

CITY OF VERO BEACH, FLORIDA
MAY 4, 2021 8:30 A.M.
REGULAR CITY COUNCIL MINUTES
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA

The invocation was given by Kurt Lorenzen the First Councilor of the Church of Jesus Christ of Latter Day Saints.

1. CALL TO ORDER

A. Pledge of Allegiance

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

B. Roll Call

Mayor Robbie Brackett, present; Vice Mayor Rey Neville, present; Councilmember Honey Minuse, present; Councilmember Bob McCabe, present and Councilmember Richard Winger, present **Also Present:** Monte Falls, City Manager; John Turner, City Attorney and Tammy Bursick, City Clerk

2. PRELIMINARY MATTERS

A. Approval of Minutes

1. Regular City Council Minutes – April 20, 2021

Mrs. Minuse made a motion to approve the April 20, 2021 minutes. Mr. McCabe seconded the motion and it passed unanimously.

A. Agenda Additions, Deletions, and Adoption.

Mr. Winger asked that item 4B-4) “A Resolution initiating Intergovernmental Conflict Resolution Procedures” be pulled off of the agenda and let staff have the time to work out the situation.

Mr. Monte Falls, City Manager, commented that he and the City Attorney met with County staff to try to work things out. He has also met with the new City Manager of Indian River Shores who would like to sit down and talk to staff to try to work out some of these issues. He agreed with tabling this matter to see if they can solve this on staff level.

Mayor Brackett agreed with doing everything that they can to avoid litigation and protecting the interest of their citizens is important.

Mr. Falls commented that they need to continue finding ways to economically serve all of their customers. He agreed with Council that giving staff time to sit down and talk about these things was appropriate.

Mrs. Minuse commented that Commissioner Joe Earman reached out to her yesterday and requested that staff work together on this matter. She said Commissioner Earman does not want to see them have to go through litigation.

Mr. McCabe commented that they are on a timetable because of the moving of the Waste Water Treatment Plant off of the island.

Mr. Falls agreed that this needs to be worked out sooner than later.

Mr. John Turner, City Attorney, stated that they would table this Resolution and he will report back to the City Council on the progress being made.

Mrs. Tammy Bursick, City Clerk, requested that item 3-G) "Extension of Lifeguard Coverage hours for the Summer" be removed from the consent agenda.

Mr. Brian Heady commented that this is not a new issue regarding the situation with Indian River Shores. He knows that the City Manager has been around long enough and knows the truth. He didn't think that the City taxpayers should have to be dipping into their pockets to help Indian River Shores. He said that Indian River Shores sued the City over the electric issue and now they want to sue the City over the water issue so they can own it along with the County. He did not want to see this having to go to litigation. He said this needs to stop.

Mr. Neville made a motion to adopt the agenda with the changes. Mrs. Minuse seconded the motion and it passed unanimously.

B. Proclamations and recognitions by Council.

1) Memorial Day – May 31, 2021

Vice Mayor Neville read and presented the Proclamation.

2) Mental Health Awareness Month – May 2021

Mrs. Minuse read and presented the Proclamation.

3. CONSENT AGENDA (include amount of expense)

A) Memorandum of Lease Agreement (Corporate Air, Inc.)

B) Replacement of Police Department Generator (\$120,000)

C) Interlocal Agreement – Two-Way Potable Water Reliability Services St. Lucie County Water and Sewer Utility District (SLCWSUD)

- D) Award Annual Supply Contract for Aluminum Corrugated Pipe, Expenditures not to exceed \$90,000**
- E) Agreement for Exchange of Use of Facilities and Equipment between the City of Vero Beach and the School Board of Indian River County 2021/2022**
- F) Approval of Contract and Work Order #1 – PFM Financial Advisors, LLC for City Financial Advisory Services (\$\$10,000 annually)**
- G) Extension of Lifeguard Coverage hours for the Summer**

Mr. Neville made a motion to adopt the consent agenda, with item 3-G) being pulled from the consent agenda. Mr. McCabe seconded the motion and it passed unanimously.

Mr. Falls referred to item 3-C) and explained that the City has been working with St. Lucie County Water and Sewer Utility District to provide two-way potable water services during times of water supply emergencies of intermittent service interruption only. He complimented the Water and Sewer Director in getting this completed.

4. PUBLIC HEARINGS

A) ORDINANCES

- 1) An Ordinance of the City of Vero Beach, Florida, amending the Land Development Regulations by amending Chapter 69, Telecommunication Tower and Antenna Siting, Section 69.06, Development Standards, to revise the Height Standards for Antenna Arrays(s) attached to Antenna Support Structure (Communication Tower) and Revise the requirement for Emergency Communication Towers to accommodate collocation of other wireless communication service providers; Providing for Codification; Providing for Conflict and Severability; and Providing for an Effective Date. – Requested by the Planning and Development Director**

The City Clerk read the Ordinance by title only.

Mr. Jason Jeffries, Planning and Development Director, reported that this Ordinance amends Chapter 69, Telecommunication Tower and Antenna Siting, Section 69.06, development standards to revise the height standards for antenna arrays attached to antenna support structures and revise the requirement for emergency communication towers to accommodate collocation of other wireless communication service providers. The purpose of the text amendment is to clarify that all parts of the antenna array can project ten feet above the height limit for the antenna support structure and allow the construction of communication towers for the sole function of providing emergency communications. He then gave a Power Point presentation (on file in the City Clerk's office). The Planning and Zoning Board held a public hearing on the Ordinance and it passed 5-0. He said that staff recommends the approval of the Ordinance.

Mayor Brackett opened and closed the public hearing at 9:02 a.m., with no one wishing to be heard.

Mr. Neville made a motion to approve the Ordinance. Mrs. Minuse seconded the motion and it passed 5-0 with Mr. Winger voting yes, Mr. McCabe yes, Mrs. Minuse yes, Vice Mayor Neville yes, and Mayor Brackett yes.

B) RESOLUTIONS

- 1) A Resolution of the City Council of the City of Vero Beach, Florida, relating to City of Vero Beach Municipal Marina Rates and Fees; Repealing Resolution 2021-07 and Adopting Updated Rates and Fees; Providing for an Effective Date. – Requested by the Marina Director**

The City Clerk read the Resolution by title only.

Mr. Falls reported that they have had requests for dockage for vessels in excess of 100' and their current rate structure is based on vessels less than that. This Resolution proposes a new dockage rate tier for vessels over 100'.

Mayor Brackett opened and closed the public hearing at 9:03 a.m., with no one wishing to be heard.

Mr. McCabe made a motion to approve the Resolution. Mr. Neville seconded the motion and it passed 5-0 with Mr. Winger voting yes, Mr. McCabe yes, Mrs. Minuse yes, Vice Mayor Neville yes and Mayor Brackett yes.

- 2) A Resolution of the City Council of the City of Vero Beach, Florida, Establishing a Special Assessment Lien in the amount of \$5,205.00, for a Septic Tank Effluent Pump (STEP) System to serve the real property located at 1550 32nd Avenue, Vero Beach, Indian River County, Florida; Providing for an Effective Date. – Requested by the Water and Sewer Director**

The City Clerk read the Resolution by title only.

Mayor Brackett opened and closed the public hearing at 9:04 a.m., with no one wishing to be heard.

Mr. McCabe made a motion to approve the Resolution. Mr. Neville seconded the motion and it passed 5-0 with Mr. Winger voting yes, Mr. McCabe yes, Mrs. Minuse yes, Vice Mayor Neville yes, and Mayor Brackett yes.

- 3) A Resolution of the City Council of the City of Vero Beach, Florida, Modifying and Reconstituting Architectural Review Commission; Eliminating Alternates; Revising Residency Requirements; Providing for an Effective Date. – Requested by the City Council**

The City Clerk read the Resolution by title only. She explained that this Resolution was brought up at the last Council meeting and is back on today's agenda giving the Council time to speak to her before the public hearing occurred. She said that she spoke with most of the Council and there were a couple of changes made to the Resolution. The first change was if there was a Commission/Board who feels that they have a need to have alternates serving on their Commission that they may come before the City Council requesting that. The other change was that in the residency requirements that preference would be given to City residents.

Mr. Winger expressed how important these Commissions are.

Mrs. Minuse asked that someone attend the Veterans Memorial Island Sanctuary Committee and explain the Resolution to them. Mrs. Bursick said that she would attend the meeting.

Mayor Brackett opened and closed the public hearing at 9:09 a.m., with no one wishing to be heard.

Mr. McCabe made a motion to adopt the Resolution. Mr. Neville seconded the motion and it passed 5-0 with Mr. Winger voting yes, Mr. McCabe yes, Mrs. Minuse yes, Vice Mayor Neville yes, and Mayor Brackett yes.

- 4) A Resolution of the City Council of the City of Vero Beach, initiating Intergovernmental Conflict Resolution Procedures, Pursuant to Chapter 164, Florida Statutes, with Indian River County, Florida; Providing for an Effective Date. – Requested by the City Attorney**

This item was tabled from today's meeting.

- 5) Resolution for Assistance 2021 under the Florida Inland Navigation District Waterways Assistance Program.**

The City Clerk read the Resolution by title only.

Mr. Falls said that what they have before them today is the supporting documents for the first Florida Inland Navigation District (FIND) grant that they have applied for to assist with the dry storage building and docks at the South Complex at the Marina. The City has the ability and intention to finance its share of the cost of the project.

Ms. Cindy Lawson, Finance Director, explained that with this particular project they are looking at \$2.5 million and the Resolution does say that they have the intent to finance its share of the cost of the project. In order for to say that she wanted to have a conversation with Council about their intent and ability and get direction from them as to whether or not they should include this funding in their adopted budget for next year, which will then allow them to certify that they have the money available. She said they could give the

money to the Marina outright because they certainly have \$21 million, or they could loan the money to the Marina with expectation of repayment with a low interest rate. She said the good part about loaning it to themselves is that if the Marina should have another tough year they do have the ability to forgive the loan, which is not something that they could do with a bank loan. The third option would be to go to a bank and borrow the money. If the City chooses to loan the money to the Marina they could loan half the money and give the other half to the Marina. The Marina ended last year in pretty good shape with \$600,000 in cash and \$200,000 in liability so they ended up with \$400,000 and it has been many years since it has had a fund balance. The Marina could not pay for this project by itself.

Mr. Falls explained that they were undertaking this as part of the Marina master plan in starting to upgrade their facility. The dry storage is the most needed thing at the Marina. If they went with an interfund loan of \$2,628,778 for a 10 year term at a 1% interest rate it would result in an annual debt service payment of approximately \$278,000. The additional revenue to be generated by this project once it is completed is estimated at \$240,000, leaving the Marina with an additional annual revenue requirement of \$38,000 from existing revenues.

Mayor Brackett recalled that when they sold the electric utilities they paid off the loan that the Marina had.

Ms. Lawson said that is correct, which is the reason that the Marina has a fund balance now. She said for years the Marina was not self-sufficient and they paid that debt off and she does not want to see them go back into that same situation. She would not recommend borrowing from a bank. She would recommend either interfund loans or outright transfers or some combination of the two (2) and then see moving forward how the Marina revenue grows to cover the interfund debt. She said that the Marina does return 6% of its revenue to the General Fund every year. So if Council was inclined to support part of it with an outright investment from the General Fund into the Marina they could because it is a City asset.

Mr. Winger recalled that he was on City Council for six (6) years and they were saddled with that debt. He said at that time six (6) different Councils' voted against what he wanted to do, which is what is being done now. He said getting outside debt is the wrong thing to do.

Mr. Falls commented that the dry storage building that they currently have is full to capacity. Even with the condition that they are in it is restricted in the size of the boat that it can hold, so the new building will accommodate larger boats and will be a revenue generator. He explained that there will not be any dry storage while the construction is taking place, but this is the path that the Marina needs to take.

Mr. Winger asked how long will construction take.

Mr. Sean Collins, Marina Director, explained that when they get to that phase they will try to leave certain slips open so they can transfer as many boats over that they can. He is

hearing that the construction will take about six (6) months. He is letting his customers know so they can be looking at making other arrangements while this construction is taking place.

Mayor Brackett said that people keep asking him when they can start reserving dry storage spots.

Mr. Collins said that the dry storage dock is full at this time with 17 boats on the waiting list.

Mr. Neville asked what people will be doing with their boats while the construction is taking place.

Mr. Collins went over a few ideas. He said they could put them on trailers and store them, they could take them to another Marina and there were some other ideas that people are coming up with.

Ms. Lawson said that she included in the budget packet an interfund loan for the July workshop and then they will adopt a budget that includes moving forward with this project. She said by the time the budget is granted that would be the time that they would have to certify the grant.

Mayor Brackett opened the public hearing at 9:21 a.m.

Mr. Brian Heady brought up the situation that they have with a waiting list for the dry storage. He said that the Marina is a money maker. He suggested using the Power Plant site as a place to put the boats that have to be removed while construction is taking place.

Mr. Neville thought that seemed like a reasonable thing to do.

Mr. Falls said that he would be happy to talk to the Planning and Development Director to make sure that this is allowed at that location.

Mrs. Minuse made a motion to approve the Resolution. Mr. McCabe seconded the motion and it passed 5-0 with Mr. Winger voting yes, Mr. McCabe yes, Mrs. Minuse yes, Vice Mayor Neville yes, and Mayor Brackett yes.

5. PUBLIC COMMENT (3-minute time limit)

Mrs. Linda Hillman reported that she has applied to serve on the Charter Review Committee and yesterday she met individually with each Councilmember for the interview process. She said as she spoke to the Council she discussed the Fertilizer Ordinance that the Council passed some years ago. She said that there were two (2) Councilmembers who were not aware of the Ordinance. She read excerpts of the Ordinance. She said that obviously that this Ordinance has been put on the back burner. She said that when this was first being imposed a one (1) year grace period was given and now nothing has been done.

There have been no fines given out. She said this is a huge problem. The clippings go into the sewers and then straight into the Lagoon. This Ordinance was adopted seven (7) years ago and could have been used to help save the Lagoon, which hasn't been done. She said that City and County workers continue to blow clippings into the sewers. They should buy vacuums and vacuum the clippings. She asked that a utility tax not be imposed, but ask each City resident to pay \$5.00 a month. She said that they should not be burdening their businesses at this time. She asked Council to look at the Fertilizer Ordinance and do something about it.

Ms. Maureen Mazzavare, of St. Vincent De Paul, was at today's meeting to speak on behalf of Ms. Heather Martin Cely. She said that they run a shop at St. Vincent's De Paul and other than the expenses to run the shop the money raised from what they sell goes back into the community. They try to help people who are having problems paying their utilities. She said that Heather came to them last March. She had entered into an agreement for the STEP System program and because of an accident that she was in she was not able to make her payment. She said that Heather lives alone with her 26 year old disabled son and she needed some help. She received a letter from the City dated December 6, 2019 reminding her that her next annual payment of \$382.50 for her special assessment lien was due on December 1, 2019. If the full minimum annual payment remains unpaid as of March 1, 2021, the entire unpaid assessment balance will become due and payable, together with accrued interest on the unpaid assessment balance as well as costs associated with collection. Heather came into their shop requesting help on March 2nd and this bill was due on March 1st. Ms. Mazzavare said that she called the City and made arrangements to get the bill paid and thought everything was fine. Then in August, Heather received a letter from the City saying that the total amount was due and Heather was responsible to pay the total amount with interest. Ms. Mazzavare said that she was at today's meeting to find out what possibly can be done. She said there is no way that a single mom is able to pay this amount in full. She asked Council to put Heather back on her payment plan without charging interest.

Mr. Brackett asked what is the process to get someone back on the payment plan.

Ms. Lawson explained that the STEP Resolution states that if the full minimum annual payment remains unpaid as of March 1st of the year following that payment's due date, the entire unpaid assessment balance shall thereafter become due and payable, together with interest on the unpaid assessment balance accruing at the then current legal rate established pursuant to law for judgments commencing on the payment due date of the unpaid payment and continuing at such rate until the full assessment is paid to the City. This is to make people who do not make their payment plans have to pay their money. She came to Council notifying them that there were four (4) people who had not paid their assessment fee and Heather was one (1) of those people. Since that time two (2) people have come in and paid their assessment, plus interest and the other person has not made any contact with the City.

Mayor Brackett asked if he understood this correctly that the payment is due in December, but is late after March 1st.

Ms. Lawson commented that as a courtesy her office sends a letter out to the homeowner reminding them that their liens are due. She feels for Heather and St. Vincent De Paul does a great job in helping people pay their utility bills.

Mr. Turner added that in this case these people contacted his department to see if there was anything that they could do under these circumstances. He had to tell them that he did not have any authority to make any exceptions and that they would have to come and talk to the City Council. He advised them to appear at today's meeting and explain what has occurred. It is up to City Council to make any exceptions to the Resolution. He cautioned Council that if this happened once it could happen again and again. However, it is up to the City Council on how they want to proceed.

Mayor Brackett asked if the payment was paid on March 2nd and was that a Sunday.

Ms. Lawson explained that payment was due on December 31st. She went up to her office to retrieve the file that has this paperwork in it.

Mr. Brian Heady asked what the total amount is.

Mr. Rob Bolton, Water & Sewer Director, said that it is \$3,825.00.

At this time, Mayor Brackett opened up the meeting for public comments while they were waiting for Ms. Lawson to return to the meeting.

Mr. Brian Heady commented that Indian River Shores knows what the value of the utility is. He said if they don't want to have City utilities any more than they should pay the City on their value and then "cap" at the City limits. He said that they need to stop bothering us and just pay the value of the utility. He would like to see the City taxpayers come out on top for a change.

Ms. Lawson returned and said that the check was dated March 10th and deposited on March 18th.

Ms. Mazzavare explained that St. Vincent De Paul has had a long standing relationship with utility companies. They make a commitment to these organizations and then their treasury cuts a check. This situation happened right when COVID was starting. The check was cut on March 10th, but the commitment was made first thing Monday morning. She said when they make a commitment it is like having the money in front of them. She hated to see Heather be held responsible. Heather has kept with her agreement for two (2) years until she had the accident and as far as she is concerned the lien was paid on March 2nd.

Mayor Brackett asked Council to allow him to meet with these people and come back to Council with a resolution.

Council agreed to allow him to do that.

Mrs. Minuse told Ms. Mazzavare that she was grateful that her organization helps out.

Ms. Lawson said that the City will not be taking any more action. She said that Ms. Mazzavare's last comment was accurate that they did have a commitment. She will make this information available to Mayor Brackett. She reiterated that at this point they were not taking any action.

Mayor Brackett asked Ms. Mazzavare to get with the City Clerk in setting up an appointment for him to meet with them. He promised staff that he would not get crazy.

Mr. Ken Daige appreciated these people coming to the Council and explaining this situation. He also thanked Mayor Brackett for his help in working this out. He agreed that sometimes it is a case by case basis and sometimes circumstances are out of their control. In this case the Council is the judge and jury on what to waive. He hopes that a workable resolution can come about.

Mrs. Bursick read the letter regarding the conflict resolution that Council received from Mr. Jason Brown, County Administrator (attached to the original minutes).

Mrs. Minuse had some questions concerning the sentence in the letter that read "The County views this exercise as similar to when the City had inquired about the possibility of the County's wastewater treatment facilities treating the City's wastewater as an alternative to construction of the proposed City wastewater facility at the Airport."

Mr. Falls explained that when the City was looking at different options in moving forward to having the Waste Water Treatment Plant moved off the island the City Council asked Mr. Bolton to look at the feasibility of having the County treat the City's wastewater.

Mr. Bolton briefly went over the process and said it was more costly to go with the County than to build a new facility.

6. CITY COUNCIL MATTERS

A) NEW BUSINESS

B) OLD BUSINESS

7. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING

8. CITY CLERK MATTERS

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

A) Discussion regarding FY21-22 Budget Priorities

Ms. Lawson clarified that in Florida a balanced budget is your beginning fund balance, plus your revenue has to equal your expenditures and you're ending fund balance. She said that you cannot spend more than you have in what you started the year with and the revenues that come in. She said that while you can appropriate fund balance to support their budget, they must have an adopted fund balance policy to make sure that a minimum level is specified below, which that fund balance cannot go and that you specify exactly what that appropriated funds can be spent on. She said at times there are appropriate uses of the appropriation of fund balance. She said they would not want their fund balance to grow indefinitely. A good fund balance balances what is the minimum that needs to be on hand for reasonable purposes. She commented on what the appropriate purposes for fund balances are if the fund balance should start to grow above the minimum level. She said before the electric sale the City had a fund balance policy. There was \$2 million set aside for emergencies and a policy of 10% of each year's budgeted expenditure that had to be there for unexpected impacts to their budget and 25% of their annual expenditures had to be there to support their requirements for cash flow. Then with the electric utility sale they paid off the Marina debt, put some money in the Pension Fund to pay off the electric utility portion and then they had \$54 million left that got transferred to the General Fund. Then they revised their Fund Balance policy to make sure that \$54 million was in there as excess fund balance and available for whatever. Among the other things that they did with the new fund balance was to create three (3) more sources that could be appropriated, but they had to have a finite purpose. The first was to put aside \$14 million to be appropriated annually for eight (8) years to pay for the General Fund's portion of the unfunded pension liability. She said this is being done each year, but will be over soon and they will be at 100% funding at that point. She said they are making great progress towards that. Right now they are at 90%. The second source was when the electric utility was sold they still had obligations for retirees for other post employee benefits (electric utility employees), which fell back on the General Fund because there was no other place for it to go. They took a portion of the money and set aside a piece of fund balance to be used annually to pay that half-million dollars a year on behalf of the electric utility. They changed the rules for how they could use access fund balance to include what they like to call the "glide path." This is taking them from a place where they were short by two and half million dollars a year after they lost the electric revenue. She said instead of trying to tackle all of this money in one (1) year they leveraged it over five (5) years to give them the opportunity to either increase revenues or lower expenses to make it down to the place where the budget was balanced without a sharp blow in a single year. She said they have two (2) years remaining on the "glide path" and so far this is working out. She then showed an attachment on what it looks like before selling the electric utility and then how it looks after selling the electric utility. She said they are in very good financial shape. This Council and the Councils' before them did incredibly smart things with the money that they received from the electric utility sale and continue to do those responsible things. She attached a copy of the Fund Balance Policy for Council's review (on file in the City Clerk's office).

Mayor Brackett believed that the five (5) past Councils have been very prudent with the money received from the sale of the electric utility. They are also fortunate to have Ms.

Lawson on staff and she continues to help him understand how government finances work. This shows that all the department heads are doing their part when it comes to budgeting.

Mr. Falls added that Ms. Lawson does a remarkable job with finances and her sense of humor helps.

Ms. Lawson said the other thing that they are asking from Council today is what things they looking for in their budget packet that they will be discussing in July.

Mr. Falls told Council that this was the time to let him know anything that they would like to see in the budget.

Mr. Winger commented that many years ago he was trained as an economist and they are about to have some severe inflation. He was interested in what their philosophy is and what they envision as far as salaries go.

Mr. Falls stated that they have always been prudent where salaries are concerned. They look to see what the market around them is paying keeping in mind that staff will bring to Council a balanced budget.

Mr. Winger was happy with Mr. Fall's answer just noting that it is one (1) of the biggest issues that they have. He said that they have good employees and they need to deal with this.

Mr. Falls continued by saying that hopefully as they move through the budget process they will have more to share with them on the American Recovery Act. There are a lot of people talking about what they are going to do with the money. He said the City is trying to be a little more conservative so that they don't tell someone what it can be used for and then find out that it actually can't be used for that specific item.

Mr. Winger brought up that the County is growing, but the City is not and everyone comes to the City for entertainment. He said that is something that concerns him. He said he is not a fan of the "glide path" and they can't continue to provide all these services that they do. They can't afford to continue doing this for all of Vero Beach, which only has 18,000 residents.

Mr. Falls commented that the County charges impact fees on new residential development. The impact of a new person coming into the County could be mitigated by the expenditure of those funds. He said traffic impact is disbursed among districts and the City falls within some of those districts and share from some of that revenue.

Mr. McCabe felt that the allocation of the hotel bed tax should also be discussed.

Mr. Falls said that is more of a political struggle when it comes to the hotel bed tax and the makeup of the Board that determines where the money will be spent. We all know about

50% of those bed taxes are collected in the City limits and the City does not get any of that money back.

Mayor Brackett stated that a priority that he has and he wants to continue to move along is that they are now receiving a new boat by donation and he would love to see them have police presence on the water at least 20 hours a week. He mentioned that derelict vessels are a problem and they need a presence on the waters.

Mr. Falls said that he spoke to the Police Chief about that and he will be bringing something to Council at budget time.

Mr. Neville said that they need to continue reviewing the Twin Pairs and allocate money to update the traffic study.

Mr. Falls commented that he would get the dollar amount that it will take to update the study that they did a number of years ago. He agrees that now is the time to make the decision if they are going to make changes to the Twin Pairs.

Mr. Neville mentioned the upgrades that need to be made at City Hall and getting an architect to restructure the facility to make it more efficient. They want to make City Hall as beautiful as their whole City is and they need to look at ways to improve their facility. He commented that some interior work needs to be done in the Council Chambers.

Mrs. Minuse added that the sidewalk in front of City Hall also needs some attention.

Mr. Winger said how they fund the Marina is something that needs to be considered.

Mrs. Minuse asked if there was money being put aside for the Three Corners project.

Mr. Falls said that they would be bringing the plan that the Steering Committee is recommending to the Council at their next Council meeting and they will be looking at the budget when it comes to the Three Corners project.

At this time, Council took a ten-minute break and the meeting reconvened at 10:30 a.m.

B) Stormwater Utility

Mr. Falls reported that at the April 27, 2021, City Council workshop, the City's stormwater utility consultants presented the proposed apportionment methodology and costs per Equivalent Residential Unit (ERU) for a stormwater utility assessment that would generate sufficient funding for all the City's current stormwater capital projects. Council requested that staff provide some alternative scenarios for levels of funding and ERU costs below the full funding amount. He said that staff will need to know today whether this is a go or a no go. He said any further delays would give them no wiggle room if something should come up.

Mayor Brackett brought up that the implementation schedule has changed somewhat. Council was fine with the proposed calendar changes.

Mr. Falls said that the City Attorney will need to prepare a Resolution for their June 1st meeting, which would be the initial assessment Resolution and then the final adoption of the Resolution would take place on July 20, 2021.

Mr. Neville said that he liked scenario 2 – which rate would be 35.5%. The stormwater assessment revenue requirements would be \$407,191. The annual ERU rate would be \$28.56 and the monthly ERU rate would be \$2.38. The total net stormwater revenue would be \$364,024.

Ms. Lawson brought up the cost for the completed master plan. She did not know if they could get a completed master plan done for \$250,000. She said depending on the scope for the master plan it could cost more than that.

Mr. Falls said that they could do some master planning in order to find out what things need to be done first.

Mr. Winger commented that five (5) of the last seven (7) Mayors' have lived on the river and he being one of those five (5). He said you no longer can enjoy the wildlife that you used to see and the Lagoon has gone down a lot within the last five (5) years. He noted that past Councils have done a lot for the Lagoon, but he has not seen this Council up to this point do anything for the Lagoon. He has not been able to find any seagrass north of Hails Island. He lives within Paradise Island and there is no seagrass there. It is time that they stepped up and did something.

Mrs. Minuse referred to the three (3) scenarios and wanted to make sure that nothing changes expect for the percentages.

Ms. Lawson explained that what changed is the ERU cost/rate.

Mr. McCabe said that they have formed a Utility Commission so they have done something concerning the Lagoon. He wants to move forward with this study. He felt that they don't have all the information and education that they need at this point. He would like to know more about what Sebastian has done. He understands that Sebastian has just increased their stormwater tax. He hates to be accused of kicking the can down the road, but feels that they need to know everything that they are going to get. They are still coming out of some real economic problems and there is a great deal of uncertainty concerning the COVID downturn. A lot of restaurants are going out of business and there is some reluctance going forward with implementing a tax. He is in favor of doing everything that they can to keep this active. He has not gone through the budget process yet and needs to know more.

Mayor Brackett commented that there has been a lot of discussion about this and there should be because it is a topic that concerns the community. He was happy to hear that

this will probably form itself as they move along. It looks like it is going to move forward, but everyone needs to continue to be open minded.

Mr. Neville commented that the master plan needs to be tailored to their situation and should be the first thing that they do. If they defer the funding for it then it will have to come out of the ad valorem taxes. He is convinced that this is a much fairer method. He said that once they get the study back then they will understand what can be done. He likes scenario 2 and feels that is the best approach.

Mrs. Minuse expressed how sad it is to continue to hear about manatees dying because there is no seagrass so they cannot find food. She felt that they needed to proceed with the stormwater utility and determine which scenario to use.

Mr. Winger agreed. He said that that he could live with scenario 2. He wanted to get started on this and not take any money out of the General Fund.

Mr. Falls briefly explained how the Indian River Farms Drainage District works and how the St. John's Water Management District works. He said that Indian River Farms Drainage District's main intent is to allow for drainage.

Mr. Neville felt that the things that come out of the study may not be all about Vero Beach, but the entire region. He said this is not entirely Vero Beach's problem. He said when the RFP is being prepared for someone to do this study those things need to be included.

Mr. Falls commented that Indian River County Soil and Water Board are also starting to take more of an active role.

Mr. McCabe agreed by doing the study it could have an impact on how much money they prioritize to do the things they plan on doing.

Mr. Falls said that they would look at what they can do to best spend their dollars to make improvements to the Lagoon.

Mayor Brackett expressed that they all have to do their homework on this.

Mr. Falls said that staff would bring back a Resolution for adoption and that Resolution will contain the information as outlined for scenario 2.

Mr. Winger made a motion to move forward with scenario #2 as outlined in the City Manager's memorandum of April 28, 2021. Mr. Neville seconded the motion and on a roll call vote the motion passed 4-1 with Mr. Winger voting yes, Mr. McCabe yes, Mrs. Minuse yes, Vice Mayor Neville yes, and Mayor Brackett no.

10. CITY ATTORNEY MATTERS

Ms. Flanigan gave a Legislative update. She said that the Legislative session closed on Friday. Next year when working on the Airport legislation, which did not pass this year, Council may want to look at hiring a lobbyist.

11. COUNCILMEMBER MATTERS

A. Mayor Brackett's Matters

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

Mr. Brackett referred to the Emergency Order that the Governor rescinded last night and asked staff to report back to them on how this will affect the City. He said that all the emergency orders are done at this time. He said that the Finance Director is looking at the Recovery Funds and some things to do with that money to make sure that the community is taken care of.

B. Vice Mayor Neville's Matters

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

Mr. Neville appreciated the discussion on stormwater and looks forward to getting more educated and informed as they move forward.

C. Councilmember Winger's Matters

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

Mr. Winger commented that he doesn't like calling the property where the Power Plant is "The Three Corners property." He suggested over the summer looking at having a different name and maybe holding a contest for people to come up with a name. He complimented the Mayor on running a good meeting.

D. Councilmember Minuse's Matters

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

Mrs. Minuse commented on how well the interviews for the Charter Review Committee were handled yesterday.

E. Councilmember McCabe's Matters

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

Mr. McCabe was pleased that they were moving forward with selecting a Charter Review Committee. He said that they had a good group of applicants to choose from. He also felt that today they had a good discussion on stormwater.

13. ADJOURNMENT

Today's meeting adjourned at 11:09 a.m.

/tb