

**CITY OF VERO BEACH, FLORIDA
JULY 20, 2010 9:30 A.M.
REGULAR CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

A G E N D A

1. CALL TO ORDER

- A. Roll Call
- B. Invocation – Dr. Tim Harris/First Presbyterian Church
- C. Pledge of Allegiance

2. PRELIMINARY MATTERS

- A. Agenda Additions, Deletions, and Adoption
- B. Proclamations

- 1. Certificate of Completion to be awarded to Councilmember Brian Heady for completing the Advanced Institute for Elected Municipal Officials
- 2. Treasure Coast Waterway Cleanup Day – July 24, 2010

- C. Public Comment

- 1. Mr. Don Vosf to speak on Marina Cleaning Initiative
- 2. Corporal Darryl Rivers to speak about PBA Negotiations

- D. Adoption of Consent Agenda

- 1. Regular City Council Minutes – June 1, 2010
- 2. Regular City Council Minutes – June 15, 2010
- 3. Special Call City Council Minutes – June 24, 2010
- 4. Monthly Capital Projects Status Reports
- 5. Replacement of Television Equipment
- 6. Commercial Lease between the City of Vero Beach and Ferrellgas, LP
- 7. Commercial/Offie Lease agreement between the City of Vero Beach and Legacy Flight Training, LLC

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

3. PUBLIC HEARINGS

- A) An Ordinance of the City of Vero Beach, Florida, requested by Vero Property Investment, LLC, to amend the Comprehensive Plan Future Land Use Map by changing the Land Use Designation from C, Commercial (up to 15 dwelling units/acre) to RH, Residential High (up to 15 dwelling units/acre) for the property generally located East of the Northeast corner of the Intersection of 21st Street (US Highway 1) and 10th Avenue, including all of the replat of Henning's Subdivision that lies North of 21st Street (US Highway 1) and a portion of Block 1, Citrus Park, containing 1.76 acres, more or less; and providing for an effective date.
- B) An Ordinance of the City of Vero Beach, Florida, requested by Vero Property Investment, LLC, to amend the Official Zoning Map by changing the Zoning Designation from C-1, Highway Oriented Commercial to RM-10/12, Medium and High Density Multiple-Family Residential District for the property generally located East of the Northeast Corner of the Intersection of 21st Street (US Highway 1) and 10th Avenue, including all of the replat of Henning's Subdivision that lies North of 21st Street (US Highway 1) and a portion of Block 1, Citrus Park, containing 1.76 acres, more or less; and providing for an effective date.
- C) An Ordinance of the City of Vero Beach, Florida, amending Chapter 76, Historic Preservation, of the City of Vero Beach Code by revising or Creating New Definitions in Section 76.02; creating New Article VI, Ad Valorem Tax Exemptions for Improvements to Historic Properties pursuant to Sections 196.1997 and 196.1998, Florida Statutes; providing for authorization; providing for eligibility and procedures for revocation of Tax Exemption; providing for conflict and severability; and providing for an effective date.

4. RESOLUTIONS FOR ADOPTION WITHOUT PUBLIC HEARING

5. FIRST READINGS BY TITLE FOR ORDINANCES AND RESOLUTIONS THAT REQUIRE A FUTURE PUBLIC HEARING

- A) An Ordinance of the City of Vero Beach, Florida, amending Chapter 58 "Personnel and Retirement," Article II, Division 4 of the Code of Ordinances of the City of Vero Beach to provide for Compliance with State and Federal Laws and Regulations and Section 401(a) of the Internal Revenue Code; providing for repeal of all Ordinances in conflict herewith; providing for severability; providing for codification and providing an effective date.

- B) An Ordinance of the City of Vero Beach, Florida, amending the Code of the City of Vero Beach, Part III Land Development Regulations, Title VII Land Development, by adding Chapter 78 to be entitled “Dog-Friendly Dining”, establishing the City of Vero Beach “Dog-Friendly” Dining Program: providing a local procedure and regulations pursuant to Florida Statutes Section 509.233 to permit Exemption from certain provisions of the United States Food and Drug Administration Food Code as adopted by the Florida Division of Hotels and Restaurants in order to allow patrons’ dogs within certain designated outdoor portions of Public Food Service Establishments; providing for enforcement; providing for conflict and severability; providing for codification; providing for an effective date.
- C) An Ordinance of the City of Vero Beach, Florida, amending the Code of the City of Vero Beach, Chapter 54 Parks and Recreation, Section 54-2 definitions, by adding definitions for “Bloodbaiting” and “Chumming” and amending certain other definitions for clarification and consistency; amending Section 54-49 Water Activity and Surfacing, by adding Subsection 54-49(e) making unlawful Bloodbaiting and Chumming from any Park or Beach within the City and in the Waters of the Atlantic Ocean within one-half mile of the mean high-water line within the City limits and amending certain other provisions for Clarification and Consistency; providing for conflict and severability; providing for codification; providing for an effective date.
- D) An Ordinance of the City of Vero Beach, Florida, amending the Code of the City of Vero Beach, Chapter 74 Traffic and Vehicles, Article V Intersection Safety, in order to comply with the “Mark Wandall Traffic Safety Act,” Laws of Florida, Chapter 2010-80; providing for implementation of the “Mark Wandall Traffic Safety Program” and the use of Traffic Infraction Detectors in the City; authorizing Traffic Infraction Enforcement Officers to issue notices and citations pursuant to the program; providing for conflict and severability; providing for codification; and providing for an effective date.
- E) A Resolution of the City of Vero Beach, Florida, approving the Transmittal to the State of Florida Department of Community Affairs of a proposed City of Vero Beach Comprehensive Plan Amendment to amend the Text of the Land Use Element; Traffic Circulation Element and Capital Improvements Element; providing for an effective date.
- F) An Ordinance of the City of Vero Beach, Florida, amending the Text of the Land Use Element, Traffic Circulation Element, and Capital Improvements Element of the City of Vero Beach Comprehensive Plan by revising or creating policies to encourage the location of multi-modal transportation facilities including an Amtrak Passenger Rail Station in Downtown Vero Beach; revising the level of service standard for A1A North of State Route 60 (Beachland Boulevard) and clarifying language describing roadway level of service standards; providing for an effective date.

6. CITY CLERK'S MATTERS

7. CITY MANAGER'S MATTERS

- A) Award of Bid No. 240-10/JV – Crestlawn Cemetery Columbarium
- B) Indian River Drive East Sidewalk Construction
- C) Community Development Block Grant (CDBG) – Jacoby and Piece of Pie Park Playgrounds
- D) Unit 3 Forced Outage

8. CITY ATTORNEY'S MATTERS

9. CITY COUNCIL MATTERS

A. Old Business

- 1. A different consideration for a date for presentation by Dr. Faherty and Glenn Heran – Requested by Councilmember Heady
- 2. Still waiting for written answers from City Manager – Requested by Councilmember Heady
- 3. Missing report from City Manager requested by Councilmember Daige – Requested by Councilmember Heady
- 4. November Elections – Requested by Councilmember Heady
- 5. Debate on Sale of Electric – Requested by Councilmember Heady
- 6. 8/12/08 to be played and discussion to follow – Requested by Councilmember Heady
- 7. Update on a Federal Lawsuit – Requested by Councilmember Heady
- 8. Honest Services Fraud – Requested by Councilmember Heady
- 9. Golf Course – Requested by Councilmember Heady

B. New Business

- 1. Water and Sewer Issues – Requested by Councilmember Heady
- 2. City Parking – Requested by Councilmember Heady
- 3. Tourist Tax in relation to Beach Renourishment – Requested by Councilmember Daige

10. INDIVIDUAL COUNCILMEMBERS' MATTERS

- A. Mayor Kevin Sawnick's Matters
 - 1. Correspondence
 - 2. Committee Reports
 - 3. Comments

- B. Vice Mayor Sabin Abell's Matters
 - 1. Correspondence
 - 2. Committee Reports
 - 3. Comments

- C. Councilmember Tom White's Matters
 - 1. Correspondence
 - 2. Committee Reports
 - 3. Comments

- D. Councilmember Brian Heady's Matters
 - 1. Correspondence
 - 2. Committee Reports
 - 3. Comments

- 1. FP&L and public business in the public eye
- 2. Liars, Cheats and Thieves
- 3. Bad Information = Bad Decisions
- 4. Correspondence

- E. Councilmember Ken Daige's Matters
 - 1. Correspondence
 - 2. Committee Reports
 - 3. Comments

11. ADJOURNMENT

Council Meetings will be televised on Channel 13 and replayed.

This is a Public Meeting. Should any interested party seek to appeal any decision made by Council with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and that, for such purpose he may need to ensure that a record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based. 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.