



Office of
**INDIAN RIVER COUNTY
ATTORNEY**

Dylan Reingold, County Attorney
William K. DeBral, Deputy County Attorney
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MEMORANDUM

TO: Board of County Commissioners

FROM: Dylan Reingold, County Attorney

DATE: June 8, 2022

SUBJECT: City of Vero Beach Appeal of Tourist Development Council May 11, 2022, action to exclude City of Vero Beach proposal from consideration for Tourist Development Tax Dollars

On June 7, 2022, the City Council of the City of Vero Beach submitted the attached "Appeal pursuant to § 100.06 – Appeal of Tourist Development Council May 11, 2022, action to exclude City of Vero Beach proposal from consideration for Tourist Development Tax Dollars" (the "Appeal") to the Indian River County Board of County Commissioners (the "Board").

Per section 100.06 of the Indian River County Code of Ordinances ("Code"), "[a]ny person aggrieved by a final decision of a board or commission may appeal to the board of county commissioners within twenty (20) working days of the final decision. The board of county commissioners shall respond within twenty (20) working days."

This Appeal does not meet the requirements of section 100.06 of the Code. First, the Appeal does not appear to have been filed with the Tourist Development Council, which is a requirement of section 100.06 of the Code. But more importantly, section 100.06(3) of the Code addressed appeals of a "final decision of a board or commission." The action taken by the Tourist Development Council was merely a recommendation. Thus, the appropriate avenue of raising issues was by presenting such issues at the Indian River County Board of County Commissioners meeting on this matter on June 7, 2022. Other agencies impacted by the Tourist Development Council recommendation attended and the Cultural Council of Indian River County got up and spoke on the matter. This appeal is an attempt to circumvent that process.

The County Attorney's Office intends to reply to the City Council of the City of Vero Beach accordingly, but wanted to provide this update to the Board.