

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

Deacon Dave Hankle/St. Helen Catholic Church will give the invocation.

A G E N D A

1. CALL TO ORDER

- A. Pledge of Allegiance
- B. Roll Call

2. PRELIMINARY MATTERS

- A. Approval of Minutes

- 1. [Regular City Council Minutes – June 20, 2023](#)

- A. Agenda Additions, Deletions, and Adoption.

- B. Proclamations and recognitions by Council.

- 1) The Source/Dignity Bus
- 2) Treasure Coast Waterway Cleanup Week – July 15 - 23, 2023
- 3) Moonshot Moment Word Collectors

3. CONSENT AGENDA (include amount of expense)

- A) [Emergency Purchase Notification – Inspection of Tanks Project Underwater Solutions, Inc., Contract 188-2023, Contract Amount \\$58,000, Change Order #2 amount \(\\$8,572\)](#)
- B) [FMIT Health Insurance – \(Estimated at \\$5,314,749\)](#)
- C) [Centroid Diversified Final Payment for Contract 183-2023 \(\\$5,227.83\)](#)
- D) [Agreement for Consent to Sublease between City of Vero Beach and JP Aviation Investments, LLC](#)
- E) [Change Order 1 to Work Order 3 for AECOM Technical Services for Design and Bidding of Terminal Building Rehabilitation Project \(FDOT #449614-1-94-01\) \(\\$97,491.75 Increase\)](#)
- F) [Award the Annual Street Resurfacing Contract \(Bid No. 140-23-JO\) \(Not to Exceed Cost \\$1,400.000\) PW Project No. 2023-29](#)
- G) [Vero Beach Yacht Club North and South Riparian Line and Fairway Agreements](#)
- H) [Approve Final Payment to Underwater Engineering Services, Inc. for \\$3,342.95 Bahia Mar Dune Crossover Repair Contract #173-2023, Project 2022-45](#)

- I) [Approve Final Payment to Underwater Engineering Services, Inc. for \\$23,417.06 Conn Beach Boardwalk Repairs \(Phase II\) Contract #169-2023](#)
- J) [Youth Sailing Lease Agreement](#)
- K) [Softening Tank No 3 Repairs Final Pay – Grove Welders – \(\\$319,818.95\)](#)

(The matters listed on the consent agenda will be acted upon by the City Council in a single vote unless a Councilmember or a member of the public requests that a specific item be considered separately).

4. PUBLIC HEARINGS

A) ORDINANCES

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

B) RESOLUTIONS

- 1) [A Resolution of the City Council of the City of Vero Beach, Florida, repealing Resolution 2023-06; Authorizing the City Manager and Director of Finance to Issue Warrants, Checks, and Vouchers of the City of Vero Beach for the Payment of Funds from any of the depositories utilized by the City Providing for an Effective Date.](#)
- 2) [A Resolution of the City Council of the City of Vero Beach, Florida, Authorizing the Execution and Acceptance of a Federally Funded Subaward and Grant Agreement between the City of Vero Beach and the State of Florida Division of Emergency Management for Hurricane Nicole \(FEMA-4680-DR-FL\); Delegating to the City Manager the Authority to Execute the Agreement and Act as the City's Authorized Agent for Performance of the Agreement; Providing for an Effective Date.](#)

5. PUBLIC COMMENT (3-minute time limit)

6. CITY COUNCIL MATTERS

A) NEW BUSINESS

B) OLD BUSINESS

7. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING

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

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

8. CITY CLERK MATTERS

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

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

- A) [Alma Lee Loy \(17th Street\) Bridge Repair](#)

10. CITY ATTORNEY MATTERS

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

11. COUNCILMEMBER MATTERS

- A. Mayor Cotugno's Matters

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

- B. Vice Mayor Moore's Matters

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

- C. Councilmember Zudans's Matters

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

- D. Councilmember Carroll's Matters

- 1) [Discussion of on-going citizens' concerns regarding the "Lucey" house situated at 1215 Spanish Lace Lane, Vero Beach, Florida 32963 to include input from the Indian River County Building Official, Vero Beach staff and Attorney Turner.](#)
- 2) [Discussion of on-going citizens' concerns regarding the Seaside Grill renovation project. The permit was issued by the County and work has commenced on the](#)

roof framing/truss elements. What is the timeframe of the completion, certificate of occupancy and opening of the restaurant for patrons.

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

BUDGET MATTERS

Items to be discussed at budget time –

- 1) Appropriation for the design, preparation, and installation of a Pilot Program to install pavement markings and signage to designate certain roads within the City as “Share the Road” traffic ways. (See attached backup material that the program would be limited to)
- 2) Appropriation for the design, preparation, and installation of signage and pavement markings as potentially required to inform the citizens of the revised Vero Beach Golf Cart Ordinance to be developed in concert with CS/CS/HB 949: Operation of a Golf Cart with an effective date of October 1, 2023. Additional monies will be required for citizen education.
- 3) Appropriation for the design, preparation, and installation of a “Traffic Calming” Pilot Program to install curbing, pavement markings and signage to reduce speeds thru residential neighborhoods. The program would include a transition zone wherein a series of three curb offsets would reduce the lane width to 12 feet thru a 500 feet transition zone thereby reducing speed. (See attached backup material that the program would be limited to)
- 4) Appropriation for staff evaluation of the sunset/elimination of the current system of plan review wherein the City of Vero Beach transfers all duties outlined in the 2020 Edition of the Florida Building Code, Building Section 104, Duties and Powers of Building Official to the County in exchange for the fees paid for the building permits reviewed and issued. The process prevents staff from resolving permit issues quickly for the citizens and making personal changes to facilitate a timely review process. The alternative selected by other small municipalities include: to retain outside licensed consultants to review construction plans for conformance with the Florida Building Code and local Ordinance and issue the permits, perform the required inspections and issue the Certificate of Occupancy or Completion.

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

- E) Councilmember Neville’s Matters

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

13. ADJOURNMENT

ADDITIONAL MEETING INFORMATION

Public Participation. Excluding ministerial/administrative matters and certain quasi-judicial proceedings, the Council will provide an opportunity for public comment prior to the Council taking final action on an agenda item, including those matters on the consent agenda, and other propositions or items not specifically listed on the meeting agenda on which the Council proposes to take final action at the meeting.

Addressing the council generally. After first securing permission from the presiding officer, any person may address the council, in the manner specified herein at the appropriate times where oral communication is permitted as provided in the order of business appearing on the agenda adopted for the meeting.

Manner of addressing council; time limit. Each person recognized by the presiding officer and granted leave to address the council shall step up to the microphone and state his or her name for the record. Speakers shall confine their remarks to the subject of the agenda matter then under discussion by the council. Unless additional time is granted by majority vote of the council, persons making a councilmember-sponsored presentation under "presentation items by the public" shall limit such presentation to ten (10) minutes; persons speaking on any agenda item or other proposition shall limit their address to three (3) minutes; and persons speaking at the "public comment" portion of the agenda shall limit their address to three (3) minutes. All remarks shall be addressed to the council as a body and not to any individual member thereof, nor to members of the audience. No person other than the council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the council, without the permission of the presiding officer. No question shall be asked a councilmember except through the presiding officer. The presiding officer may limit immaterial, unnecessary, or redundant comments, presentations, or requests. Once a motion is made by a councilmember, no person from the audience shall address the council.

Meeting decorum. No person shall make any personal, impertinent, slanderous, obscene, profane, inflammatory, untruthful, irrelevant, or immaterial remarks, or become boisterous while in the council chambers, or incite violence or fighting, or otherwise disturb the meeting, whether or not while addressing the council. Heckling or verbal outbursts in support or opposition to a speaker or his or her remarks and displays of anger, rudeness, ridicule, impatience, lack of respect, and personal attacks shall be prohibited.

Record for appeal. This is a public meeting. If a person decides to appeal a decision made by the Council with respect to any reviewable matter considered at such meeting, he or she will need a record of the proceedings, and for such purpose, he or she is responsible for ensuring that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Persons with special needs. Anyone who needs a special accommodation for this meeting may contact the City's Americans with Disabilities Act (ADA) Coordinator at 978-4920 at least 48 hours in advance of the meeting. **Invocation.* An invocation that may be offered before the official start of the Council meeting is and shall be the voluntary offering of a private citizen to and for the benefit of the Council pursuant to Resolution No. 2013-30. The views and beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent their individual religious beliefs, nor are the views or beliefs expressed intended to suggest allegiance to or preference for any particular religion, denomination, faith, creed, or belief by the Council or the City. No person in attendance at the meeting is or shall be required to participate in any invocation and such decision whether or not to participate will have no impact on his or her right to actively participate in the public meeting.

Meeting televised and recorded. Council meetings may be broadcast live, recorded, and replayed on Comcast cable Channel 13, AT&T Channel 99 and on the City's website www.covb.org.