

**CITY OF VERO BEACH, FLORIDA
SEPTEMBER 7, 2010 3:00 P.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 – Rabbi Michael Birnholtz/Temple Beth Shalom
- C. Pledge of Allegiance

2. PRELIMINARY MATTERS

- A. Agenda Additions, Deletions, and Adoption
- B. Proclamations
 - 1. National Sickle Cell Awareness Month – September 2010
 - 2. Constitution Week – September 17-23, 2010
- C. Public Comment
 - 1. Mr. Ken Bennett to speak on Airport Matters
- D. Adoption of Consent Agenda
 - 1. Regular City Council Minutes – August 17, 2010
 - 2. Special Call City Council Minutes – August 16, 2010
 - 3. Award of Bid No. 280-10/CSS – Supply of Unleaded Gasoline and Diesel Fuel to the Marina
 - 4. Reduction of Retainage from 10% to 5% for Interstate Engineering Corp.
 - 5. Ratification of Teamsters Contract

(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, providing the Levy of Ad Valorem Taxes for the Fiscal Year 2010-2011 at a Millage Rate of 2.1528 which equates to \$2.1528 per \$1,000 of Assessed Property Value.
- B) An Ordinance of the City of Vero Beach, Florida, Adopting the Annual Budget of the City for the Fiscal Year beginning October 1, 2010 and Ending September 30, 2011, appropriating funds for the Operating Expenses, Supplies, and Personnel, and otherwise appropriating funds for the efficient and effective operation of the Government of the City of Vero Beach and its Departments; such appropriations being from anticipated revenue; providing a means to amend the Annual Budget to carry forward the funding of Purchase Orders, Work Orders, and Grants outstanding as of September 30, 2010; providing a means to amend the Annual Budget to reflect Grants received after September 30, 2010; and authorizing the Transfer of Funds appropriated so long as the total combined appropriations shall not be increased thereby; providing an effective date.
- C) An Ordinance of the City of Vero Beach, Florida, abandoning all of that 7.5 foot wide alley lying North of Lots 1 through 12, between 21st Street and 22nd Street, of Conn Addition Subdivision.
- D) A Resolution of the City of Vero Beach, Florida, adopting a Revised Schedule of Fees for Use of Recreation Department Facilities and for Participation in Recreation Programs; providing for an Effective Date.
- E) An Ordinance of the City of Vero Beach, Florida, requested by Indian River Plaza, LLC, to amend the Official Zoning Map by Changing the Zoning designation from B-1, Planned Business Commercial District to C-1, Highway Oriented Commercial District for the property located generally South of the Southwest corner of the Intersection of US Highway No. 1 and 16th Place, in the City of Vero Beach, including all of Tracts I and II of Indian River Plaza, according to the plat recorded in Plat Book 10, Page 73, of the Public Records of Indian River County, Florida, containing 16.343 acres, more or less; and providing for an effective date.

4. RESOLUTIONS FOR ADOPTION WITHOUT PUBLIC HEARING

- A) A Resolution of the City of Vero Beach, Florida, amending the City of Vero Beach General Employee Retirement Plan as to Eligibility, Participation, Contributions and Retirement Benefits; providing for an Effective Date.

- B) A Resolution of the City of Vero Beach, Florida, Directing the City Manager to extend the Mandatory Budget-Required Furlough Leave Program for a Period of Time beginning October 1, 2010 and ending September 30, 2011, unless terminated earlier or extended by direction of the City Council; providing for an Effective Date.
- C) A Resolution of the City of Vero Beach, Florida, adopting the Military Leave Policy as an amendment to the City of Vero Beach Personnel Rules; providing for an Effective date.
- D) A Resolution of the City of Vero Beach, Florida, adopting the 2010 revised Indian River County Unified Local Mitigation Strategy; authorizing the Mayor, City Clerk and City Attorney to execute said agreement on the part of the City; providing for an Effective Date.

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, Providing and Establishing Revisions to the Budget for the City of Vero Beach, Florida, for the period beginning October 1, 2009 and ending September 30, 2010, by increasing the General Fund by \$1,216,448; by increasing the One Cent Sales Tax Fund by \$6,994,783; by increasing the Electric Fund by \$9,172,719; by increasing the Water and Sewer Fund by \$366,877; by increasing the Airport Revenue Fund by \$650,282; by increasing the Marina Fund by \$122,100; by increasing the Solid Waste Fund by \$156,100; by increasing the Self Insurance Trust Fund by \$15,100; by increasing the Confiscated Property Trust Fund by \$7,200; all from Revised Revenue and Expenditure Estimates; by increasing the Debt Service Fund by \$2,500; by increasing the General Construction Fund by \$12,790,832; by increasing the Electric R&R Fund by \$2,622,719; by increasing the Water & Sewer R&R Fund by \$13,354,213; by increasing the Airport Construction Fund by \$4,221,768; by increasing the Recreation Fund by \$270,100; by increasing the Recreation Construction Fund by \$85,000; All From Revised Expenditure and Transfer Estimates.

6. CITY CLERK'S MATTERS

7. CITY MANAGER'S MATTERS

- A) Award of Contract to Dickerson Florida, Inc., to Rehabilitate Sections of Runway 11R-29L and Taxiway "C" (Bid No. 260-10/CSS); FDOT Project No. FP 428512-1-94-01; FAA AIP No. 3-12-0093-034-2010
- B) Work Order #1372-8 between URS Corporation and the City of Vero Beach; Rehabilitate Sections of Runway 11R/29L and Taxiway C

- C) Ranger Construction Industries, Inc., Change Order Number 3 to Replace Existing Taxiway Light Fixtures with New Light Emitting Diode (LED) Light Fixtures (FDOT #416303-1-94-01) – Contract #1495 (Bid #440-09/CSS)
- D) Deep Injection Well System – Clean Water State Revolving Fund Loan Program (SRF) – St. John’s River Water Management District (SJRWMD) – Recommendation of Final Acceptance and Payment, City of Vero Beach Project No. WS07013 (Bid No. 290-09/JV)

8. CITY ATTORNEY’S MATTERS

9. CITY COUNCIL MATTERS

A. Old Business

- 1. FEMA Audit – Requested by Councilmember Brian Heady
- 2. Ballot initiative for electric utility – Requested by Councilmember Brian Heady
- 3. Replacing vacancy in City Manager office – Requested by Councilmember Brian Heady
- 4. Reconsideration of presentation by Dr. Faherty and Glenn Heran – Requested by Councilmember Brian Heady
- 5. Still waiting for written answers from City Manager – Requested by Councilmember Brian Heady
- 6. Missing report from City Manager requested by Councilmember Daige – Requested by Councilmember Brian Heady
- 7. November Elections – Requested by Councilmember Brian Heady
- 8. 8/12/08 to be played and discussion to follow – Requested by Councilmember Brian Heady
- 9. Update on a Federal Lawsuit – Requested by Councilmember Brian Heady
- 10. Honest Services Fraud – Requested by Councilmember Brian Heady
- 11. Golf Course – Requested by Councilmember Brian Heady

B. New Business

- 1. City Attorney to give a report how much money has been spent up to date on the lawsuit filed by Councilmember Brian Heady – Requested by Councilmember Tom White
- 2. Move vested retirement date from 5 years back to 10 years – Requested by Councilmember Tom White
- 3. Utility Fact Information Sheet – Requested by Councilmember Ken Daige
- 4. Letter to FP&L – Requested by Councilmember Ken Daige
- 5. Water & Sewer Issues – Requested by Councilmember Brian Heady
- 6. City Parking – Requested by Councilmember Heady

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

- 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.