

**CITY OF VERO BEACH, FLORIDA
MAY 17, 2005 7:00 P.M.
REGULAR CITY COUNCIL MINUTES
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

1. CALL TO ORDER

A) Roll Call

Mayor Mary Beth McDonald, present; Vice Mayor Tom White, present; Councilmember Sabe Abell, present; Councilmember Bob Solari, present and Councilmember Debra Fromang, present. **Also Present:** David Mekarski, City Manager; Charles Vitunac, City Attorney and Tammy Vock, City Clerk

B) Invocation

Rabbi Burnholtz/Temple Beth Shalom gave the invocation.

C) Pledge of Allegiance

The City Council and the audience joined together in the Pledge of Allegiance to the Flag.

2. PRELIMINARY MATTERS

A) Proclamations

1. Police Memorial Week

Mayor McDonald read and presented the proclamation.

2. National Public Works Week

Mayor McDonald read and presented the proclamation.

B) Agenda Additions, Deletions, and Adoption

The Clerk requested that item 5-A) be moved up on the agenda and heard before Matters by the Public. She asked that item 3-1) Satisfaction and Release of Code Enforcement Lien and item 6-4) General Maintenance Services Departmental Reorganization be added to the agenda.

Mr. White requested in the form of a motion that item 5-A) be removed from the agenda.

Mr. Vitunac reminded Council that it takes a unanimous decision to add anything to the agenda, but removal of items can be done by a majority vote.

Mr. Solari asked the reason for adding item 5-A) up on the agenda. The Clerk told him it was at the request of the City Manager.

Mr. Mekarski stated that he has made a personal decision to offer Council a letter of resignation and to go forward in a new path for his future.

Mr. Solari questioned if the letter of resignation should be discussed first and if accepted then 5-A) would be a moot point.

Mr. Vitunac said rather than add the letter of resignation as a separate item, he felt the items could be heard together with the resignation letter being discussed first.

Mr. White expressed that if Mr. Mekarski has a letter of resignation then 5-A) is moot and should be removed from the agenda.

Mr. Solari made a motion to approve the items that the Clerk was adding to the agenda. Mrs. Fromang seconded the motion and it passed unanimously.

Council then voted on the motion made by Mr. White to remove item 5-A) from the agenda. Mr. Abell seconded the motion.

Mr. Abell suggested that there be a cooling off period. They just received the auditor's report and he thinks if they wait until the next regularly scheduled meeting these issues could be dealt with.

Mr. Solari felt that the City has waited long enough for the resolution of this issue and he wanted to see them move forward tonight.

Mr. White read a prepared statement (please see attached).

Mr. Solari agreed with Mr. White that the last six months have been very unproductive for the City of Vero Beach. He felt that they needed to proceed tonight and come to some resolution for the City. He would be happy to allow Mr. Mekarski's letter of resignation come before 5-A), but felt that if they did not come to some sort of resolution then 5-A) needs to be discussed and they need to set something in motion according to the City Charter what needs to be done to either give Mr. Mekarski a "vote of confidence" or "no confidence" as far as being the City Manager.

Mr. Abell recalled that the reason for the whole ethics investigation was created by one Councilmember's allegations and he believes that the survey and audit have come back in general there were few if any opportunities to accuse anybody of any ethical problems. He also noted that the credit card charge by Mr. Mekarski to Ocean Grill Gift Shop was for a lunch that he was involved in along with someone from the Chamber of Commerce. He appealed to Council to allow for a cooling off period. He understands why the Resolution was made, but the Resolution was made with the expectation that someone

was going to find something seriously if not criminally wrong. Since that did not happen he agrees with Mr. White that the Resolution is not the way to go. He hopes that they can work something out so they do not have to put themselves in jeopardy for the next season.

Mr. Solari listened to Mr. Abell's statement and said what he feels this is really about is hurricane expenditures. He was the Councilmember who initially put the Resolution on the agenda and what he had in mind was not hurricane related expenses.

Mrs. Fromang commented that she has been on Council for a very short time and the entire time this has been their topic of conversation. She believes it is time to reach a resolution and move forward on this.

Mr. White remarked on what was just said by Mr. Solari. He said for a man that has only been here since the middle of March, how can he figure out what this man has done in the last year in one month.

Mayor McDonald said there is a motion on the floor and they need to take a vote.

The Clerk polled the Council on the motion to remove item 5-A) from the agenda with Mrs. Fromang voting no, Mr. Solari no, Mr. Abell yes, Mr. White yes, and Mayor McDonald no. The motion failed 3-2.

Mayor McDonald brought up the resignation letter given to them by Mr. Mekariski.

Mr. Vitunac clarified that this is an offer to resign if the City agrees with the conditions in his letter. He said after a month of negotiation with the Council he was never able to reach a consensus of the City Council. The letter they have before them is a request for \$170,000, which includes the defense of the ethics complaint, moving expenses, health insurance, and any and all benefits. The parties mutually agree that they will not utter, transmit or print any negative or disparaging comments regarding the other party concerning the employment of Mr. Mekariski. The parties also mutually agree that no lawsuits or other actions of any kind will be filed, individually or collectively in any manner. Mr. Vitunac could not tell them whether a \$170,000 was too much or too little, but said that it is within the 50% range of the initial offer and if they proceed to termination without a settlement, Mr. Mekariski will get close to \$100,000 automatically and still run the expenses of expected lawsuits. He was not saying that they had anything to fear in a lawsuit, but expressed that he does not see that there is a cause of action.

Mr. Mekariski asked for one additional consideration and he does believe that it is a time to heal. It is a time to heal for his family and it is a time to heal for the community. There has not been a day he has not come into his office and gave this community his 100% best. There are those in this community who felt some of his decisions were not in keeping with their philosophy and management style and some of those decisions may have offended some taxpayers. If there was any taxpayer or any community member that did not respect or understand or were offended by some of his decisions then he offered

them his sincere apology. He said that there was a debate of Mr. White wanting to remove the termination Resolution and there was a majority of this Council not to do that. He asked them for one consideration and that is to give him the vote of confidence to go forward to a new professional avenue and still respect his request to formally resign with dignity. He asked Council to make a motion to honor his attorney's letter of May 17, 2005 with all of its conditions and to give him a vote of confidence and allow himself and his family to move forward and allow the healing to begin.

Mayor McDonald asked if there was a motion to accept the letter of resignation. A motion was not made. She moved on to the Resolution. She read the Resolution by title only. She added an amendment to the Resolution and stated the reasons to end the employment contract with the City Manager due to irreconcilable differences and the City Manager be immediately suspended with pay. She made this in form of a motion. Mr. Solari seconded the motion.

Mr. White commented that it looks like this thing is going to go through. The only reason he did not agree to the letter of resignation was because he felt that they could work this out professionally and amicably with Mr. Mekarski. He felt that they were going to destroy a man's career for minor little things they could have straightened out in a workshop. He is against this.

Mr. Solari felt that so far the discussion has been somewhat one sided. He said he has only been on the job for two months but knows enough to ask a number of questions. He went over the things that he felt the public hearing should address. He said that there are simple questions concerning money. He said after four requests from the Finance Department that the City Manager has still not paid the bill in the amount of \$1,700 to the City. He asked if the City Manager has paid for the tire that was put on his car at the City's expense. He asked why the checks for the purchase of 26 generators and an additional number of checks to repay the City for other amounts due the City, perhaps totaling the amount of some \$10,000 were not deposited in a timely manner. In fact not deposited for some four months after they should have been deposited and after hurricane expenses became a public issue. According to Mr. Musto's report the fact the checks were not deposited until after questions were being publicly raised with regards to expenditures is troublesome. He would suggest that some people would find "troublesome" an understatement. Mr. Solari brought up the question about alcohol at City facilities. Mr. Musto notes that in a conversation with the City Auditor, Mr. Cothermann, alcohol had been consumed at City facilities. It has been alleged that in Mr. Musto's reports that the City Manager consumed alcohol at the City's Police Department and there were wine and cheese parties at City Hall. Also, beer was bought and consumed at City facilities. It is unfortunate that "the City Manager declined to answer certain questions regarding this subject." It is very clear that the City Manager is order to reward City workers and the majority of the cases it is clear that the rewards are justified. There are questions about his ability to discipline employees when warranted. There was a department head who had a car accident and a police investigation found that the employee violated City policy when he failed to report the accident to Mr. Mekarski. Then the employee violated City and State policy to not report the vehicle accident to law

enforcement and to Risk Management as required. He read what the City policy states on this. The department head violated this article, as well as intentionally entering a date on the supervisor incident report that was not the date of the incident. Perhaps the worse violation was that he knowingly allowed an employee to enter a date on the supervisory report that was not the date it was actually signed and submitted. Finally, the department head was found to be encouraging employee misbehavior when he allowed the employee to falsify the report. When discussing this with City department heads most felt that these violations should result in the employee's termination or at a minimum some sort of suspension. One department head noted that the employee could not be trusted again, so he would have to be terminated. All the City Manager found that was warranted was a slap on the wrist and he wrote the department head that he was warned that in the future he was to follow all City policies, State laws, and report accidents. More recently a Police Department recommendation for discipline of an officer came before the City Manager. The department's recommendation for discipline was ignored by the City Manager. It appears that City tax dollars are being used to buy City employee's support, but is unable to discipline any employee for fear of losing this support. Another issue is politicizing the City. Mr. Musto reported comments that Mr. Mekarski requested City employees to wear buttons indicating support for him and to attend meetings to voice or demonstrate such report (he read excerpts from the report). The City Manager declined to answer any questions relating to this area. Mr. Solari personally found it very problematic that of the 26 generators purchased, Mr. Musto's report notes that 10 of those were listed to the T&D department. When he visited that department every employee he saw was wearing a Mekarski button. When he recently attended a meeting with another large group of employees where there were no reports of generators being purchased, he saw no Mekarski buttons. Additionally, he finds it problematic when the Police Department recommended that an employee be disciplined, but the City Manager declined to do that, shortly thereafter the employee spoke on the City Manager's behalf at a Council meeting. There have been reports that the shirt with employee's signatures on it (found hanging in the City Manager's office) was passed around to employees in the City during working hours and that some employees were pressured to sign it. He asked Mr. Mekarski if he felt that this was a proper use of City resources. Again, City employees have every right to support the City Manager. His questions are questions of propriety for the City Manager. The City has been politicized in a way that he has not seen in the 25 years that he has lived here and this has damaged the City. There are many areas that arise in abuse of the City Manager's authority of our system. He questioned what was the basis for the City Manager to have a Resolution passed by City Council to appoint special Counsel to investigate a City Councilmember. He then brought up the ethics complaint filed in Tallahassee against the Mayor and the complaint filed with the State Attorney's office. He had some first hand knowledge with the complaint in the State Attorney's office when less than two weeks after have been sworn in as a Councilmember he was served with his first subpoena. Based on the questions he was asked by the State Attorney the complaint was baseless. He asked who brought this complaint and was told it was David Mekarski. He said that his trust in the City Manager was shattered. This forms the basis for why he believes there are irreconcilable differences between himself and the City Manager.

Mr. White told Mr. Solari that if he reads the Charter they are not suppose to get involved with day to day operations. He talked to Mr. Mekarski about the employee who had an accident and the discipline given. Mr. Mekarski was trying to help this person. He felt some of the things brought up by Mr. Solari might be valid, but some of them might be way off base.

Mr. Mekarski asked to be able to comment on some of the points raised by Mr. Solari. He said he gave over six hours of testimony to the ethics attorney and he was honest and open. The questions objected by his attorney were objected because they were not germane to the scope of engagement. This Council passed an engagement letter for Mr. Musto to look at whether his expenditures were legal in terms of State Statute and Ordinance. It did not give him the authority to question his judgment or go into matters totally unrelated to hurricane expenditures, credit card expenditures and the other matters specified in that engagement letter. There was no authority for Attorney Musto to go into the avenues that he was going into. His stern discipline with Mr. Green (department head mentioned earlier) was done with the guidance of the Human Resource Officer and Bill Radford, special legal Counsel to the City. After numerous meetings and deliberations he made decisions, which he thought was in the best interest for the employee in an attempt to try to coach the employee or return him to a level of pro-activity that he could have respect for. Also, to make sure that the liability to the City would be minimized. He stands by this decision and the letter was not the only discipline applied. With regards to buttons, employee support and picketers, never once did he pressure any employee to give him support. He asked his management team to support him, which is his prerogative. His intent to go to the State Ethics Commission was not to throw any mud, but to protect the integrity of his office. He identified numerous charter violations that he felt was important for him to ensure that those charter violations were addressed. With regards to the State Attorney's office, he made a decision to go forward with a possible violation of a criminal complaint because both his civil rights and liberties were being violated. He did that to protect his family and to protect the interest as provided under his contract to ensure that he is treated fairly. He does not believe their motion tonight will create that process. They can suspend him for 30 days and hold a public hearing, but that will not create healing that will help them concentrate on the policy that this governing authority and their next City Manager has to address. He has given his best to this community each and every day and has gone through personal sacrifice for this community. He offered a public apology to each Councilmember and to the Mayor. They have had differences and success in their professional relationships. He asked for reconsideration to do what was right to begin the healing process, give him the vote of confidence and the opportunity to go forward with a new career.

Mr. Abell wanted to answer a couple of questions brought up by Mr. Solari. He brought up the checks that were never deposited and asked two questions and found out the answer. The statement that the City Manager was encouraging City employees to wear badges was not made public by the Mr. Musto, nor was a report about there may be a Councilmember or members who are threatening employees. In terms of discipline he is familiar with that matter and the City Manager went beyond the necessary courtesy to

help the individual. He said that irreconcilable differences was not a legal reason for this Resolution.

The Clerk polled the Council on the passage of the Resolution with the amendment that the reasons are due to irreconcilable differences and that the City Manager will be immediately suspended with pay.

Mr. Mekarski asked for a point of order. He simply requested that this Council reconsider this motion and consider a reconsideration motion, which was presented to see if a majority would accept the letter of resignation and offer settlement.

Mayor McDonald reminded Mr. Mekarski that they voted on that and it failed.

Mr. Vitunac told Council that they could make an amended motion to this motion and that amendment would be a substitute motion that they accept the resignation as stated in the May 17th letter. There would need to be a vote to approve the substitution motion and if that passes then they would have to vote on the new motion.

Mr. White made an amendment to the motion on the floor and substitute it with a motion to accept the letter of resignation. Mr. Abell seconded the motion.

The Clerk polled the Council on the substitute motion (resignation letter) and it failed 3-2 with Mrs. Fromang voting no, Mr. Solari no, Mr. Abell yes, Mr. White yes, and Mayor McDonald no.

The Clerk polled the Council on the original motion (passage of the Resolution with the amendment) and it passed 3-2 with Mrs. Fromang voting yes, Mr. Solari yes, Mr. Abell no, Mr. White no, and Mayor McDonald yes.

Mayor McDonald asked Mr. Mekarski to step down from the podium.

Council took a five-minute break.

Mayor McDonald reopened the meeting and asked that a reconsideration of the motion to accept Mr. Mekarski's resignation letter be heard. She made a motion that they revisit the possibility of accepting Mr. Mekarski's resignation letter as written. Mr. White seconded the motion.

Mr. Vitunac suggested that this motion be in lieu of the last one if it passes. If this motion passes it would replace the motion regarding the termination Resolution.

Mayor McDonald added that this includes the resignation letter with the terms that are included in the letter. This motion is just for reconsideration.

The Clerk polled the Council to reconsider the letter of resignation and it passed 5-0 with Mrs. Fromang voting yes, Mr. Solari yes, Mr. Abell yes, Mr. White yes, and Mayor McDonald yes.

Mr. White made a motion to accept the letter of resignation as written. Mr. Abell seconded the motion and it passed 3-2 with Mrs. Fromang voting no, Mr. Solari no, Mr. Abell yes, Mr. White yes, and Mayor McDonald yes.

Council now discussed who would be Acting City Manager.

Mayor McDonald made a motion that Chief Jim Gabbard serve as the Acting City Manager until they come to a consensus on who would be the Interim City Manager. Mr. Solari seconded the motion.

Mr. Abell wanted to have the opportunity to see who else might be willing to serve.

Mr. White complimented Chief Gabbard on the wonderful job that he does at the Police Department. He feels that there are a lot of qualified candidates (such as Tom Nason) who has utility experience and the experience to run the City.

Mayor McDonald stated that she asked the Chief if he would step in for a few weeks and then at the next Council meeting there would be an item on the agenda to discuss an Interim City Manager.

Mr. Solari commented that they do not need someone with utilities experience because they have Paul Thompson and Chief Gabbard has a Deputy who would be able to take his place while the Chief serves as Acting City Manager.

Mr. White explained that the only reason he was questioning this was because apparently this was planned and decided a month ago. The Mayor announced at a meeting she was attending that she was considering Chief Gabbard as Interim City Manager before they looked at the Resolution to fire David Mekarski. He felt that this was a set up.

Mayor McDonald told Mr. White that was not true. She said what happened was when all this business came about with Mr. Mekarski she was asked at a Republican Executive Committee meeting who would take them through the storms if Mr. Mekarski was not the City Manager and the most logical choice was Chief Gabbard.

Mr. Solari made a substitute motion that for the period of up to two weeks and limited to two weeks or the June 7th City Council meeting, that Mr. Monte Falls be appointed as the Interim City Manager. Mr. White seconded the motion.

Mr. Falls commented that he would do this for the City on an interim basis, however he already has plans to be out of town the first week of June.

Chief Gabbard stated that he had a conversation with the Mayor today about being the Acting City Manager for a limited period of time. He has no interest in being City Manager and there is no plot or plan concerning this. He told Mr. White that if he was including him in this plot (statement he made earlier) then he is offended.

Mr. White told Chief Gabbard that he was not including him.

Chief Gabbard continued by saying that he has nothing but the good of the City in his heart. Mr. Mekarski spoke to him about being Acting City Manager before the Mayor did. He believes that the City is in terrible shape. Mr. White interrupted the Chief and told him to not be offended by what he said. He explained that the reason he brought it up is because they are a City Council (unit of five people) who are suppose to discuss things at workshops or City Council meetings. He said that not one individual Councilmember or Mayor can go out and say we are going to do this without it being discussed in an open meeting with the whole City Council.

Mayor McDonald commented that Chief Gabbard was highly recommended by Mr. Mekarski to fill this position.

Mr. Solari withdrew the substitute motion based on the comments made by Mr. Falls.

Chief Gabbard respectively declined the offer of serving as Acting City Manager. He said what concerns him is the divisiveness of the Council. He cannot manage this with a City 3-2 vote from Council. The only way he would consider doing this would be if the vote was 5-0. He again reiterated that the only reason he was considering doing this was for the good of the City. He does not want any more money for it and there is nothing in it for him. He just wants to help the City "heal."

Mr. Abell spoke with a friend of Chief Gabbard who was concerned about the Chief getting into a 3-2 situation. He encouraged Council to keep this in mind. If Chief Gabbard is going to accept this position then it should be a 5-0 situation. He mentioned that he called Tom Nason to see if he might consider serving as Interim City Manager again.

Mr. White said that he did not have a problem with Chief Gabbard serving as Acting City Manager for the next two weeks and then they can discuss the Interim City Manager at their next Council meeting.

The motion passed 5-0 to appoint Chief Jim Gabbard as the Acting City Manager with Mrs. Fromang voting yes, Mr. Solari yes, Mr. Abell yes, Mr. White yes, and Mayor McDonald yes.

C) Audience Participation/Matters by the Public

Mr. Frank Coffey recommended that City Council come up with some policy measures in case there is another hurricane and that the information/plan that is established for a future hurricane be kept updated.

Mr. Don Coultas told Mr. Mekarski that it was an honor to know him and his family. He will always support him.

Mr. Joseph Guffanti thanked Chief Gabbard for accepting the position as Acting City Manager. He encouraged Council to speak with Warren Winchester before considering Tom Nason as the Interim City Manager. He was pleased with what happened tonight, but would have preferred if Council would have went along with what was in Mr. Mekarski's contract.

Mr. Glen Swift commented that he supports the need for impact fees, but does not support a blanket fee not indexed to the cost. He asked City Council to reconsider the blanket impact fee.

Mrs. Janine Drndak joined the David Mekarski supporters and wished him well.

Ms. Dian George commented that what was done tonight hurts. She asked Mr. Solari why he has not turned in his final Treasury Report. Mr. Solari told her that it will be turned in before the deadline. Ms. George continued by saying how the Mayor is selected and that this Mayor nominated herself to be Mayor. Ms. George was removed from the podium by a Police Officer.

Mr. Brian Heady commented that it doesn't make a difference to him who the speaker is speaking at a meeting as long as they are given the right to speak. There were some questions that he would like to see answered that came out of the audit report, such as the purchasing of generators. He will continue to raise some questions on some of these issues. He admired the Mayor for sitting up at the dais and accepting the attacks made against her.

Mr. Dennis Maloney commented on the articles that appeared in the Press Journal today. He personally thanked David Mekarksi for coming to Vero Beach.

Ms. Melissa Tripson thanked the Mayor for reintroducing the motion to allow the City Manager to leave with dignity.

Mr. Ellis Dennison, a 23 year City employee, felt that money was wasted on the ethics report.

Mrs. Debra Daige referred to a January 2, 2005 article that appeared in the Press Journal, as well as a letter to the editor that appeared in the Press Journal on January 4, 2005 that was written by Mary Beth McDonald.

Mr. Bob Shane, a 15 year City employee, spoke as a supporter for David Mekarski.

Mr. Kenneth Daige commented that the buttons that are being worn and the signs that are being held was the idea of some neighbors who got together and decided to support David Mekarski and wanted him to stay as City Manager. They were hoping that by holding signs the message would get out that the public is no longer allowed to speak at Special Call meetings. He said that the sign he holds up says VERO, which stands for tell the truth. The black arm band is being worn to show that there are citizens of this community who are not happy with the politics of this City and worn in protest for what was done to the City Manager.

D) Consent Agenda

- 1. Regular City Council Minutes – May 3, 2005**
- 2. Addendum to Lease Agreement between Faux Effects International Inc., and the City of Vero Beach**
- 3. Monthly Capital Projects' Status Reports**
- 4. Beach Cleaning and Maintenance – City Limits – Contract Renewal with Ron Ohmstede Hauling**
- 5. Request for Purchase of a Replacement UPS for the T&D Building**

E) Adoption of Consent Agenda

Mr. Solari made a motion to adopt the consent agenda. Mr. White seconded the motion and it passed unanimously.

3. CITY CLERK'S MATTERS

1. Satisfaction and Release of Code Enforcement Lien

The Clerk reported that this has been a Code Enforcement case that has been in existence since 2000. The City has received a check that will now clear up this lien. She asked Council to approve a motion for the Mayor to sign this release of lien.

Mr. White made a motion to authorize the Mayor and City Clerk to sign the Satisfaction and Release of Code Enforcement Lien. Mr. Solari seconded the motion and it passed unanimously.

A) Public Hearings

None

4. ORDINANCE AND RATE RESOLUTIONS FOR FIRST READING

- A) An Ordinance of the City of Vero Beach, Florida, abandoning (A) 27th Street (Washington Street, per Plat); (B) Lateral Street (East Line of 20th Avenue to**

West Line of 19th Avenue (Beecher Avenue, per Plat) (C) Lateral Street (East of 17th Avenue to East Line of Plat); (D) 19th Avenue (27th Street South Line to Plat South Line; (E) 18th Avenue (27th Street North Line to Plat North line); and (F) 17th Avenue (27th Street South Line to Plat South line), Booker T. Washington Addition, Platbook 2, Page 34, St. Lucie County records (now Indian River County).

Mayor McDonald read the Ordinance by title only.

Mr. White made a motion to approve the Ordinance on first reading and set the public hearing for June 7, 2005. Mr. Abell seconded the motion and it passed 5-0 with Mrs. Fromang voting yes, Mr. Solari yes, Mr. Abell yes, Mr. White yes, and Mayor McDonald yes.

5. RESOLUTIONS (NO PUBLIC HEARING REQUIRED)

A) A Preliminary Resolution of the City of Vero Beach, Florida, pursuant to Section 3.03 of the City Charter, beginning the process of ending the employment contract of the City Manager with the City and stating reasons therefore; offering the City Manager a public hearing or the opportunity to file a written response; providing that this Resolution become final at the end of ten days unless the City Manager requests a public hearing or files a written response; providing that if a public hearing is held or a written response is considered that this Resolution then either lapses or will be replaced by a final Resolution of removal; providing for an effective date.

This item was moved up on the agenda.

B) A Resolution for assistance to replace the outboard motor on the Marine Unit Patrol Boat under the Florida Inland Navigation District Waterways Assistance Program.

Mayor McDonald read the Resolution by title only.

Mr. White made a motion to approve the Resolution. Mr. Solari seconded the motion and it passed 5-0 with Mrs. Fromang voting yes, Mr. Solari yes, Mr. Abell yes, Mr. White yes, and Mayor McDonald yes.

C) A Resolution of the City of Vero Beach, Florida, adopting the 2005 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.

Mayor McDonald read the Resolution by title only.