

RESOLUTION NO. 14-05

**A RESOLUTION OF THE TOWN OF INDIAN RIVER SHORES, FLORIDA  
INITIATING INTERGOVERNMENTAL CONFLICT RESOLUTION  
PROCEDURES WITH THE CITY OF VERO BEACH**

**WHEREAS**, the Town of Indian River Shores (the "Town") has approved the filing of a lawsuit against the City of Vero Beach ("City") which challenges the unreasonable electric rates the City charges the Town and its residents, challenges the City's refusal to comply with the referendum requirements in Section 366.04(7), Florida Statutes, and seeks a declaratory order requiring the City to remove its electric facilities from the Town upon expiration of the City's franchise; and

**WHEREAS**, The Florida Governmental Conflict Resolution Act, Chapter 164, Florida Statutes, requires that local governments follow a dispute resolution process when engaging in litigation with another local government; and

**WHEREAS**, the Town agrees that the lawsuit should be abated consistent with Section 164.1041(1), Florida Statutes, in order to address these issues in the alternative dispute process before the lawsuit is further prosecuted; and

**WHEREAS**, Section 164.1052(1), Florida Statutes, requires the passage of a resolution in order to initiate intergovernmental conflict resolution procedures;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council Of Indian River Shores that:

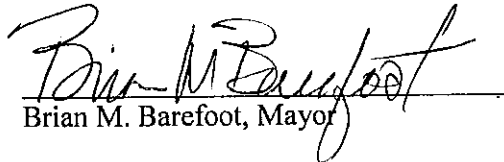
Section 1. The Town adopts as true and correct the recitals stated above and incorporates same by reference as part of this Resolution.

Section 2. The Town hereby initiates the conflict resolution process pursuant to Chapter 164, Florida Statutes, regarding the Town's interest in obtaining suitable remedies related to its lawsuit against the City.

Section 3. Pursuant to Section 164.1052(1), Florida Statutes, the Town will send to the chief administrator of the City of Vero Beach, within five (5) days of the passage of this Resolution, a certified copy of the Resolution and a letter stating the nature of the conflict, the reason for initiating the conflict resolution process, the proposed date and location for the conflict assessment meeting and suggestions regarding the officials who should be present at the conflict assessment meeting.

Section 4. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a Special Meeting of the Town Council this 18th day of July, 2014.

  
Brian M. Barefoot, Mayor

ATTEST:

  
Laura Aldrich, Town Clerk