") and Kimley-Horn and Associates, Inc. ("Professional").

City requests and Professional agrees to provide the services specified herein pursuant to the terms and conditions herein set forth and in the Master Agreement.

### **SECTION 1 – PROJECT DESCRIPTION**

The City desires to add 32 improved parallel on-street parking stalls to the beachside business district within existing City roadway rights-of-way located east of Cardinal Drive. The Beachside Parking Study provided by the PROFESSIONAL identified the following roadways have opportunities to increase on-street parallel parking east of Cardinal Drive:

- Cypress Road
- Banyan Road
- Acacia Road
- Flamevine Lane

### **SECTION 2 – SCOPE OF SERVICES**

The PROFESSIONAL agrees to perform professional planning, design and related services in connection with the project as required and set forth in the following:

The PROFESSIONAL will provide the services specifically set forth below.

#### **Task 1 – Design Topographic Survey:**

The PROFESSIONAL will provide topographic design survey services necessary to support and facilitate contemplated design and permitting activities associated with this project. This task will consist of the preparation of digital base map topographic surveys in accordance with the Professional Land Surveyors in Chapter 5J-17, Florida Administrative Code, pursuant to the intent of the Florida Standards of Practice set forth by the Florida Board of Professional Surveyors in Section 472.027, Florida Statutes.

The survey will include:

1. Records Research: Obtain information from Indian River County to acquire record evidence of parcel ownership and existing right-of-way limits.
2. Survey Control Horizontal/Vertical: Recover published horizontal and vertical control for the project. Establish horizontal and vertical control along the route and establish NAVD 88 elevation benchmarks and State Plane Coordinate control points along said route. Approximately 5 primary control points will be set and referenced on the digital Base Map control file.
3. Road Right of Way Retracement: Right of way lines will be calculated based upon existing plats and existing field monumentation.
4. Route Survey and Topography: Obtain cross-section elevations at 50-foot intervals along the route within the roadway right of way. Above-ground improvements, including the existing pavement, driveways, signs, power poles and surface evidence of buried utilities will be located. Drainage structures will be located. Invert elevations and pipe sizes will be obtained on the accessible structures within the existing right of way. All elevations will be referenced to the North American Vertical Datum of 1988 (NAVD88).
5. Base Map Digital Control File: Create a master horizontal control file to be utilized throughout the planning and design of the roadway improvements. This map will include the location of the right-of-way lines and the improvements and elevations that were collected during the previous survey tasks.

#### **Task 2 - Geotechnical Investigation:**

The PROFESSIONAL will retain the services of a Geotechnical sub-consultant to assist in evaluating the existing soil conditions. The Geotechnical sub-consultant will provide the following Geotechnical Services:

1. Field Exploration Program
  - Explore the subsurface soil conditions with six (6), 6-foot hand augers located along the roadway corridors.
  - Two (2) soil permeability tests.

The Geotechnical Sub-Consultant Engineer shall perform analysis of all the data obtained to evaluate subsurface conditions and develop engineering recommendations to guide site preparation procedures, foundation support and pavement design.

#### **Task 3 - Construction Documents:**

The PROFESSIONAL will develop construction documents to adequately define the horizontal and vertical location of the proposed improvements. The construction documents will consist of the following:

Construction Documents:

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- Summary of Pay Item Sheet
- Paving, Grading and Drainage Plan Sheets (minimum scale 1"=40' on 11"x17" sheets)
- Roadway Cross Section Sheets
- Detail Sheets

The PROFESSIONAL will evaluate alternative materials indicated to be utilized in the improved parking stall construction relative to the following:

- Construction Cost
- Maintenance
- Jurisdictional Permitting

The PROFESSIONAL will provide a bid alternative in the construction documents for a permeable paving material.

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The PROFESSIONAL will prepare applications and coordinate with the jurisdictional agencies necessary to obtain necessary approvals to facilitate implementation of desired improvements. The following are the permits and/or approvals which will be required:

- St. Johns River Water Management District (SJRWMD) Environmental Resource Permit (ERP)
- City of Vero Beach Public Works

The CITY will be responsible for all permit application fees within the permitting task.

## Task 5 – Construction Engineering and Inspection with Material Testing:

The PROFESSIONAL will provide professional construction phase assistance as specifically stated below:

1. *Bi-Weekly Construction Meetings/ Construction Observation.* The PROFESSIONAL will provide on-site construction observation services during the project's construction phase. It is anticipated that the PROFESSIONAL will be available to participate in the construction meetings, as requested by the CITY. The PROFESSIONAL will also be available to make visits in order to observe the progress of the Work. Such visits and observations by the PROFESSIONAL are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress. Observations are to be limited to spot checking, selective measurement, and similar methods of general observation of the Work based on PROFESSIONAL's exercise of professional judgment. Based on information obtained during such visits and such observations, the PROFESSIONAL will evaluate whether the Contractor's work is generally proceeding in accordance with the Contract Documents.
2. *Construction Observation.* The PROFESSIONAL will perform observations of the contractor's construction activities and provide documentation that will include written reports and photographs. The reports will include the following:
  - Weather conditions
  - Contractor's daily effort
    - personnel and hours on-site
    - equipment type, model and usage
    - general construction activities
    - amount of work completed
  - Observe the construction materials staged on-site
  - Installation of the underground drainage installation
    - observe drainage pipe and structure subgrade soils
    - observe drainage pipe type and size installed
    - observe drainage structure type and size installed
    - observe line and grade of drainage pipe/structures installed (spot checked based on the contractor provided survey data)
    - observe embankment backfill placement
  - Roadway construction of the pavement section components
    - subgrade – observe composition, thickness, density, line and grade
    - base – observe composition, thickness, density, line and grade (spot checked based on the contractor provided survey data)

- asphalt – observe and verify mix, temperature, thickness, compaction, and cross-slope
  - Observe notable erosion control conditions
  - Observe notable safety conditions.
  - Observe conditions as outlined in the contractor’s MOT plan.
  - Earthwork Observations – subgrade (structure bedding/foundation) soils will be observed to determine their suitability for support of the planned element (e.g., drainage structure or pipe bedding, roadway embankment and/or subgrade, etc.).
  - In-Place Density Testing – measuring the field (in-place) density of the soil backfill placed for roadway embankment, drainage structure/pipe backfill and structure/pipe subgrade, as well as the stabilized/compacted subgrade and base materials used for roadway construction.
  - Laboratory Testing – laboratory maximum density (Proctor) tests, sieve analysis tests, Limerock Bearing Ratio (LBR) tests, organic content tests, and Atterberg Limit tests will be performed on soil and aggregate materials to verify specification compliance.
  - Concrete Testing - Field testing of fresh concrete (slump, air and temperature) and laboratory testing of hardened concrete test cylinders to determine compressive strength for concrete driveways, sidewalks, curbing, etc..
  - Asphalt Paving – collect bulk field samples for laboratory extraction/gradation tests and maximum density determination and obtain field cores of the constructed asphaltic concrete for subsequent laboratory density and thickness measurements.
3. *Clarifications and Interpretations.* The PROFESSIONAL will respond to reasonable and appropriate Contractor requests for information and issue necessary clarifications and interpretations of the Contract Documents to the CITY and the contractor as appropriate to the orderly completion of Contractor's work. Any orders authorizing variations from the Contract Documents will be made by the CITY.
4. *Change Orders.* The PROFESSIONAL may recommend Change Orders to the CITY and will review and make recommendations related to Change Orders submitted or proposed by the Contractor.
5. *Shop Drawings and Samples.* The PROFESSIONAL will review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only for conformance with the information given in the Contract Documents. Such review and approvals or other action will not extend

to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs.

6. *Applications for Payment.* Based on its observations and on review of applications for payment and accompanying supporting documentation, the PROFESSIONAL will determine the amounts that the Contractor is recommended to be paid. Such recommendations of payment will be in writing and will constitute the PROFESSIONAL's representation to the CITY, based on such observations and review, that, to the best of the PROFESSIONAL's knowledge, information and belief, Contractor's work has progressed to the point indicated and that such work-in-progress is generally in accordance with the Contract Documents subject to any qualifications stated in the recommendation. In the case of unit price work, the PROFESSIONAL's recommendations of payment will include determinations of quantities and classifications of Contractor's work, based on observations and measurements of quantities provided with pay requests.

By recommending any payment, the PROFESSIONAL shall not thereby be deemed to have represented that its observations to check Contractor's work have been exhaustive, extended to every aspect of Contractor's work in progress, or involved detailed inspections of the Work beyond the responsibilities specifically assigned to the PROFESSIONAL in this Agreement. It will also not impose responsibility on the PROFESSIONAL to make any examination to ascertain how or for what purposes Contractor has used the moneys paid on account of the Contract Price, nor to determine that title to any portion of the work in progress, materials, or equipment has passed to the City free and clear of any liens, claims, security interests, or encumbrances, nor that there may not be other matters at issue between the City and Contractor that might affect the amount that should be paid.

7. *Limitation of Responsibilities.* The PROFESSIONAL shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work. The PROFESSIONAL shall not have the authority or responsibility to stop the work of any Contractor. The PROFESSIONAL will evaluate whether Contractor's work is generally proceeding in accordance with the Contract Documents, and the PROFESSIONAL will keep the City informed of the general progress of the Work through weekly project summary reports.

The PROFESSIONAL shall not, as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall the PROFESSIONAL have authority over or responsibility for the means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, nor for any failure of Contractor to comply with laws and regulations applicable to Contractor's furnishing and performing the Work. Accordingly, the PROFESSIONAL neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.

The PROFESSIONAL will recommend to the City that Contractor's work be disapproved and rejected while it is in progress if, on the basis of such observations, the PROFESSIONAL believes that such work will not produce a completed Project that conforms generally to Contract Documents.

8. *Record Drawing Review and Permit Certification.* The PROFESSIONAL will review the Record Drawings as submitted by the Contractor. Based upon receiving acceptable Record Drawings from the Contractor, the PROFESSIONAL will prepare and submit certifications to the following jurisdictional agencies:

- City of Vero Beach
- St. Johns River Water Management District

9. *Final Notice of Acceptability of the Work.* The PROFESSIONAL will, promptly after notice from Contractor that it considers the entire Work ready for its intended use, in company with the CITY and Contractor, conduct a site visit to determine if the Work is substantially complete. Work will be considered substantially complete following satisfactory completion of all items with the exception of those identified on a final punch list. The PROFESSIONAL will conduct a final site visit to determine if the completed Work of Contractor is generally in accordance with the Contract Documents and the final punch list so that the PROFESSIONAL may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, the PROFESSIONAL shall also provide a notice that the Work is generally in accordance with the Contract Documents to the best of the PROFESSIONAL's knowledge, information, and belief based on the extent of its services and based upon information provided to Consultant upon which it is entitled to rely.

### **SECTION 3 – SPECIFICATIONS**

The construction documents will be prepared consistent with the following standards and specifications:

- Florida Department of Transportation (FDOT) Standard Specifications for Road and Bridge Construction
- City of Vero Beach Public Works Design Standards

### **SECTION 4 – CITY RESPONSIBILITIES**

The following shall be responsibilities of City in addition to those provided in the Master Agreement:

The City agrees to provide (in a timely manner) the following material, data, or services as required in connection with the work to be performed under this Agreement; all of which information the PROFESSIONAL may use and reasonably rely upon:

- A. Provide the PROFESSIONAL with a copy of all previously conducted studies, geotechnical investigations, traffic counts, preliminary data or reports available, existing location surveys, topographic surveys, and related documents.
- B. Provide the PROFESSIONAL with all available drawings, right-of-way maps, and other documents in the possession of the City pertinent to the project.
- C. The City shall make provisions for the PROFESSIONAL to enter upon public and private property as required for the PROFESSIONAL to perform his services.
- D. The City will promptly execute all permit applications and provide application and review fees necessary to expedite the acquisition of any local, state or federal permits made necessary by the project.
- E. The City will pay for all permit fees.

**SECTION 5 – TIME OF PERFORMANCE**

PROFESSIONAL shall commence work within 14 days (10 business days) after issuance of a written notice-to-proceed. The work shall be completed within 6 months after issuance of the written notice-to-proceed.

Topographic Design Survey	1 month from NTP
Preliminary Construction Documents	4 months from NTP
Final Construction Documents	6 months from NTP
Construction Engineering and Inspection	To Be Determined

**SECTION 6 – COMPENSATION**

City agrees to pay and PROFESSIONAL agrees to accept, for services rendered pursuant to the Scope of Services and Specifications identified in this Work Order and in accordance with the conditions set forth in this Work Order and the Master Agreement, a lump sum fee under this Work Order of **\$103,260**. This fee and the payment schedule for said fee is itemized as follows:

Lump Sum Tasks

<u>Task Description</u>	<u>Fee</u>
Task 1 – Supplemental Topographic Survey Data	\$ 7,250
Task 2 – Geotechnical Investigation	\$ 6,500
Task 3 – Construction Documents	\$ 28,500
Task 4 – Jurisdictional Permitting	\$ 7,500
Task 5 – Construction Engineering and Inspection with Material Testing	\$ 53,510

**SECTION 7 – OTHER/ADDITIONAL CONDITIONS**

None.

**SECTION 8 – RELATION TO MASTER AGREEMENT**

All conditions set forth in the Master Agreement shall control unless otherwise specified in this Work Order.

**SECTION 9 - DESIGNATED PROFESSIONAL REPRESENTATIVE.**

Professional designates the following listed individual as Professional's representative, to represent Professional in all matters pertaining to this Work Order:

Name: Brian Good, P.E.  
Title: Principal  
Street Address: \_\_\_\_\_  
Mailing Address: 445 24th Street, STE 200  
Vero Beach, FL 32960  
Telephone: 772-794-4100  
Facsimile: 772-794-4130

**SECTION 10 - DESIGNATED CITY REPRESENTATIVE.**

City designates the following listed individual as City's designated representative, to represent City in all matters pertaining to this Work Order.

Name: MATTHEW T. MITTS, PE  
(Department Director or Designee)  
Title: PUBLIC WORKS DIRECTOR  
Street Address: 1053 20<sup>TH</sup> PL, VERO BEACH, FL 32960  
Mailing Address: P.O. Box 1389  
Vero Beach, Florida 32961-1389  
Telephone: 772-978-4870  
Facsimile: 772-978-4879

IN WITNESS WHEREOF, the parties hereto have executed this Work Order as of the last date written below .

**ON-STREET PARKING ADDITION BEACHSIDE WO# 11**

**PROFESSIONAL SERVICES PROVIDER:**

**WITNESSED BY:**

Kimley - Horn and Associates, inc  
(full legal name of Professional)

Sign: Kara Patton  
Print: Kara Patton

BY: [Signature]  
Sign: \_\_\_\_\_  
Print: Brian Good  
Title: Senior Vice President

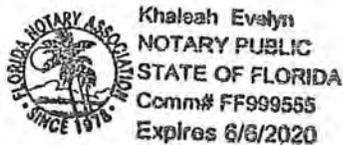
Sign: [Signature]  
Print: Michael Forman

Sign: [Signature]  
Print: MELBA THOMAS  
Title: [Signature]

STATE OF Florida  
COUNTY OF Indian River

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of March, 2020 by Brian Good, as Principal of Kimley-Horn, who P is personally known to me; OR \_\_\_\_\_ presented \_\_\_\_\_ as identification.

**NOTARY PUBLIC**



Sign: Khaleah Evelyn  
Print: Khaleah Evelyn  
State of Florida at Large (seal)  
Commission No.: FF999555  
My Commission Expires: 6/6/20

Summary

**Project Name**

COVB Beachside On-Street Parking Project

**Task Summary**

Manhours for project

<i>Task</i>	Senior Principal \$260	Project Manager \$190	Senior Engineer \$175	Engineering Technician II \$150	Engineering Technician I \$120	Clerical \$70	<i>Remarks</i>
Design Analysis	2	12	8	10	8	6	
Roadway Plans	6	3	20	55	82	0	
Utility Coordination	0	4	0	8	0	4	
Permitting	0	16	0	12	0	8	
Construction Engineering	0	109	56	0	22	6	
<b>Total Hours =</b>	8	144	84	85	112	24	
<b>Labor Fee =</b>	\$2,080	\$27,360	\$14,700	\$12,750	\$13,440	\$1,680	
<p><i>Total Labor Fee = \$72,010</i>  <i>Design Topo Fee = \$7,250</i>  <i>Geotechnical Fee = \$6,500</i>  <i>Material Testing = \$17,500</i>  <b>Total Fee = \$103,260</b></p>							

Design Analysis

Activity: Design Analysis / Review

Task	Senior Principal	Project Manager	Senior Engineer	Engineering Technician II	Engineering Technician I	Clerical	Remarks
Contract File		2				2	
Cost Estimate			2	4	8		Cost est. conducted at 30%, 60%, and 100%
Coordination							
City of Vero Beach		8				4	Four review submittals to County
Field Review			6	6			Site Visit
Project Specifications							
Computation Book & Quantities							
QC/QA	2						
Project Management		2					
<b>Subtotal</b>	<b>2</b>	<b>12</b>	<b>8</b>	<b>10</b>	<b>8</b>	<b>6</b>	

Rdwy Plans

Activity: Roadway Plans

Task	Senior Principal	Project Manager	Senior Engineer	Engineering Technician II	Engineering Technician I	Clerical	Remarks
Cover Sheet				2	6		
General Notes Sheet				2	2		1 sheet
Summary of Quantities Sheet			4	8	8		1 sheet
Horiz/Vert Control Sheet			4		8		
Plan Sheets			6	25	30		
Cross Sections			2	10	16		
Raster Image Manipulation					4		
Miscellaneous Const. Details		1	4	8	8		
QC/QA	6						
Project Management		2					
Plan Sheets include Sign & Marking							
Subtotal	6	3	20	55	82	0	



Activity: Permitting

Task	Senior Principal	Project Manager	Senior Engineer	Engineering Technician II	Engineering Technician I	Clerical	Remarks
<b>Pre-application Meetings</b>							
SJRWMD		6				4	
<b>Preliminary Exhibits for Permit</b>							
<b>Permit Package</b>							
SJRWMD			2			4	
<b>Request for Information</b>							
SJRWMD							
<b>Project Management</b>							
		2					
SJRWMD - 10/2 General Permit							
<b>Subtotal</b>	0	8	2	0	0	8	

Activity: Construction Engineering and Inspection

Task	Senior Principal	Project Manager	Senior Engineer	Engineering Technician II	Engineering Technician I	Clerical	Remarks
Pre-Construction Meeting		6					
Bi-Weekly Construction Meeting		20	10		10		6 meetings
Pay Application Review		9				6	3 pay applications
Shop Drawing Review		2	8				
Request for Information		20	10				
As-built Review		4	8				
Final Inspection/ Project Close-out		8	8				Substantial and Final Walk Throughs
Weekly Progress Reports and Coordination		32	8		8		
Permit Certifications			4		4		
Project Management		8					
SJRWMD - 10/2 General Permit							
Subtotal	0	109	56	0	22	6	

**CITY OF VERO BEACH, FLORIDA**  
**DEPARTMENT: PUBLIC WORKS**  
**PROJECT: ON-STREET PARKING ADDITION BEACHSIDE**  
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The PROFESSIONAL will provide professional construction phase assistance as specifically stated below:

1. *Bi-Weekly Construction Meetings/ Construction Observation.* The PROFESSIONAL will provide on-site construction observation services during the project's construction phase. It is anticipated that the PROFESSIONAL will be available to participate in the construction meetings, as requested by the CITY. The PROFESSIONAL will also be available to make visits in order to observe the progress of the Work. Such visits and observations by the PROFESSIONAL are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress. Observations are to be limited to spot checking, selective measurement, and similar methods of general observation of the Work based on PROFESSIONAL's exercise of professional judgment. Based on information obtained during such visits and such observations, the PROFESSIONAL will evaluate whether the Contractor's work is generally proceeding in accordance with the Contract Documents.
2. *Construction Observation.* The PROFESSIONAL will perform observations of the contractor's construction activities and provide documentation that will include written reports and photographs. The reports will include the following:
  - Weather conditions
  - Contractor's daily effort
    - personnel and hours on-site
    - equipment type, model and usage
    - general construction activities
    - amount of work completed
  - Observe the construction materials staged on-site
  - Installation of the underground drainage installation
    - observe drainage pipe and structure subgrade soils
    - observe drainage pipe type and size installed
    - observe drainage structure type and size installed
    - observe line and grade of drainage pipe/structures installed (spot checked based on the contractor provided survey data)
    - observe embankment backfill placement
  - Roadway construction of the pavement section components
    - subgrade – observe composition, thickness, density, line and grade
    - base – observe composition, thickness, density, line and grade (spot checked based on the contractor provided survey data)

- asphalt – observe and verify mix, temperature, thickness, compaction, and cross-slope
  - Observe notable erosion control conditions
  - Observe notable safety conditions.
  - Observe conditions as outlined in the contractor’s MOT plan.
  - Earthwork Observations – subgrade (structure bedding/foundation) soils will be observed to determine their suitability for support of the planned element (e.g., drainage structure or pipe bedding, roadway embankment and/or subgrade, etc.).
  - In-Place Density Testing – measuring the field (in-place) density of the soil backfill placed for roadway embankment, drainage structure/pipe backfill and structure/pipe subgrade, as well as the stabilized/compacted subgrade and base materials used for roadway construction.
  - Laboratory Testing – laboratory maximum density (Proctor) tests, sieve analysis tests, Limerock Bearing Ratio (LBR) tests, organic content tests, and Atterberg Limit tests will be performed on soil and aggregate materials to verify specification compliance.
  - Concrete Testing - Field testing of fresh concrete (slump, air and temperature) and laboratory testing of hardened concrete test cylinders to determine compressive strength for concrete driveways, sidewalks, curbing, etc..
  - Asphalt Paving – collect bulk field samples for laboratory extraction/gradation tests and maximum density determination and obtain field cores of the constructed asphaltic concrete for subsequent laboratory density and thickness measurements.
3. *Clarifications and Interpretations.* The PROFESSIONAL will respond to reasonable and appropriate Contractor requests for information and issue necessary clarifications and interpretations of the Contract Documents to the CITY and the contractor as appropriate to the orderly completion of Contractor's work. Any orders authorizing variations from the Contract Documents will be made by the CITY.
4. *Change Orders.* The PROFESSIONAL may recommend Change Orders to the CITY and will review and make recommendations related to Change Orders submitted or proposed by the Contractor.
5. *Shop Drawings and Samples.* The PROFESSIONAL will review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only for conformance with the information given in the Contract Documents. Such review and approvals or other action will not extend

to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs.

6. *Applications for Payment.* Based on its observations and on review of applications for payment and accompanying supporting documentation, the PROFESSIONAL will determine the amounts that the Contractor is recommended to be paid. Such recommendations of payment will be in writing and will constitute the PROFESSIONAL's representation to the CITY, based on such observations and review, that, to the best of the PROFESSIONAL's knowledge, information and belief, Contractor's work has progressed to the point indicated and that such work-in-progress is generally in accordance with the Contract Documents subject to any qualifications stated in the recommendation. In the case of unit price work, the PROFESSIONAL's recommendations of payment will include determinations of quantities and classifications of Contractor's work, based on observations and measurements of quantities provided with pay requests.

By recommending any payment, the PROFESSIONAL shall not thereby be deemed to have represented that its observations to check Contractor's work have been exhaustive, extended to every aspect of Contractor's work in progress, or involved detailed inspections of the Work beyond the responsibilities specifically assigned to the PROFESSIONAL in this Agreement. It will also not impose responsibility on the PROFESSIONAL to make any examination to ascertain how or for what purposes Contractor has used the moneys paid on account of the Contract Price, nor to determine that title to any portion of the work in progress, materials, or equipment has passed to the City free and clear of any liens, claims, security interests, or encumbrances, nor that there may not be other matters at issue between the City and Contractor that might affect the amount that should be paid.

7. *Limitation of Responsibilities.* The PROFESSIONAL shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work. The PROFESSIONAL shall not have the authority or responsibility to stop the work of any Contractor. The PROFESSIONAL will evaluate whether Contractor's work is generally proceeding in accordance with the Contract Documents, and the PROFESSIONAL will keep the City informed of the general progress of the Work through weekly project summary reports.

The PROFESSIONAL shall not, as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall the PROFESSIONAL have authority over or responsibility for the means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, nor for any failure of Contractor to comply with laws and regulations applicable to Contractor's furnishing and performing the Work. Accordingly, the PROFESSIONAL neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.

The PROFESSIONAL will recommend to the City that Contractor's work be disapproved and rejected while it is in progress if, on the basis of such observations, the PROFESSIONAL believes that such work will not produce a completed Project that conforms generally to Contract Documents.

8. *Record Drawing Review and Permit Certification.* The PROFESSIONAL will review the Record Drawings as submitted by the Contractor. Based upon receiving acceptable Record Drawings from the Contractor, the PROFESSIONAL will prepare and submit certifications to the following jurisdictional agencies:

- City of Vero Beach
- St. Johns River Water Management District

9. *Final Notice of Acceptability of the Work.* The PROFESSIONAL will, promptly after notice from Contractor that it considers the entire Work ready for its intended use, in company with the CITY and Contractor, conduct a site visit to determine if the Work is substantially complete. Work will be considered substantially complete following satisfactory completion of all items with the exception of those identified on a final punch list. The PROFESSIONAL will conduct a final site visit to determine if the completed Work of Contractor is generally in accordance with the Contract Documents and the final punch list so that the PROFESSIONAL may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, the PROFESSIONAL shall also provide a notice that the Work is generally in accordance with the Contract Documents to the best of the PROFESSIONAL's knowledge, information, and belief based on the extent of its services and based upon information provided to Consultant upon which it is entitled to rely.

### **SECTION 3 – SPECIFICATIONS**

The construction documents will be prepared consistent with the following standards and specifications:

- Florida Department of Transportation (FDOT) Standard Specifications for Road and Bridge Construction
- City of Vero Beach Public Works Design Standards

### **SECTION 4 – CITY RESPONSIBILITIES**

The following shall be responsibilities of City in addition to those provided in the Master Agreement:

The City agrees to provide (in a timely manner) the following material, data, or services as required in connection with the work to be performed under this Agreement; all of which information the PROFESSIONAL may use and reasonably rely upon:

- A. Provide the PROFESSIONAL with a copy of all previously conducted studies, geotechnical

investigations, traffic counts, preliminary data or reports available, existing location surveys, topographic surveys, and related documents.

- B. Provide the PROFESSIONAL with all available drawings, right-of-way maps, and other documents in the possession of the City pertinent to the project.
- C. The City shall make provisions for the PROFESSIONAL to enter upon public and private property as required for the PROFESSIONAL to perform his services.
- D. The City will promptly execute all permit applications and provide application and review fees necessary to expedite the acquisition of any local, state or federal permits made necessary by the project.
- E. The City will pay for all permit fees.

**SECTION 5 – TIME OF PERFORMANCE**

PROFESSIONAL shall commence work within 14 days (10 business days) after issuance of a written notice-to-proceed. The work shall be completed within 6 months after issuance of the written notice-to-proceed.

Topographic Design Survey	1 month from NTP
Preliminary Construction Documents	4 months from NTP
Final Construction Documents	6 months from NTP
Construction Engineering and Inspection	To Be Determined

**SECTION 6 – COMPENSATION**

City agrees to pay and PROFESSIONAL agrees to accept, for services rendered pursuant to the Scope of Services and Specifications identified in this Work Order and in accordance with the conditions set forth in this Work Order and the Master Agreement, a lump sum fee under this Work Order of \$120,250. This fee and the payment schedule for said fee is itemized as follows:

Lump Sum Tasks

<u>Task Description</u>	<u>Fee</u>
Task 1 – Supplemental Topographic Survey Data	\$ 9,250
Task 2 – Geotechnical Investigation	\$ 6,500
Task 3 – Construction Documents	\$ 32,000
Task 4 – Jurisdictional Permitting	\$ 7,500
Task 5 – Construction Engineering and Inspection with Material Testing	\$ 65,000
<b>Project Total</b>	<b>\$ 120,250</b>

**SECTION 7 – OTHER/ADDITIONAL CONDITIONS**

None.

**SECTION 8 – RELATION TO MASTER AGREEMENT**

All conditions set forth in the Master Agreement shall control unless otherwise specified in this Work Order.

**SECTION 9 - DESIGNATED PROFESSIONAL REPRESENTATIVE.**

Professional designates the following listed individual as Professional's representative, to represent Professional in all matters pertaining to this Work Order:

Name: Brian Good, P.E.  
Title: Principal  
Street Address: \_\_\_\_\_  
Mailing Address: 445 24th Street, STE 200  
Vero Beach, FL 32960  
Telephone: 772-794-4100  
Facsimile: 772-794-4130

**SECTION 10 - DESIGNATED CITY REPRESENTATIVE.**

City designates the following listed individual as City's designated representative, to represent City in all matters pertaining to this Work Order.

Name: MATTHEW T. MITTS  
(Department Director or Designee)  
Title: PUBLIC WORKS DIRECTOR  
Street Address: 1053 20TH PL, VERO BEACH, FL 32960  
Mailing Address: P.O. Box 1389  
Vero Beach, Florida 32961-1389  
Telephone: 772-978-4870  
Facsimile: 772-978-4879

IN WITNESS WHEREOF, the parties hereto have executed this Work Order as of the last date written below .

**ON-STREET PARKING ADDITION BEACHSIDE WO# 11**

**PROFESSIONAL SERVICES PROVIDER:**

**WITNESSED BY:**

Kimley-Horn and Associates, Inc  
(full legal name of Professional)

Sign: Kara Patton  
Print: Kara Patton

BY: [Signature]  
Sign: \_\_\_\_\_  
Print: Brian Good  
Title: Senior Vice President

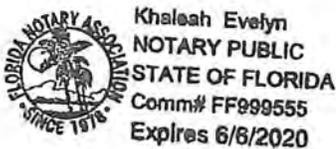
Sign: [Signature]  
Print: Michael Foreman

Sign: [Signature]  
Print: MELIBE THOMAS  
Title: VP

STATE OF Florida  
COUNTY OF Indian River

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of March, 2020 by Brian Good, as Principal of Kimley-Horn, who Y is personally known to me; OR \_\_\_\_\_ presented \_\_\_\_\_ as identification.

**NOTARY PUBLIC**



Sign: Khaleah Evelyn  
Print: Khaleah Evelyn  
State of Florida at Large (seal)  
Commission No.: FF 999,555  
My Commission Expires: 6/6/20

**CITY OF VERO BEACH FLORIDA: ON-STREET PARKING ADDITION BEACHSIDE**

**ATTEST:**

**CITY OF VERO BEACH**

Sign:   
Tammy K. Bursick  
City Clerk

BY: \_\_\_\_\_  
Sign: \_\_\_\_\_  
Antony W. Young  
Mayor

STATE OF FLORIDA  
COUNTY OF INDIAN RIVER

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by Antony W. Young, Mayor of the City of Vero Beach, and attested by Tammy K. Bursick, as City Clerk of the City of Vero Beach, Florida. They are both known to me and did not take an oath.

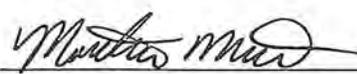
**NOTARY PUBLIC**

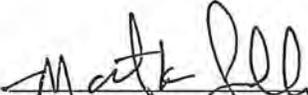
Sign: \_\_\_\_\_  
Print: \_\_\_\_\_  
State of Florida at Large (seal)  
Commission No.: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**ADMINISTRATIVE REVIEW**  
(For Internal Use Only-Sec.2-77 COVB Code)

Approved as to technical requirements:

Approved as conforming to municipal policy:

 3/10/20  
Matthew T. Mitts, P.E., Director Date  
Director of Public Works

 3/10/2020  
Monte K. Falls, City Manager Date

Approved as to form and legal sufficiency:

Approved as to budget sufficiency:

  
John S. Turner, City Attorney Date

 3/10/20  
Cynthia D. Lawson, Director of Finance Date

Summary

**Project Name**

COVB Beachside On-Street Parking Project

**Task Summary**

Manhours for project

<i>Task</i>	Senior Principal \$260	Project Manager \$190	Senior Engineer \$175	Engineering Technician II \$150	Engineering Technician I \$120	Clerical \$70	<i>Remarks</i>
Design Analysis	2	14	8	10	8	6	
Roadway Plans	6	3	22	62	96	0	
Utility Coordination	0	4	0	8	0	4	
Permitting	0	16	0	12	0	8	
Construction Engineering	0	124	60	0	26	6	
<i>Total Hours =</i>	8	161	90	92	130	24	
<i>Labor Fee =</i>	\$2,080	\$30,590	\$15,750	\$13,800	\$15,600	\$1,680	
<p><i>Total Labor Fee = \$79,500</i></p> <p><i>Design Topo Fee = \$9,250</i></p> <p><i>Geotechnical Fee = \$6,500</i></p> <p><i>Material Testing = \$25,000</i></p> <p><i>Total Fee = \$120,250</i></p>							



Rdwy Plans

Activity: Roadway Plans

Task	Senior Principal	Project Manager	Senior Engineer	Engineering Technician II	Engineering Technician I	Clerical	Remarks
Cover Sheet				2	6		
General Notes Sheet				2	2		1 sheet
Summary of Quantities Sheet			4	8	8		1 sheet
Horiz/Vert Control Sheet			4		8		
Plan Sheets			8	30	40		
Cross Sections			2	12	20		
Raster Image Manipulation					4		
Miscellaneous Const. Details		1	4	8	8		
QC/QA	6						
Project Management		2					
Plan Sheets include Sign & Marking							
Subtotal	6	3	22	62	96	0	



Activity: Permitting

Task	Senior Principal	Project Manager	Senior Engineer	Engineering Technician II	Engineering Technician I	Clerical	Remarks
<b>Pre-application Meetings</b>							
SJRWMD		6				4	
<b>Preliminary Exhibits for Permit</b>							
<b>Permit Package</b>							
SJRWMD			2			4	
<b>Request for Information</b>							
SJRWMD							
<b>Project Management</b>							
		2					
SJRWMD - 10/2 General Permit							
<b>Subtotal</b>	0	8	2	0	0	8	

Activity: Construction Engineering and Inspection

Task	Senior Principal	Project Manager	Senior Engineer	Engineering Technician II	Engineering Technician I	Clerical	Remarks
Pre-Construction Meeting		6					
Bi-Weekly Construction Meeting		24	12		12		8 meetings
Pay Application Review		12				6	4 pay applications
Shop Drawing Review		2	8				
Request for Information		20	10				
As-built Review		4	8				
Final Inspection/ Project Close-out		8	8				Substantial and Final Walk Throughs
Weekly Progress Reports and Coordination		40	10		10		
Permit Certifications			4		4		
Project Management		8					
SJRWMD - 10/2 General Permit							
Subtotal	0	124	60	0	26	6	

