

**CITY OF PORT ST. LUCIE
CITY COUNCIL REGULAR MEETING MINUTES
MAY 14, 2012**

A Regular Meeting of the CITY COUNCIL of the City of Port St. Lucie was called to order by Mayor Faiella on May 14, 2012, at 7:00 p.m., at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

1. MEETING CALLED TO ORDER

2. ROLL CALL

Council Members

Present:

Mayor JoAnn M. Faiella
Vice Mayor Linda Bartz
Councilwoman Michelle Lee Berger
Councilman Jack Kelly
Councilwoman Shannon M. Martin

Others Present:

Gregory J. Oravec, City Manager/
CRA Director
Roger G. Orr, City Attorney
Stefanie Beskovoyne, Assistant City Attorney
Roxanne Chesser, Engineering
Sherman A. Conrad, Parks & Recreation
Director
Edward Cunningham, Communications Director
Joel Dramis, Building Official
Edwin M. Fry, Jr., Assistant Finance
Director
Kim Graham, Assistant City Engineer
Daniel Holbrook, Planning & Zoning Director
Renee Major, Risk Management Director
Jesus A. Merejo, Utilities Director
Karen A. Phillips, City Clerk
Charles Proulx, Finance
Brian E. Reuther, Police Chief
Patricia Roebeling, City Engineer
Pat Selmer, Community Services
April C. Stoncius, Deputy City Clerk

3. INVOCATION & PLEDGE OF ALLEGIANCE

The City Clerk gave the Invocation, and Mayor Faiella led the

assembly in the Pledge of Allegiance.

4. PUBLIC TO BE HEARD

DEBRA MAGRANN - PUBLIC ART

Ms. Magrann said, "I'm here to put a positive face on Public Art. Economic return is one of the primary aftereffects of community investment in the arts. Through economic development efforts, the City has learned that when companies with high paying jobs consider relocating, they are very focused on the quality of education and the quality of arts and culture in a community. With our expanding Southwestern Corridor and technology firms in Tradition with a more sophisticated populous emerging, we need to move forward with the vision to procure public art. A study in 2006 issued by the National Endowment for the Arts, titled 'The Arts and Civic Engagement, Involved in Arts, Involved in Life,' found that individuals that participate in the arts are more likely to volunteer in their communities and engage in positive civic activities. By keeping and growing the funding for arts and culture through the percentage for public art, the City will receive exponential benefits. We can leverage dollars from individual developers for payments in lieu of, greatly increasing their overall impact. We can develop art and culture programs that companies offering high paying jobs expect for their employees. We can promote cultural tourism locally, and offer our children and citizens a broad range of educational experiences. We can grow art-related small business owners and nonprofits that are an important part of economic development of our area. We cannot do this without the political will and leadership of the City Council. Art and culture define us, as we are drawn to things of beauty. We need to keep the flame of creative expression burning through our local art ordinance, because it is the springboard for community health and prosperity. The goals of an Art in Public Places Program are meant to enhance the livability of a community, catalyze a persuasive vision for enhanced community vibrancy, support local artists and design professionals and arts organizations by integrating design and the arts into the fabric of civic life to reflect and strengthen a unique community identity, and a sense of place to capitalize on existing local assets. I'm proud to be a member of Team Port St. Lucie. In my volunteer efforts for the City, I oversee the hanging of quality original art at the Botanical Gardens. I'm also involved with an organization called Hispanics in Action, which is led by another community volunteer named Nelson Merchan-Cely. His family members are here, and we are a network of people who offer our time to the community free

of charge on Tuesday and Thursday evenings at local churches throughout the week. I teach a graphic design course at First United Methodist on Tuesday evening. On Thursday evenings I teach conversational French at Holy Family Catholic Church. I'd like to introduce another art teacher, Cristina Martinez, who teaches young children on Saturday morning called Art at the Savannahs. We are networking with other artists to build a community of creative energy, so that we can do positive things for our City. Thank you for your support of art in the City of Port St. Lucie." Mayor Faiella remarked, "Thank you."

THOMAS LADOMIRAK - QUARTERLY NEWSLETTER/PORT OF FORT PIERCE/ABANDONED HOMES/VOLUNTEERISM IN THE CITY

Mr. Ladomirak said, "I know the City puts out a general newsletter, but I suggest a quarterly newsletter on road projects and other public services to be emailed to us. Also, for those who are interested, there are two meetings coming up on Wednesday concerning the Port of Fort Pierce. Whatever is done at that location will affect us, so I would encourage those that can attend to do so. One of the meetings starts at 1:00 p.m. at the Community Center on Indian River Drive, and the other starts at 6:00 p.m. at one of the downtown government buildings. Another issue of concern is a house that has been abandoned, and has had its lawn overgrown for over two years. There are also two other houses in the general area between Driftwood and Madrugá. Since I called the City, I've seen something posted on the window, but the lawn still hasn't been cut. I don't live right next door to it, but I live a few houses away, and snakes and other critters might be living in there. The last issue is that I would encourage the residents of Port St. Lucie to participate in the two memorial events coming up this week concerning Police Week. One is on Tuesday morning at 9:00 a.m. at the Port St. Lucie Police Department. The other one is on Thursday night at St. Bernadette's Catholic Church. My wife and I attended the memorial service Saturday for Tom Eisert. It was a very moving service that was about two hours long. It made me think that he was only 41, and cancer can get any of us. We need to be careful, and watch our health conditions."

LAWRENCE STRUCK - WESTPORT WASTEWATER TREATMENT FACILITY

Mr. Struck said, "I come before you to express gratitude on behalf of my wife, my neighbors, and myself for the quick action that was taken regarding the noise from the wastewater treatment facility. It means a lot, because my wife is back in her bed and

not sleeping on the floor anymore. Mr. Oravec and his family visited our backyard in the evenings for three or four nights in a row. I'd like to thank the Council for the speedy resolution on this issue. I know there is still some work to be done, but at least now we are more comfortable and are able to do the things that we wanted to do for a long time. Thank you." The City Manager remarked, "A family that plays together, stays together."

5. PROCLAMATIONS AND SPECIAL PRESENTATIONS

a) PROCLAMATION - LET YOUR VOICE ECHO MONTH

The City Clerk read the Proclamation, and Mayor Faiella presented the Proclamation to Summer Parson, who said, "I attend Lincoln Park Academy in Fort Pierce. I have been inspired to do this because I have been a victim of bullying, along with a lot of my friends. These days either you are a bully, or you are bullied. A lot of people aren't themselves because of bullies. At school everyone my age judges you for everything, and that is when people get upset. I started a Facebook page about bullying, and now have 270 likes. I have had 20 people come to me for advice, sharing their bullying stories. It is really upsetting that people don't take into consideration other people's feelings, and they don't regret it either. Some people just don't care about other people's feelings. I'm no longer a victim of bullying. I'm actually civil with them now. I wanted to start this to make a difference, because I got tired of it, and tired of seeing people upset over bullying. Thank you." Mayor Faiella stated, "Thank you. That was great!"

6. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

Councilman Kelly **moved** to approve the Agenda. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of the Agenda. The **motion passed unanimously** by roll call vote.

7. APPROVAL OF CONSENT AGENDA

a) APPROVAL OF MINUTES - APRIL 9, AND 23, 2012

b) LANDSCAPE MODIFICATION, PRIMA VISTA KINGDOM HALL, LOCATED ON THE SOUTH SIDE OF PRIMA VISTA BOULEVARD, EAST OF AILEEN STREET, WEST OF DOREEN STREET, AND NORTH OF VIOLET STREET, TO WAIVE THE REQUIREMENT FOR A LANDSCAPE BUFFER WALL LOCATED ALONG THE SOUTHERN BOUNDARY AND A PORTION OF THE EASTERN

AND WESTERN BOUNDARIES, P12-039, PLANNING & ZONING DEPARTMENT

c) PURCHASE OF FORECLOSED PROPERTY, NEIGHBORHOOD STABILIZATION PROGRAM 3 - (NSP3), 149 SW VOLTAIR TERRACE, WITH A PURCHASE PRICE OF LESSER OF \$65,000 OR 99% OF APPRAISED VALUE, LEGAL DEPARTMENT

d) CARMEUSE LIME & STONE, INC., RENEWAL FOR ONE (1) ADDITIONAL ONE (1) YEAR TERM WITH TWO (2) REMAINING ONE (1) YEAR OPTIONS TO RENEW THROUGH 2014, TO PROVIDE CALCIUM QUICKLIME FOR THE PRINEVILLE WATER TREATMENT PLANT'S SOFTENING PROCESS, DELIVERED PRICE REMAINS THE SAME AT \$250.68/TON, 431-0000-1005, UTILITIES

e) ST. LUCIE COUNTY PUBLIC SCHOOLS, REQUEST FOR CITY SPONSORSHIP FOR THE SOLE PURPOSE OF LOCATING TEMPORARY SIGNAGE WITHIN CITY RIGHTS-OF-WAY FOR THE SCIENCE SHOWCASE SCHEDULED FOR MAY 19, 2012, AT SOUTHERN OAKS MIDDLE SCHOOL, CITY MANAGER

f) DISPOSAL OF SURPLUS FORFEITURE VEHICLE, ONE (1) 2004 CHEVY EXPRESS VAN, TO BE SOLD THROUGH THE ONLINE AUCTION SITE AUCTIONS INTERNATIONAL OR SIMILAR PROCESS, ESTIMATED THAT THIS VEHICLE WOULD EXCEED A \$1,000 VALUE, POLICE DEPARTMENT

g) MODIFICATION OF RESTRICTIVE COVENANTS, LOTS 7 & 8, BLOCK 790, PORT ST. LUCIE SECTION EIGHTEEN, GEORGE J. CALLAS, LEGAL DEPARTMENT

h) SIGNAL GROUP, INC., CHANGE ORDER #2, PORT ST. LUCIE BOULEVARD PEDESTRIAN LIGHTING PROJECT, CONTRACT #20110011, NET DECREASE OF <\$468.85> FOR A NEW CONTRACT TOTAL OF \$475,079.40, NO ADDITIONAL CALENDAR DAYS, FUND 304-4121-5688, ENGINEERING

i) REQUEST FOR UNITY OF TITLE FOR BERNARD H. AND DANNA L. SMALL, TO COMBINE LOTS 13 AND 14, BLOCK 1699, PORT ST. LUCIE SECTION 31, TO PLACE A SHED ON THEIR ADJACENT VACANT LOT, LEGAL DEPARTMENT

j) REQUEST FOR UNITY OF TITLE FOR AZZI PLUS, LLC, FOR LOTS 1, 2, 25 AND 26, BLOCK 2283, PORT ST. LUCIE SECTION 33, TO COMBINE THE PARCELS AS ONE PARCEL FOR REZONING AND FUTURE DEVELOPMENT, LEGAL DEPARTMENT

k) PURCHASE OF FORECLOSED PROPERTY, NEIGHBORHOOD STABILIZATION PROGRAM 3 - (NSP3), 262 SW GROVE AVENUE, WITH A PURCHASE PRICE OF LESSER OF \$82,500 OR 99% OF APPRAISED VALUE, LEGAL DEPARTMENT

Vice Mayor Bartz **moved** to approve the Consent Agenda. Councilwoman Berger **seconded** the motion. The City Clerk restated the motion as follows: for approval of the Consent Agenda. The **motion passed unanimously** by roll call vote.

8. SECOND READING, PUBLIC HEARING OF ORDINANCES

a) ORDINANCE 12-20, AUTHORIZING THE CITY MANAGER OF THE CITY OF PORT ST. LUCIE TO ENTER INTO A FIRST AMENDMENT TO SITE LEASE AGREEMENT BETWEEN THE CITY OF PORT ST. LUCIE AND NEW CINGULAR WIRELESS PCS, LLC; PROVIDING AN EFFECTIVE DATE

The City Clerk read Ordinance 12-20 aloud by title only. Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Councilwoman Martin **moved** to approve Ordinance 12-20. Vice Mayor Bartz **seconded** the motion. The City Clerk restated the motion as follows: for approval of Ordinance 12-20. The **motion passed unanimously** by roll call vote.

b) ORDINANCE 12-21, TO REZONE 1.06 ACRES OF PROPERTY, LOCATED ON THE WEST OF SW PORT ST. LUCIE BOULEVARD, NORTH AND EAST OF SW YAMADA DRIVE FROM RS-2 (SINGLE-FAMILY RESIDENTIAL) TO CG (GENERAL COMMERCIAL) ZONING FOR LOTS 1, 2, 25 AND 26, BLOCK 2283, PORT ST. LUCIE SECTION 33 (P12-026); PROVIDING FOR AN EFFECTIVE DATE

The City Clerk read Ordinance 12-21 aloud by title only. Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Councilwoman Berger **moved** to approve Ordinance 12-21. Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of Ordinance 12-21. The **motion passed unanimously** by roll call vote.

c) ORDINANCE 12-22, RENAMING THE FOLLOWING STREET: VIA TAGLIAMENTO TO VIA VISCONTI IN TESORO PRESERVE PUD, PLAT NO. 5, NORTH OF WESTMORELAND BOULEVARD; PROVIDING FOR AN EFFECTIVE DATE

The City Clerk read Ordinance 12-22 aloud by title only. Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Vice Mayor Bartz **moved** to approve Ordinance 12-22. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Ordinance 12-22. The **motion passed unanimously** by roll call vote.

d) ORDINANCE 12-23, AMENDING SECTION 155.07(A) OF THE CITY OF PORT ST. LUCIE CODE OF ORDINANCES, ENTITLED "POLITICAL SIGNS," BY REGULATING THE NUMBER OF POLITICAL SIGNS PER PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE

The City Clerk read Ordinance 12-23 aloud by title only.

Mr. Holbrook said, "I wanted to go over the proposed amendment to recap what the political sign regulations are within the City of Port St. Lucie. (**Clerk's Note:** A PowerPoint presentation was shown at this time.) The big question that this amendment addresses is how many political signs a person can have on a piece of property. The proposed text reads as follows, 'The maximum number of political signs per lot or parcel of land shall be one political sign per candidate or issue per street frontage of the subject lot or parcel.' The standard lot within the City could have one sign per candidate or issue. Two signs are permitted on a corner lot with more than one frontage. They would have to meet the minimum setback requirements. The regulations that are currently in place are: the number of signs per lot and the maximum height is five feet; the maximum size of the sign is six square feet; the setback has to be 10 feet from the property line. Another requirement that is important for anyone who wants to post signs is that their application and fee needs to be submitted. Owner authorization is very important, because you can't go on someone else's property and stick your sign on it. It has to be removed within 14 days of the event, and has to be freestanding. It can't be illuminated, and they have to post a removal bond of \$250. The applications are submitted to the Business Tax Division in Building B." Mayor Faiella inquired, "How do you know that the person has permission from the owner to place a sign on their property?" Mr. Holbrook responded, "There will be a symbol on the sticker, and it is part of the backup material that has to be presented."

Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Councilman Kelly **moved** to approve Ordinance 12-23. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Ordinance 12-23. The **motion passed unanimously** by roll call vote.

e) ORDINANCE 12-24, AUTHORIZING THE CITY MANAGER OF THE CITY OF PORT ST. LUCIE TO ENTER INTO AN AMENDMENT TO PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF PORT ST. LUCIE AND THE HUMANE SOCIETY OF ST. LUCIE COUNTY, INC; PROVIDING AN EFFECTIVE DATE

The City Clerk read Ordinance 12-24 aloud by title only. Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Councilwoman Martin **moved** to approve Ordinance 12-24. Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of Ordinance 12-24. The **motion passed unanimously** by roll call vote.

9. OTHER PUBLIC HEARINGS

a) **FY 2012 BYRNE JUSTICE ASSISTANCE GRANT (JAG) FEDERAL AND STATE FUNDS**, APPLICATION TOTALING \$68,682 FOR THE PURPOSE OF PURCHASING LAW ENFORCEMENT EQUIPMENT, THERE IS NO MATCHING REQUIREMENT FOR EITHER GRANT, POLICE DEPARTMENT

Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Councilwoman Berger **moved** to approve Item 9 a). Vice Mayor Bartz **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 9 a). The **motion passed unanimously** by roll call vote.

10. FIRST READING OF ORDINANCES

a) **ORDINANCE 12-25**, AUTHORIZING THE CITY MANAGER OF THE CITY OF PORT ST. LUCIE TO ENTER INTO A SECOND AMENDMENT TO SITE LEASE AGREEMENT BETWEEN THE CITY OF PORT ST. LUCIE AND CROWN CASTLE SOUTH LLC; PROVIDING AN EFFECTIVE DATE

The City Clerk read Ordinance 12-25 aloud by title only. Vice Mayor Bartz **moved** to approve Ordinance 12-25. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Ordinance 12-25. The **motion passed unanimously** by roll call vote.

b) **ORDINANCE 12-26**, SUPPLEMENTING ORDINANCE NO. 94-29 OF THE CITY ENACTED ON JUNE 27, 1994, AS AMENDED AND SUPPLEMENTED; AUTHORIZING THE ADVANCE REFUNDING OF A PORTION OF THE OUTSTANDING UTILITY SYSTEM REVENUE BONDS, SERIES 2003 AND A PORTION OF THE OUTSTANDING UTILITY SYSTEM REVENUE BONDS, SERIES 2004; PROVIDING FOR THE ISSUANCE OF NOT EXCEEDING \$30,000,000 UTILITY SYSTEM REFUNDING REVENUE BONDS, SERIES 2012, IN CONJUNCTION THEREWITH; PROVIDING FOR THE PAYMENT OF THE SERIES 2012 BONDS FROM THE PLEDGED REVENUES PROVIDED HEREIN; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AUTHORIZING THE APPROPRIATE OFFICERS OF THE CITY TO PROCEED TO DEVELOP NECESSARY DOCUMENTS TO SELL THE SERIES 2012 BONDS AT

NEGOTIATED SALE; AND PROVIDING AN EFFECTIVE DATE

The City Clerk read Ordinance 12-26 aloud by title only. Councilman Kelly **moved** to approve Ordinance 12-26. Vice Mayor Bartz **seconded** the motion. The City Clerk restated the motion as follows: for approval of Ordinance 12-26. The **motion passed unanimously** by roll call vote.

ADDENDUM ITEM:

c) ORDINANCE 12-27, OF THE CITY OF PORT ST. LUCIE PROVIDING FOR INTERFUND BORROWING; ESTABLISHING THE METHODOLOGY FOR SETTING INTERFUND LOAN INTEREST RATES; PROVIDING AN EFFECTIVE DATE

The City Clerk read Ordinance 12-27 aloud by title only. Councilwoman Martin **moved** to approve Ordinance 12-27. Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of Ordinance 12-27. The **motion passed unanimously** by roll call vote.

11. RESOLUTIONS

There was nothing scheduled for this item.

12. UNFINISHED BUSINESS

a) FAIRGREEN ROAD EXTENSION, PROPOSAL TO CONSTRUCT A BASIC TWO-LANE ASPHALT ROAD SECTION TO CONNECT THE SECTION 35 SUBDIVISION WITH THE CROSTOWN PARKWAY, APPROXIMATELY \$200,000 UTILIZING FUNDING FROM THE CITY'S ANNUAL BUDGET FOR RESURFACING, ENGINEERING

The City Manager said, "For several years the City Council has wondered how to make the connection between a subdivision that was platted back in 1969, and the new Crosstown Parkway. It was hopeful that we would be able to make that connection via a new development in the area, and that the road would be completed as part of a new project located off of the Crosstown. Unfortunately, due to the downturn in the market, that development never materialized. The City has no contractual obligation with which to require a developer or anyone else to complete the road. Frankly, Section 35 is part of the old City, and was subdivided in 1969. While future development should be required to pay for the typical City of Port St. Lucie road, with landscaping, curbs, sidewalks, and street lights, in the interim, staff would like to propose to you a concept in which

we can get it done. We can put down 24 feet of asphalt blacktop, like in any other part of the traditional City, to make the connection. This project could be carried out with our existing repaving budget. We could get it done with \$200,000, because it is a basic roadway design. Captec Engineering has offered to complete the redesign for free. Ardaman & Associates has agreed to provide geotechnical engineering and testing services for free. The City Survey Division is stepping up and doing the necessary survey work for free. The estimated timeline for completion is 30 weeks. If given the go ahead, I will work with staff to expedite the project. Kolter Communities is responsible for the design and construction of the traffic signal at the Crosstown Parkway and Fairgreen intersection, as required by South Florida Water Management District. They are working on it. If the Council approves this proposal, we will delay the overlay of a portion of Bayshore Boulevard until the next fiscal year. It will get done at a later date. I greatly appreciate our staff's hard work."

Mayor Faiella stated, "It made it into the Governor's budget, but it was vetoed. We did try our best in reference to obtaining the money for this project from Tallahassee. Councilwoman Martin worked very hard on this." Ms. Roebing said, "I want to thank the people that came to the plate with the pro bono work. It was really awesome for them to do so. Also, the Kolter developers are here tonight who have discussed getting the signal plans together to get it up and running in a short period of time. I also want to thank my staff, as they did a lot of work with the City Manager on this. I appreciate it."

Ms. Chesser said, "Our presentation will include information previously presented to you at the Winter Retreat. We will also provide ideas as expressed by the City Manager on how we can reduce the cost of the road. The Crosstown Parkway is just north of the Fairgreen Road extension, and is located between Village and I-95. The history of this goes back to 2006, when the City obtained the right-of-way for the road. The original concept for the development of the road was that CORE Communities was going to complete the design and permitting; Kolter Communities would complete the culvert crossing of the canal, the temporary gate, and the traffic signal; Kennedy Homes would construct the roadway. The current design of the roadway at its ultimate configuration has a sidewalk, landscaping, and lighting. The design and permitting of the road was completed by CORE Communities. As designed, it would take approximately \$1 million to complete the construction of the project. To date, the culvert crossing and the temporary gate have been completed by

Kolter Communities. The rough grading, most of the subgrade, and drainage has been completed by CORE Communities. The Governor vetoed the line item in the state budget that would have helped fund it. In working with the City Manager in our quest to find a second access for the Section 35 residents, he asked the Engineering Department to develop a plan to minimize the design and cost of the road. With the City Council's approval of a variance, road construction costs could be minimized by eliminating the sidewalks, trees, and lighting. The cost for professional services to complete the redesign could be minimized by using the City Survey Division to update the survey. The pro bono services for geotechnical and redesign work could also be provided by local consultants. Representatives of the firm representing the pro bono services are here tonight, and I'd like to recognize them and thank them for their efforts. Dan Zrallack with Alderman and Associates is going to help us with the geotechnical portion on this road. Joe Capra with Captec Engineering is proposing the redesign to be a two-lane undivided section with swale drainage. Kolter Communities would complete the design and construction of the traffic signal. I'd like to recognize and thank John Csapo and Bob Fromm with Kolter Communities for following through with their commitments on this road."

Ms. Chesser continued, "It will be a two-lane section with swale drainage that is centered within the road right-of-way. The estimated cost to construct the redesigned road is about \$200,000. With the City Council's directive to allow a variance and commence the work, we estimate that the design and construction of the project will take about 30 weeks. In speaking with Kolter Communities, the design and construction of the signal will take about 35 weeks." The City Manager advised, "The money would come from the paving fund. We would delay one project until the next fiscal year, which is five months away." Mayor Faiella said, "I want to thank everyone for participating in this project. I know the community is dying for it." Councilman Kelly stated, "As far as I'm concerned, it is a no-brainer. It will go from a 15 minute response time from the fire station to 2½ minutes. We will have to hold off on the Bayshore overlay, which needs to be done. The traffic light at the end doesn't have to be done until the north side of the road is in. A stop sign would suffice for a few years. The traffic light costs more than it does to pave the road. I was wondering if we could ask Mr. Csapo if Kolter would be willing to pay for the road now, and we could credit the money later when they put the light in. We wouldn't have to hold up anything, and could pave Bayshore to get it all done. They might entertain it." The City

Manager advised, "The difficulty is that the requirement for the signal comes from the South Florida Water Management District. We have no control over the third party." Councilman Kelly said, "It has to kick in when the road gets traffic on it. It will be quite a while." The City Manager stated, "I imagine you are referencing a warrant study, but I'm not aware of that being a condition of the permit." Councilman Kelly explained, "I'm trying to get us \$200,000 now, and do both projects. Mr. Csapo is here, and might have information on that." The City Manager commented, "This is the first that I've heard of it." Councilwoman Berger said, "I am not looking to spend more money later, rather than now. I know that if we build it now, it will cost us \$200,000. I don't know how much it will cost us in the years to come. I really don't want to burden the taxpayers any more. The arrangement has been made by the developer and the South Florida Water Management District, and I'm fine with it staying that way."

JOHN CSAPO, Kolter Communities, said, "The light will cost more than the road. It is part of the SFWMD permit. We have worked with City staff to postpone the traffic light for a few years, partially because of the market, and partially because it is not required right now. It is not necessary, so we would agree to work with staff to explore some alternative method. As of now, we are working on the design for the traffic light, and are ready to install it as soon as the permitting goes through, and the mast arms are built."

THOMAS LADOMIRAK, resident, said, "I'm in favor of this project, but I'm a little concerned about making any changes. I have talked with the SFWMD, and it seems like they want the traffic light for service reasons on both sides of the Crosstown Parkway. You may create a problem if you try to take the traffic light away at this time. I was not comfortable with their answers, because if we don't put in a traffic light, we might not get a road. The other issue is that there is only one way in and one way out. If an emergency should ever occur there is no way out of there, and that stopped me from purchasing a lot in that area. I had an emergency, and because the fire station that services my area comes all the way from Tradition, it took a while for them to get to my house because they had to come to Gatlin. Once the roadway opens up, if an emergency occurs, it would reduce the amount of time for them to get to my house. I am greatly in favor of getting this project done as soon as possible. It will be an advantage to everyone in the western part of Port St. Lucie."

JOHN POISSANT, resident, said, "When I purchased my property in that subdivision, I did it under the assumption that the roadway was going to be finished. To go to the beach, we have to go through many neighborhoods to get to Port St. Lucie Boulevard. We look forward to the new bridge, so we can find our way to City Center and the beach. All of the things that you have done in the City are very positive, but this one is negative. We hope you can get it taken care of. Everyone is in favor of this in our community. We know that there are issues, but we hope that you see your way clear to finding this in a favorable manner. Thank you for all of your work on this matter."

EDWIN SATTER, resident, said, "About a year ago, we had a heavy rainstorm. When we came through under the bridge there was a line of cars that were trying to make a little dip in the road, but they got stalled out. I, quite frankly, had just bought a Hummer, so I went through and made it. I felt sorry for all of those people that were sitting there and couldn't get through. It was nighttime and there were no lights, so I tried to guide myself by the mailboxes. You can't imagine how it feels to not be able to see them, and have water coming in under the doorway. It is something that I hope nobody else has to go through anymore. Also, when we moved here in 2000, there had been a fire that devastated a great area in Port St. Lucie. I was talking to my neighbor who couldn't get out, because the firefighters had the road blocked off. It brought it home to me that we need another egress. Thank you."

JANE SATTER, resident, said, "I live on Columbia, and Fairgreen runs along that. On the other side of Fairgreen there is a retention pond. Since it has been dug, we are getting more flooding than we did before. When it rains a lot, the retention pond fills up and is very deep. We are getting a lot more water, and need another way out. It is almost June, and we are coming into hurricane season. God forbid we have another fire. I don't think it would be as bad as it was, because the homes are built up, and the forest is gone. I appreciate everyone's work on this. I'm amazed, because I didn't know there was so much going on behind the scenes at City Hall. The road should be able to be done without the traffic light. A lot of the roads that connect to the Crosstown Parkway do not have traffic lights at every intersection. I feel like we were the orphans. We got left out by CORE, because we were the closest to Tradition and PGA. If you can get past the Water District regarding the signal, you can put up a stop sign or a speed bump. We will slow down; anything to just have another exit. We would really appreciate it. I want to thank each and every one of you."

NICOLE AMANO, resident, said, "I have been in email contact with Councilwoman Martin. One of my concerns is that I have quite a few elderly neighbors, and I've seen emergency vehicles get lost. It is scary. It would be great if we could get it opened up. I bought a new car, so I could get in and out when it floods. It would be nice to have another way in and out."

WENDY ANGIONE, resident, stated, "The Crosstown Parkway dead ends, and we can't use it. With the hospital opening soon, Tradition, and a proposed Publix project at the Crosstown Parkway, I hope you take that into consideration, and open it. It would help the community greatly. The City would save gas with their bus that could get off there. It takes long enough to get out of the neighborhood, but the school buses make it longer. The kids take a long time to get on and off the buses. It would be greatly appreciated, as I am a taxpayer. We would have had a lot more people here if there weren't so many foreclosures and renters in our development. Thank you."

HENRY DIGORGIO, resident, who said, "This project is very important for the simple fact of the school buses, and keeping the kids off of Savage. Last May, we had a brush fire behind our homes. It took out part of my fence and my neighbor's fence, and a few lots behind us. The Fire Department didn't get there for 15 minutes, as they had to go all the way around. Instead of a 15 minute run, it would have been a six minute run from Tradition. I know, because I used to be a fireman. One of the biggest points that I want to make is the fire service access. When it rained during Hurricane Faye, I slept on the side of the road after work for seven hours, because I could not get home. I had to go to work the next day, and that happened to me twice. God forbid we have another hurricane or a tropical storm. If I can't go to work, I can't make any money. I have to go to work, so I can pay my taxes. I want to thank Councilwoman Martin, as she has been pushing very hard for this. We appreciate all of your help, and I know the City Manager has been working hard on it too. If we can get this done without making things difficult, it would help everybody in the area."

Councilman Kelly said, "You heard Mr. Csapo say that he would be amenable to whatever the City Manager wants to work out. It would not cost taxpayers more money later on. It would save us money if we did Bayshore Boulevard and this project together. If we get the money from the developer now, it would save us money. Later on, Kennedy or whoever develops the property will still owe us the money. Money from a developer today is better than getting money from them tomorrow. If we get the money upfront,

we won't have to take any money away from the Bayshore project." Mayor Faiella stated, "I just want to get Fairgreen done." Councilwoman Martin said, "I do, too. The developer is not responsible for the road. He is responsible for the traffic light. We need to get this project done. I **move** to approve the proposal for Fairgreen Road Extension." Vice Mayor Bartz **seconded** the motion and said, "I seconded the motion, because I think that it needs to be done. However, I would like a commitment from the City Manager that the Bayshore Boulevard project be a priority for the next budget year. We have done this once before where we allocated money for a project in District 1 on Becker Road, and unfortunately through nobody's fault other than the economy, that money was never able to be moved again. That would be my concern." The City Manager advised, "Ms. Roebling, please arrange for the Bayshore Boulevard overlay to start on October 1, 2012. Make sure everything is in place, so that Bayshore can be done at the beginning of the fiscal year." Ms. Roebling said, "Yes sir."

Vice Mayor Bartz said, "The other thing that I'm concerned about is, how quick can we get this road done? If there is an emergency, the residents need to be able to get out of that area quickly." The City Manager inquired, "Mr. Capra at Captec is doing the design for free; are they not?" Ms. Roebling responded in the affirmative. The City Manager said, "Tell them that we will double their price if they design it twice as fast." Councilwoman Berger said, "This project has been stalled for many years. I had a chance to speak with many of you, as it was turned over to my district. At that point, we had staff take a look at what needed to be done. I want to thank the City Manager, because during the initial conversation, we had some leadership issues with staff that continued to say no. We have a City Manager in place now that says yes, so let's see what we can do. I want to take the opportunity to say thank you for making sure it happens. It was Councilwoman Martin's district, but she turned it over to me. She has from the beginning made sure that this is a priority. Your voices were heard, and I want to congratulate you all for making sure that you stayed with it." Councilwoman Martin stated, "I want to thank the City Manager. Right from the start when we learned it was vetoed in the governor's budget, within days he was right on top of it working with staff to see if we could get it done. I want to thank Ms. Roebling, Ms. Chesser, Ardaman, Captec, Kolter, and all of the residents that I have been working with for the past year and a half. Thank you very much. Your support has meant so much, and you really stepped up to the plate to get it done." The City Clerk restated the motion as follows: for approval of

the Fairgreen Road Extension. The **motion passed unanimously** by roll call vote.

b) RAVENSWOOD CENTER UPDATE, CITY MANAGER

The City Manager said, "Over the last 45 days that I have had the pleasure of being your City Manager, I tried to attack some of the more vexing challenges of the City, whether it was on an administrative level or on a project level. For me personally, Ravenswood is perhaps our most challenging project. As I discussed with you previously, I'm disappointed that the City administration had not already delivered the project to our community, and to our partners at Indian River State College. As you are aware, the project involves reconstructing a new, bigger, and better community center and gymnasium of approximately 26,000 square feet to replace what was our aging Ravenswood Center. The new Ravenswood Center was to be constructed on a larger parcel acquired from the Indian River State College Foundation, in return for building them a 10,000 square foot educational building to replace their existing building. A Site Plan is included in the packet for you. Another component of this was allowing the St. Lucie County Fire District to construct a new firehouse to replace the one that was on Prima Vista. To make that happen, the City sold approximately 1½ acres of the site acquired from the foundation to the fire district at \$300,000. To date, the City has spent money on City staff in the amount of \$901,592. It has spent expenditures for that staff of \$156,000, and for Culpepper & Terpening, Inc. services in the amount of \$463,000. Kast Construction, Inc., the contractor that was to construct the facility, was just over \$5 million, and LEB was paid \$32,415 to conduct the demolition. To date, we have contracts worth about \$6.5 million. We have had many starts and stops for a multitude of reasons, including the good reason of obtaining a FEMA grant to help the project costs. We have had negatives, such as litigation resulting from the bid process. This project has been troubled and has had several missteps along the way. As a result, I expect the project to exceed the originally anticipated project budget of over \$7 million, in a time when I would suggest that the City has more pressing priorities, especially as it relates to the recurring expenses. They are the expenses that come up every year that are necessary to operate the Ravenswood Center once it is completed. I had hoped that we could engineer a clean break by offering IRSC the City's Rosser Road Police Station. However, IRSC found it to be too far from their current student base. Additionally, they have new opportunities as a result of FAU consolidating their campus."

The City Manager continued, "As a result of these circumstances, I feel compelled to outline the following items: It has been more than five years since the City Council voted unanimously to move forward with the project. The City has spent over \$1.9 million to date. There are still unresolved issues, including the resignation of the project's architect from the community center and gym portion of the project. There are building specification discrepancies relating to the trusses. It has not yet gone vertical, and even if we move full steam ahead, we would not be done before the summer of 2013. We could find a way to build it, as we have the capital funds. However, it would take approximately \$500,000 per year to operate it, based on our experience with similar facilities. Given the current budget conditions, I cannot recommend such an expenditure when we have the Civic Center, the Community Center, and the Minsky Gym available to our citizens. The funds utilized to pay for the yet to be constructed Ravenswood Center could be used to pay off the already constructed Civic Center in Village Square. It is using the philosophy of pay for what you already have before you purchase something new. Even if we lock the doors to the Ravenswood Center after we built it and kept it closed to the public, it would still cost us about \$100,000 or more just to operate the building systems, like the plumbing and air conditioning. Even if we went the route of offering it to a nonprofit organization, we would still incur that level of expenditures. I'm not sure anyone has the funds to handle \$500,000 worth of operating expenditures. While our obligation to the St. Lucie County Fire District has been addressed with their new firehouse, our promise to IRSC is currently unfulfilled. I do think there is something to keeping our word. Given all of these difficult circumstances, I'd appreciate your guidance on how you would like to proceed. I promise to work with staff to carry it out. I am offering the following options:

- 1) Proceed with the currently conceptualized project, so that the City's current investment will not be wasted. We will have spent more than we should have, but the long awaited project will come to life. The cons are that we will not be able to operate the center without cutting or taking from something else in the budget. We will have to find somewhere in the existing Parks budget or somewhere in the City budget to take it from. We are not going to be able to just find the money in these times. By taking the capital funds and using them to complete Ravenswood, it will reduce the funds available to help us pay off the Civic Center, which is a recreational facility that is already constructed.

- 2) Proceed with the construction of the IRSC building only, and take out the gym and community center portion of the project. It would save approximately \$2.3 million in capital expenditures, allowing that money to be utilized towards paying off the Civic Center in Village Square, and avoid the City having to fund the operation of the community center. The cons are we won't get a recreational facility, we wouldn't save as much as the contract would indicate, and we would not maximize our savings.

- 3) Cease the current project, and amend the interlocal and lease agreements with IRSC to purchase the land. Leave it as a passive park until the economy improves. Quite frankly, this option had not been available before. It is becoming available because of the dynamics with FAU and IRSC, as IRSC will be able to utilize their St. Lucie West Campus. The pros of this scenario are that the promise to IRSC is fulfilled. The City has made good on its word. As Councilman Kelly indicated, a deal is a deal. It would save us approximately \$2.8 million and perhaps close to \$2.9 million in capital expenditures, maximizing the money available to help pay off the Civic Center. It secures the site for future development and use by the City when times get better. We are no longer exposed to potential pitfalls or problems associated with the aforementioned unresolved issues. As we mentioned, there is litigation regarding this project, so we still have unresolved issues. This action takes away that liability. We don't have to wonder what if? The cons are that we have to recognize that we spent a lot of money, and didn't get the job done. Unfortunately, there is no way for me to go back in time to fix it. I have met with Barry Keim, the Vice President of IRSC, who indicated that he would present this concept of amending the deal to the board of the foundation at its next regular meeting. He would support the counterproposal where we would pay the appraised price at the time for the property. It is very important that we recognize that the City purchased the project from IRSC, and we agreed to pay for it by building a 10,000 square foot building instead of cash. That has always been the deal and is nothing new. Rather than writing a check, as you would for most real estate transactions, we indicated that we would build a building. This proposal indicates that they can lease the existing building from us until they

moved to their new campus. The proposed purchase price is based upon an appraisal completed around the time that this deal was conceptualized. It is not the current market value, and to be fair to IRSC, they did the deal back when we signed the interlocal agreement, and not in today's market. Our current agreement with IRSC states that the City accepts and agrees that the estimated cost of the new facility is \$2 million. We agreed to pay up to \$2 million for 5.23 acres for about \$382,409 per acre, which is less than what we obligated ourselves to in the contract.

- 4) You may have an idea that staff hasn't considered, and we would love to hear that option.

The recurring costs of the community center gym are unattainable in the current economic climate. There are more pressing needs in our operating and capital funds. Even though we spent a lot of time and money on the Ravenswood Center, we would be best served by completing the outright purchase of the property, and pursuing the project at a more opportune time."

Mayor Faiella said, "I hope under your administration this will never happen again." The City Manager stated, "Me too, and you can hold me accountable." Councilman Kelly said, "I support Option #3 with the no-build and buyout." Councilwoman Martin stated, "I'm in agreement with Option #3 as well. We need to cut our losses at this point. I'm very disappointed to know that we are not going to get a return on the investment, but with all the debacles that have happened with this project, we just need to move forward." Councilwoman Berger said, "I agree, Number #3 would be the right choice. I'm glad to see it move this way." Vice Mayor Bartz stated, "I agree with Option #3. Are we still in litigation over the Ravenswood project with Jacquin?" The City Attorney replied in the affirmative.

The City Manager said, "Councilwoman Berger reached out to IRSC at the time when we rebid the project, and they still wanted the building to be built. At that point, they didn't have the prospect of the St. Lucie West Campus. This is only possible because of that change." Councilwoman Berger pointed out, "At that time they were in desperate need of rooms, and we were holding up their progress. It was not something that they were willing to bring back to their board." Councilman Kelly **moved** to approve Item 12 b). Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 12 b), for Option #3. The **motion passed unanimously** by roll call

vote.

13. NEW BUSINESS

a) INTERSECTION OF PORT ST. LUCIE BOULEVARD AND US 1, UPDATE ON MODIFICATIONS, ENGINEERING

The City Manager said, "The Florida Department of Transportation modified the intersection of Port St. Lucie Boulevard and US 1. The Assistant City Engineer will outline what happened, what we did to study the problem to see if we could come up with any solutions, and will provide a presentation of the improvements that they have made with FDOT." Ms. Graham stated, "We will review what the intersection looked like prior to the modifications by the Department of Transportation, what it looked like upon completion of those improvements, and what it looks like today after we had some opportunities to go back and make some timing adjustments. We will only be talking about eastbound Port St. Lucie Boulevard from the Morningside and Westmoreland area to the intersection of US 1. Additionally, we are also looking at northbound US 1 from Sam's and Walmart up US 1 to the intersection. The existing conditions that were there prior were two dual left turn lanes that came off the boulevard north on US 1 toward the Civic Center. Beyond that, we also had a dedicated through and right turn lane and a dedicated right turn lane. The multiple through and right turn lanes became an issue over time with respect to the intersection that was so huge that when cars traveled through it, they got lost. They weren't sure which lane that they needed to be in when they got to Cane Slough Road. It became a mitigating factor when FDOT reviewed the intersection and made modifications. Additionally, we had an overlap, which is when one movement gets to turn, like the northbound US 1 turning lanes onto the boulevard, and the right turn lanes off of the boulevard onto US 1, so they don't conflict. There is no point that they could accidentally hit. The intersection used to have an overlap, and the purpose was to move the traffic off of the boulevard as much as possible. You could also turn right on red, which is something with the modification that we still can't do right now."

Ms. Graham continued, "We were seeing excess vehicles in the intersection. Specifically, we had a lot of traffic coming up US 1 to turn onto the boulevard, and they were backing up in the through lanes. They were creating delays, and people that wanted to go through the lanes, couldn't go. Many times the traffic would back up to the intersection of US 1 and Lennard. Because of that and all of the congestion that we were seeing on Port

St. Lucie Boulevard, a Congestion Management Program was brought forth and approved by the TPO. Based upon that, DOT approved a project with a cost of approximately \$620,000. (**Clerk's Note:** A simulation presentation was shown at this time.) Syncro is a simulation that we run on various intersections. When DOT reviewed the intersection, they pointed out the left turn lanes on Port St. Lucie Boulevard turning north on US 1 were not used that much. The other lane that wasn't used was the right turn lane, northbound on US 1, if you were going to turn into the Cane Slough and Mariposa area. We had a lot of cars that were spilling out in certain lanes, and had other lanes that weren't being utilized. DOT looked at the best way to try to address this issue. The simulation is used to come up with the timing of an intersection, which looks at traffic volumes, the speed of traffic, and how many vehicles there are, versus how many trucks there are. You can actually input aggressive drivers into the program, versus slow drivers. It is the best tool that we have to give us an idea of what is going on. When DOT reviewed the intersection and the various components, it was decided to remove one of the left turn lanes off of the boulevard onto north US 1, and convert it into a through lane along with shifting it. We got rid of the drift through the intersection, and lined them up to go through the intersection better. We dedicated two dual right turn lanes, added a third northbound left turn lane onto the boulevard, removed the overlap, and the right turn lane onto Cane Slough and Mariposa was combined. That is where they actually got the lane to create the triple lefts. It was combined to be a through and a right turn lane. The purpose of the DOT improvements was to alleviate the congestion in the intersection, which was one of Councilman Kelly's concerns. We eliminated one of the left turn lanes on the boulevard onto US 1, and it actually stacks up. With time, there are enough vehicles there that block the through lane. Additionally, there is a lot of congestion in both right turning lanes, and it is because DOT eliminated the overlap. The cars that are in the left turn lane don't all make it through the left turn lane. Those particular vehicles will have to sit and wait through one more cycle. The good thing is that the triple lefts have minimal congestion, and we are moving cars out of northbound US 1 in a timelier fashion."

Ms. Graham stated, "We recognize that there are still some more adjustments that we need to make. Specifically, to the timing and to see if we can help this intersection move a little more efficiently. Some additional timing was added to the left turn lane to increase getting through all of the lefts. Working with the DOT, the implemented overlaps have cars that both the dual

right turn lanes off of the boulevard southbound towards Walmart can go at the same time as the triple lefts. It has been implemented, and the intersection is working a lot better. In reviewing the no turn on right, it was decided that it needed to stay there. The purpose was to assist pedestrians in understanding that they could still cross the road. Without it there, there was almost a continuous flow of traffic. It became uninviting for a pedestrian to utilize that crossing, so we felt in the best interest of them, it was important for the no right turn on red to stay there. One of the worst case scenarios of the intersection was when we utilized holiday time. We went back to Port St. Lucie Boulevard eastbound, and we added 50% on top of the traffic volume that we were already counting to see what would happen. When we did that, the left turn lane backed up into the through lane. Because the traffic was able to move out on the double rights, there was minimal congestion. If we follow the left turn lane now, which you can see through the simulation, the difference is all of the vehicles clear out and don't have to wait for a second cycle. The timing changes were beneficial, and have had positive results. The simulation was based upon current volumes of traffic that we have now." The City Manager said, "This was just for the Council's information. It came at the request of a councilmember, and we hope it helped. Staff did a good job working with the DOT to come up with some ideas, and we will continue to be ever watchful. If it doesn't pan out, then we will go back and look at it." Councilman Kelly stated, "I had a lot of complaints about it, as people didn't like it. They don't like change, but I say give it a chance and see what happens. They have to get used to it, so let's give it six months, and see what happens. We won't have this problem when the bridge is built."

b) UNIFUND GOVERNMENT SERVICES, DEBT COLLECTOR SERVICE FOR CODE LIENS AT 305 SW TULIP BLVD., 1726 SE CASCELLA COURT, AND 2033 SE ERWIN ROAD, WITH ALL EXPENSES ON A 30% CONTINGENCY BASIS WITH ANY OTHER LEGAL FEE ASSUMED BY UNIFUND, FINANCE

The City Manager said, "Sometime ago the City contracted with a collection agency. It has helped us increase our collections with the Code Enforcement liens. As part of the evolving process, we are proposing to authorize our collections company to engage in suit to go after the assets of debtors. We wanted to bring it to your attention, because it is something new. We wanted to get your approval." Mr. Fry stated, "We have been using the Unifund Company for over a year for collecting delinquent Code Enforcement liens that staff has been unable to collect. It has been a very successful program. This is the next

step that we would like to take, and feel it will be a beneficial program." Mr. Proulx stated, "We are here to proceed with legal action against some past due Code Enforcement fines that we have had difficulty collecting. These fines have accrued over a number of years. All previous collection efforts have been unsuccessful. Our current collections company, Unifund, has identified three cases where the availability of the home and employment assets gives them a high probability of collection through the use of legal action. It is something new for us, and I'm excited about it."

Mr. Proulx said, "Over the past three fiscal years, the Finance Department has collected \$1.3 million of past due Code Enforcement fines. It has been very successful since we moved it over to the Finance department. We are always looking at new ways to gain additional revenue and to get the liens released, so that we can get new homeowners into these homes. Unifund has done an outstanding job. We have had activity on accounts that are 10 to 15 plus years old. We have also centrally located all liens to the Finance Department. In years past if you wanted to do a lien search, you would have to go to different departments to obtain them. We have streamlined the process, and put all of the liens under one roof. We have also streamlined some of the Code Enforcement Orders and the modification process. A Code Enforcement case starts with an initial complaint. After the complaint is filed, an officer inspects the property. If the violation exists, the officer leaves a door hanger giving the property owner five days to come into compliance. After the five days, the officer makes a second inspection and if the violation continues to exist, the officer files a Notice of Violation, which is a letter to the homeowner stating that there is a violation on the property, and they need to come into compliance within ten days. After that time is up, the officer goes out for a third inspection, and if the violation continues to exist, the officer generates a Notice of Hearing, which is another letter to the homeowner regarding a certain amount of time to come into compliance. If they don't, then they are going to go to the Special Magistrate hearing. Five days before the Special Magistrate hearing, the officer does another inspection and if the violation continues to exist, it goes to the Special Magistrate hearing. The Special Magistrate will hear the case, and give them more time to come into compliance, which is about 20 days, depending on the violation. At that time, the order becomes a lien. After the hearing, I send out a Notice of Lien to the property owner letting them know that there is now a lien on the property. The fifth inspection occurs 20 days after the Special Magistrate hearing, and if they are still found to be in

violation, the fines start to accrue. Ninety days after the Special Magistrate hearing, we are allowed to forward the account to the collection agency. They go through another series of letters, phone calls, emails, and research. The quickest it can happen from the complaint to the collections is about 116 days. The property owner has a fair amount of time to come into compliance, but it typically lasts a lot longer than that. Inspections can go up to 20 or 30 times on a property. When the complaint is filed for the fourth inspection, if the property owner comes into compliance, they don't have to pay anything. There are no fines associated with that. However, it costs the City on average \$650 per case. It is an expense to the City."

Mr. Proulx continued, "The cases were selected by the collections company for their availability of employment and home assets. It has been verified that they do have the ability to pay, but they just haven't done so. The cases that have been recommended to pursue are 305 SW Tulip Boulevard, 1726 SE Cascella Court, and 2033 SW Erwin Road. I wanted to show the violation timeline over the past ten years or so, on these properties. (**Clerk's Note:** A PowerPoint presentation was shown at this time.) As you can see, there is quite a history on these properties. Each of the nine dates for inoperative vehicle and open storage, etc. has been a case. The inoperative vehicle and open storage cases are a specific lien that we will be pursuing legal action against. The nine cases have cost the City close to \$6,000 over the past ten years. At this point, we are just trying to recover the hard costs." Vice Mayor Bartz asked, "Have any of the nine cases been resolved?" Mr. Proulx replied, "The 2002 through the 2011 cases have come into compliance, but the 2012 case is still open. It hasn't reached the Special Magistrate lien status as of yet." Vice Mayor Bartz inquired, "Did every other violation reach the Special Magistrate?" Mr. Proulx responded, "It was complied with before the Special Magistrate. It seems to be a trend that people like to comply right before the Special Magistrate, because the officer goes out the day before or the day of the hearing. If they mowed the grass, then they are in compliance, and the case is closed. All of these violations have come into compliance, but they complied after the date that was given to comply, which is why it accrued fines."

Mr. Proulx said, "At 305 SW Tulip, the violations were inoperative vehicle and open storage. There is a camper, a couple of old lawn chairs, garbage pails, wood, and debris on the side of the home. On the other side of the property there is an operative truck, as well as a boat. The rear of the property

has a camper that is on blocks, and there are some miscellaneous building materials on the side of the property. At 1726 SE Cascella Court there was a violation timeline over the years with open storage and inoperative vehicle. The roof is in need of repair, and open storage is the lien that we will be pursuing. It is an average of \$650 for seven cases, which is about \$4,500 for the expenses. There are buckets, hoses, stuff on the side of the property, and miscellaneous debris. In the rear of the property, there is a ladder and other miscellaneous stuff. On 2033 SE Erwin Road, the violation timeline shows that there has been a history at this property, and there were expenses associated with that. It had an unmaintained pool."

Mr. Proulx continued, "If we decide to pursue legal action against these lien holders, the cases would be forwarded to a preapproved attorney, who would be approved by our Legal Department. The attorneys are subcontracted by Unifund, and they have to be a representative of the state that the debtors reside in. All of the debtors are not in Florida. They are spread out all over, so the attorney from that state would take the case on behalf of Unifund. Once the cases are forwarded to the preapproved attorney, the attorney will send them a demand letter. The amount of days to respond on average was 40 days from the demand letter. If they do not respond to that letter, then the case is filed with the court. The court also gets another date certain for that person to respond. If they do not respond, then the judgment can be signed by the judge. Once it is signed, we can proceed with a post judgment execution, which could be a wage garnishment, an asset garnishment, or repossession. The funds that are due to the City are \$14,112, and \$4,000 is due to collections. The collections company and attorneys get paid 30% on top of whatever they collect. We charge that on top of what is already owed to the City. The collection company has to remit \$14,112 to us before they ever start collecting their portion, which would be \$4,000. If for some reason they collect \$15,000, they need to give us \$14,112, and it is up to them to collect their portion. It is a 30% straight contingency fee. No legal fee is passed on to the City, as it is basically at \$0 cost to the City to pursue it. It is very rare to have a contingency fee for legal collections, because there are a lot of fees associated with that, but that is the way it is structured. The cases that they have selected have a very high probability due to their assets. Even if we collected all of the money, we are only breaking even. It is really not that we are trying to go after anyone, and collect more money for the City. We are just trying to cover our expenses for some of these problem properties."

Vice Mayor Bartz inquired, "What is the likelihood of a judgment being placed on one of the violators, and actually going after a garnishment?" Mr. Proulx responded, "The likelihood that the person is going to settle out of court is much greater than the likelihood of going through with the wage garnishment. Since we have never done this, I don't have a lot of backup on it." Vice Mayor Bartz asked, "What does the collection company say?" Mr. Proulx replied, "They feel that they can collect it, and have done legal work like this in the past for utilities and garbage bills." Vice Mayor Bartz said, "Many times we see a judgment sitting on somebody's credit report for years. There is a point that when you go after them, they don't care. Unfortunately, some of the cases that are in violation over and over again don't care. The positive thing is that it is not going to cost us anything." Mr. Proulx stated, "That is correct. If they couldn't collect, then we wouldn't have to pay anything. The liability is solely on the collections company." Vice Mayor Bartz questioned, "Do the liens go with the property, and not with the person?" Mr. Proulx answered, "It goes with both actually."

The City Attorney advised, "These three cases involve out of state assets in another jurisdiction to levy against. I would encourage the Council to go with it. The liens attach against the property that is in violation, and all property owned by the violator within that jurisdiction. Primarily, you cannot enforce the liens if it is homesteaded property. Two of the three cases are homesteaded, so we couldn't attach them against the real property where the violation has occurred." Vice Mayor Bartz clarified, "Therefore we are going after a judgment against the person." The City Attorney replied in the affirmative and advised, "In another jurisdiction." Vice Mayor Bartz said, "They are out of state owners, and the homes have been abandoned. Is there a request to the judge that wages be garnished?" The City Attorney responded, "It happens post judgment, and it is called execution of a judgment. Once you have a judgment against someone, you can find an asset that is subject to execution, which could include garnishing a bank account. The process in Florida is once you have a judgment, then you ask the court for a writ of execution. Then you would take it to the Sheriff with the instructions to levy. Generally, there is a substantial deposit before the Sheriff will pick up an asset. They will levy on the asset, and have a Sheriff sale with the proceeds going to whoever has the writ of execution." Vice Mayor Bartz stated, "It is anticipated that these people will determine that they are going to pay it prior to judgment. At that point, will the collection company negotiate with them?" Mr. Proulx explained,

"There is no negotiation by the collection company at any point. They have to collect exactly what is owed to the City. The only two bodies that can modify the outstanding balance would be the City Council and the Special Magistrate." Vice Mayor Bartz remarked, "Hopefully, they will make payments, which will stop the process."

Councilman Kelly said, "We did this six years ago, and gave them an incentive of only paying 20% or 30% within so many days. As far as the collections itself, what is the difference between that collection agency and this one?" Mr. Proulx responded, "Six years ago we had an Amnesty Program. It stated that if the lien was paid within a certain date, we would grant them an 80% reduction in lien. It was based on if they wanted to. This legal proceeding is saying that they have to. The main difference is this is a legal matter, and the other one was a service that was issued by the City." Councilman Kelly stated, "We had an Amnesty Program where we were offering something, and we didn't do well. Why is this going to be better?" The City Manager advised, "The amnesty was just an offer. As we have continued to evolve, we have moved liens outside of Code to Finance, treating it as a liability that is owed to the City. We hired a collection company the first time, and we weren't happy with their performance. This firm showed an ability to go to the next level, and exercise a legal option. We have never tried this. Before we were asking, begging, or incentivizing. This time, we are using all legal remedies available. The residents have invested in the City, and as investors, we want to see our asset appreciate. In these cases, it isn't just someone who had a tough week, and didn't mow their lawn. These are over years and years of not being able to get something done, and giving people years to address it, which they have refused. As a result, we are trying to do good for all of the taxpayers that pay to take care of these people's problems. We are going to try to get the money back for all of the taxpayers. Otherwise, why have the lien on the books? We have millions of dollars of liens on the books, and we should try to collect them, or we should wipe them off the books so that Mr. Fry and Mr. Proulx are not spending additional money keeping track of them." The City Attorney advised, "The collection agency has chosen these cases, because they have a high level of confidence that they are going to be successful collecting on them."

Councilwoman Martin **moved** to approve Item 13 b). Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 13 b). The **motion passed unanimously** by roll call vote.

c) WAL-MART STORES EAST, LP, TEMPORARY GRANT OF ACCESS AND ENTRY AGREEMENT, ALLOW THE CITY TO REPAIR A DISTURBED AND IMPACTED AREA, LEGAL DEPARTMENT

The City Manager said, "One of our Eastern Watershed Improvement Projects or EWIP involves the large stormwater retention area behind Walmart on US 1. As part of that project when the contractor was in there, they disturbed a natural area behind Walmart. We also noticed that there is a lot of graffiti on the wall that separates Walmart from the other property. We saw an opportunity to restore the native vegetation against the fence, so that we do not provide a graffiti palette. It is a win, win opportunity. This agreement would give us the right to go onto Walmart's property to take care of this issue. We recommend approval."

Councilman Kelly **moved** to approve Item 13 c). Vice Mayor Bartz **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 13 c). The **motion passed unanimously** by roll call vote.

d) DISCUSSION OF THE PROCESS FOR ESTABLISHING STREET LIGHTING DISTRICTS, COUNCILMAN KELLY

Councilman Kelly said, "I put this item on the agenda for a constituent. I strongly support his idea, but I like the way that we do it now. I did not solicit him."

BOB POLAKOW, resident, said, "One of the members from the Southbend Lakes Residents Association is facing a quarter mile strip of ten street lights that are going up. He and everyone on the block will be paying \$29 a year on their tax bill as an assessment. At one point, if you wanted a street light, you and your neighbors went to FP&L to request it. FP&L would put one in on the property, and it would cost so much a month. The City decided that instead of individuals going to FP&L, they would establish a procedure where one person on a street, which can be five miles, can request it. The City Clerk indicates where the street is cut off at an intersection. The City sends out a letter indicating there is going to be a discussion on street lights. Then they send a second letter regarding a discussion and that there will be a vote on it. They send out a third letter with a ballot that says vote on whether or not they want street lights. The City Clerk counts the ballots that were returned, and if there are 75 people on the street and she received 24 ballots back, and 13 of them said yes, the street lights will go in. The City has worked out a plan of how they

can put the street lights in, but according to the City Clerk, final authority on where the street lights go does not rest with the City, it does not rest with the residents, it is up to FP&L who decides where they want them based on how much it will cost. The amount of money that is charged right now is \$29 per year per property, but that is dependent on FP&L. They can raise it or lower it, so the homeowners are on the hook for it. The City is in a unique position of enforcing collection of private funds for a private company without any control over the funds, or any control over where the street lights go. The City is the one that the people are going to complain to. You can't tell people that the City counted the votes, and the City is collecting the money on their tax bill, but the City has nothing to do with it. What disturbs me even more is that there is no way of knowing how many people actually received the notice, because the ballots do not go out certified mail. The City Clerk is in a position of: I mailed them and assume that they got them. I have a resident in my association who got the first two letters, but never received a ballot. The post office is not infallible. We have no way of knowing if we didn't receive the information. It seems a little funny that the City Council is in the business of approving street lights for a private company, and allowing the private company to decide where they go, what is going to be charged, and doesn't know if the rate will change. FP&L would not give me a straight answer regarding the breakdown of the cost, and if they are making a profit. No one really knows, so my request is to go back to the old system. If people want lights, let them petition FP&L."

Councilman Kelly stated, "We do have input on where the lights go if somebody doesn't like where it is going to go in. We do have a chance to go back to FP&L, and ask them to move things." The City Clerk advised, "Sometimes we can accommodate them, and sometimes we can't, but we do ask." Councilman Kelly clarified, "We do not approve the lighting district. We approve the voting on the lighting district. The people in the neighborhood do vote for it, but if there are 75 people and only 24 voted, and 13 want it, then they will go in." The City Clerk replied in the affirmative. Councilman Kelly explained, "The original system was if you or somebody in your area wanted to have street lights, they had to get a petition with a percentage of the people in that area." The City Clerk advised, "It was 50%, plus one." Councilman Kelly said, "To me, that gave people more notification if it was going to happen. I support going back to the old way." Councilwoman Martin said, "If we were to send them certified mail, it would be way too costly at \$5 just to mail them." The City Clerk clarified, "It is \$5.75." Councilwoman

Martin pointed out, "We are obviously doing it correctly, and meeting the notice requirements. Otherwise, we wouldn't be doing it that way." The City Clerk advised, "Yes. We meet the requirements based on the ordinance." Councilwoman Berger said, "I spoke with Mr. Polakow to let him know that I would not be able to support him. One of the reasons that this ordinance was important to me when it first came out is because it was during a time when we had many children walking to school in the mornings, and they were getting hit by cars. At that time, we had parents requesting that we do something about sidewalks and street lights. People moved here and loved it, but with the population, there are too many conflicts out there between pedestrian, kids, and the amount of vehicles that we had. This ordinance allowed for a smoother transition for neighborhoods to indicate if they wanted to start the process to make sure that we have the ability to make our neighborhoods safe. The previous option for a citizen was that they could get their own light, but it might cost \$10 or \$20 per month, depending when you got them. We had residents say they are taxpayers, and asked us for help to alleviate the cost, because they couldn't choose a different electrical company. We can only use FP&L, and they already pay taxes, so they wanted the City government to help me make sure the streets were safe. This was an effort to make everyone happy. The system is not perfect, and we acknowledge that, but it is in place for the purpose of public safety. I support it for that."

e) GENTILE, LLC, NUISANCE ABATEMENT, REMOVE PLYWOOD FROM COVERED OPENINGS, REPLACE WINDOWS AND A DOOR, AND INSTALL HURRICANE PANELS, HOUSE LOCATED AT 1238 SW BRIARWOOD DRIVE, \$4,910, LEGAL DEPARTMENT

The City Manager said, "This item would allow us to use Gentile, LLC to complete nuisance abatement activities at 1238 SW Briarwood Drive. It is to take down all of the plywood that is over the openings, replace three windows, a sliding glass door, and install hurricane panels. They had the lowest bid at \$4,910, and staff recommends approval."

Vice Mayor Bartz **moved** to approve Item 13 e). Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 13 e). The **motion passed unanimously** by roll call vote.

f) INTERLOCAL AGREEMENT, BETWEEN THE CITY OF PORT ST. LUCIE AND ST. LUCIE COUNTY FOR INSTALLATION AND MAINTENANCE OF INFORMATIONAL KIOSKS AT TWO CITY OWNED AND MAINTAINED PUBLIC

BOAT LAUNCH FACILITIES, PARKS AND RECREATION

The City Manager said, "Our colleagues at St. Lucie County have been kind enough to provide us with a grant that they received through the Florida Boating and Improvement Grant. It will allow us to put educational kiosks up at Oak Hammock and Veterans Memorial Park. The interlocal agreement will make it happen, and staff recommends approval."

Councilman Kelly **moved** to approve Item 13 f). Councilwoman Berger **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 13 f). The **motion passed unanimously** by roll call vote.

g) AMERICAN CONSULTING ENGINEERS OF FLORIDA, LLC, AMENDMENT #1, CROSTOWN PARKWAY CORRIDOR EXTENSION MITIGATION SERVICES, #20100053, ADDITION OF PHASE II, \$694,878.38, FOR A NEW CONTRACT TOTAL OF \$1,335,305.38, 365 ADDITIONAL CALENDAR DAYS FOR A NEW TOTAL OF 1,451 CALENDAR DAYS, FUND 314-4105-5688, ENGINEERING

The City Manager stated, "This item will allow the City to hire American Consulting Engineers to design and permit our proprietary mitigation for the Crosstown Parkway. We are looking forward to getting our Record of Decision this year, and moving forward with this long awaited project. This will allow us to take the next step, and do a lot of the hard work that is necessary to get there. We agreed to carry out a number of proprietary mitigation projects in order to get over the hump." Ms. Roebling said, "We are hopeful to get the ROD by the end of this year. We are also going to go to the Board of Trustees to obtain the right to the easement before the end of the year. This allows for Phase II of the design and permitting to be done for the proprietary mitigation projects. It is a year contract, so if we started it right now, about this time next year we could potentially start the construction of the project, which would add some jobs, and get the project rolling. It is an at risk situation until we get the ROD in. We do feel strongly that we will continue with the process, and get the approvals that we need."

Councilman Kelly **moved** to approve Item 13 g). Councilwoman Berger **seconded** the motion, and said, "I am concerned about this, because we keep hearing that the mitigation piece itself was supposed to help propel this to move it along a little bit faster, but I don't feel it happening. I would like to get some reassurance that this is actually going to make that happen

along the way. I don't need to hear another presentation on it. I want to hear something that is more concrete than we are still hoping for it."

BRIAN MIRSON, American Consulting Engineers of Florida, LLC, said, "When we first came in front of you, both ourselves and Keith and Schnars, identified that there would be parallel tracks that we were going to take. One was the EIS process, and the other was the permitting that included the mitigation programs. Rather than us waiting to complete the EIS process and then beginning the mitigation at risk, the Council chose to take on both processes at the same time. We are continuing to pursue the mitigation plan in a parallel track, as the Keith and Schnars team is pursuing the EIS process. Significant progress has been made on both sides, but it is longer than the schedule that the City Manager and the Council would like to see. I would like to think that the parallel tracks have provided you the cusp of success on the EIS. It is certainly farther ahead than you would have been if you had not pursued them on parallel paths. As we move forward, the EIS, through the other consultant, submits it to the federal government. Documentation is going to be put into place to identify what you have accomplished. With the agreements that we have made with the DEP, we will be able to obtain that easement. It will be provided when and if they sign the ROD, which is a critical component at the federal level. We will have then created a very successful path. Ms. Roebing has indicated that we hope it will be sometime this year now that a preferred alternative has been put on the table. As committed in the Memorandum of Agreement with DEP, we want to go to the Board of Trustees in Tallahassee to finalize the easement, which is another critical milestone in the approval of the corridor."

Mr. Mirson continued, "The reason the EIS took so long to even begin the process was that there were red flags raised regarding a fatal flaw to you crossing the environmental property. Thanks to this mitigation process, we have identified those flags, and we hope to be in Tallahassee this year to formally have the flags removed from this project when they approve the easement. Your vote tonight would allow the consultant to continue with the mitigation plans and permitting, so that when you go to Tallahassee, we can identify the commitment the City has made to that plan. The moment that the ROD is approved, we will be close to going to the street to bid those mitigation projects. Although the ROD may be taking longer than we had hoped for, the process is that you won't be able to receive the ultimate easement until the mitigation projects are completed to begin

construction." Councilwoman Berger said, "I want to make sure that we keep a sense of urgency on the people that we are paying, which is your organization, as well as the ones that are running parallel with you. I think it is the right thing to do for our taxpayers; make sure that the pressure is on. I know that a lot of that depends on relationships that are built in Tallahassee. Some of the deadlines may not have happened as quickly as I would have liked them to." The City Clerk restated the motion as follows: for approval of Item 13 g). The **motion passed unanimously** by roll call vote.

h) CO-PRODUCED AGREEMENT, BY AND BETWEEN THE CITY OF PORT ST. LUCIE AND AL HICKEY AND CHRISTINE D'OCCHIO FOR THE 2012 9/11 REMEMBRANCE CEREMONY, PARKS AND RECREATION

The City Manager said, "The co-produced agreement would formalize the relationship that has been ongoing for the last two years for the 9/11 Remembrance Ceremony at the Civic Center. Staff is providing you with a form, as we do on all of our special events. This special event is a little different in that it is not a money making event, like St. Patrick's Day or Oktoberfest. It seems to be a very well attended and appreciated community event. Staff is bringing this in front of you, so that we can continue the event in the future." Councilwoman Berger remarked, "We look forward to being there this year."

Councilman Kelly **moved** to approve Item 13 h). Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 13 h). The **motion passed unanimously** by roll call vote.

i) ALPHA GENERAL SERVICES, INC., RENEWAL OF CONTRACT FOR AN ADDITIONAL TWO-YEAR PERIOD FOR PURCHASE OF S.T.E.P TANKS AND ASSOCIATED ITEMS, #20002464, \$210,000, FUND 431-0000-1410, UTILITY SYSTEMS

The City Manager said, "This item is for the Utility Department. It allows for Alpha General to provide S.T.E.P. tanks, which is a device that we use instead of grinders, and is a very limited application. Staff recommends approval for this contract renewal with a \$210,000 expenditure."

Councilwoman Martin **moved** to approve Item 13 i). Councilwoman Berger **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 13 i). The **motion passed unanimously** by roll call vote.

j) DESIGN AND PERMIT FOR MARIPOSA SIDEWALK, APPROVE FIRMS SHORT LISTED BY EVALUATION COMMITTEE: #1 CREECH ENGINEERS, INC., #2 CULPEPPER AND TERPENING, INC., AND #3 CAPTEC ENGINEERING, INC., AND BEGIN NEGOTIATIONS WITH #1 RANKED FIRM, #20120041, ENGINEERING

The City Manager stated, "The City put out an RFP that was advertised on March 22, 2012, for an engineering firm to design and permit the Mariposa sidewalks. The following firms were short listed, Creech, Culpepper & Terpening, Inc., and Captec Engineering. During the process, the City Engineer who was responsible for making the recommendation found that the firms were dead even. Any of the three were capable of carrying out the project. In order to make a fair recommendation, the City Engineer looked to state statutes, and found the section which says that the work should be fairly distributed. While the second and third ranked firms received a number of notable projects, Creech had not. Therefore, staff recommends Number One, Creech Engineers. If we are unable to negotiate a contract with them, we will continue to negotiate with the Number Two and the Number Three."

Councilman Kelly **moved** to approve Item 13 j). Vice Mayor Bartz **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 13 j). The **motion passed unanimously** by roll call vote.

k) WASTE PRO OF FLORIDA, INC., AMENDMENT #6, SOLID WASTE AND RECYCLABLE MATERIAL COLLECTION SERVICES, #20060080, ANNUAL PRICE ADJUSTMENT INCREASE OF 2.9%, ANNUAL ASSESSMENT RATE AMOUNT FOR 2012 WILL BE \$268.36, CITY MANAGER

The City Manager said, "Waste Pro of Florida is our solid waste and recycle material service provider. We have an existing agreement with Waste Pro. Based on that agreement, they have submitted a request to increase the rates in 2012, based on the Consumer Price Index. They have voluntarily forgone the rate increases in the past. The last time there was a rate increase was 2008. In their last contract amendment, they specifically stated that they would be coming forward at this time to request an increase for this period based on the index identified in the contract, which is 2.9%. The actual increase to the average user will be less than 2.9%, because they cannot increase the tipping fee. They are not allowed to increase the tipping fee or the amount that is paid to the landfill, based on the CPI. The tipping fee component of the bill will stay the same, and the other elements will go up. As a result, the overall rate would

increase by 2.9%. It is outlined in their contract."

Vice Mayor Bartz **moved** to approve Item 13 k). Councilman Kelly **seconded** the motion. Councilwoman Berger stated, "They are not collecting the gap between 2008 and now. Correct?" Councilman Kelly remarked, "It is not retroactive." The City Manager explained, "It is 2.9% based on the last rolling year." The City Clerk restated the motion as follows: for approval of Item 13 k). The **motion passed unanimously** by roll call vote.

ADDENDUM ITEM:

1) RBC CAPITAL MARKETS, LLC, INVESTMENT BANKING AGREEMENT FOR BOND PROCESSES, CITY MANAGER

The City Manager said, "This item would continue to allow us to use RBC for our bond underwriting. We are constantly looking for opportunities to improve our financial position. We are in the midst of preparing a utility issue, where we are going to get a better interest rate. This would allow us to continue to use RBC for the next three year period. As part of this process, our Assistant Finance Director, Mr. Fry, evaluated their proposed rates, and found them to be very competitive in the market place. Therefore, staff recommends approval."

Councilwoman Martin **moved** to approve Item 13 l). Vice Mayor Bartz **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 13 l). The **motion passed unanimously** by roll call vote.

m) SPONSORSHIP REQUEST FOR USE OF A ROOM AT THE COMMUNITY CENTER, COUNCILWOMAN MARTIN

Councilwoman Martin said, "I was asked to participate in Dancing with the Celebrity PAL event hosted by the League of Woman Voters on behalf of the City this year. I am requesting to be able to use a room in the Community Center for practicing my dancing from now until September. I'll be practicing about two hours a day, twice a week. I'll be learning the Foxtrot. I wanted to use the Community Center during the time that it is not being rented out to anyone else, at no cost. Thank you. On behalf of Team Port St. Lucie, I hope all of you come out to cheer me on."

Councilwoman Berger **moved** to approve Item 13 m). Vice Mayor Bartz **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 13 m). The **motion passed**

unanimously by roll call vote.

14. **EXCUSED ABSENCES**

a) **COUNCILWOMAN BERGER**, REGULAR CITY COUNCIL MEETING HELD ON APRIL 23, 2012

Councilwoman Martin **moved** to approve Item 14 a). Vice Mayor Bartz **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 14 a). The **motion passed unanimously** by roll call vote.

15. **CITY MANAGER'S REPORT**

The City Manager said, "At the last City Council meeting we introduced the concept of Team Port St. Lucie. Thank you for embracing it. We will try to make the world a better place starting with Port St. Lucie. Everyone working at the City should be on the team. However, you do not have to be a City employee to make the City a better place. We need everyone, and there are millions of ways to carry out the mission. That is what makes it so much fun and rewarding. Our first operation was the Castle Stomp Out Child Abuse where we had over 60 teammates participate. This past Saturday we had the Honor Flight event where I made delicious waffles, and bacon was enjoyed by all. We had more than a dozen of the teammates at 2:45 a.m., taking care of our veterans. It was pretty awesome. Later that day, Team Port St. Lucie showed up to give our support to the Eisert family. They had a very touching ceremony for Officer Eisert. Later that day, the team participated in the Treasure Coast Backyard BBQ Championship, benefitting the Humane Society of St. Lucie County. I'm proud to report not only did we help collect a lot of money for our furry friends, but we also represented the team well. The Johns family was our main chef, and they cooked 31 hours straight. We came in second place for the chicken category and second place for the pork category. We got third place overall, and we are just getting started. We raised money for a good cause, and I love the team. A picture of Team Port St. Lucie at the BBQ was on the front of the local section of the newspaper. What goes hand in hand with the team is player of the week, player of the month, and player of the year. As part of this designation process, we are hoping to recognize team players for putting service above self for a demonstration of excellence, integrity, and commitment to the mission of making the world a better place starting with Port St. Lucie. Thank you again to the Team. Also, we are working on the vacant lot property maintenance ordinance. Mr. Holbrook will be leading up

that effort as soon as he gets done with a special project for Club Med, and reformatting our special events Code. Also, we hope to have the public meeting regarding the 9/11 Memorial at 6:30 p.m. tomorrow at the Civic Center. We hope the community will come out to vote for their favorite concept. We will bring it to the City Council for approval, and get it built by September 11, 2012. It is also Police Week, and there are a number of services planned. We hope that people will participate in that as well."

16. COUNCIL COMMENTS AND COMMITTEE REPORTS

MAYOR FAIELLA - HONOR FLIGHT

Mayor Faiella stated, "I want to thank Team Port St. Lucie for helping with the breakfast. They were phenomenal, and the veterans really appreciated all of the hard work led by the City Manager. I was asked by the veterans to thank Councilman Kelly, Councilwoman Berger, and Councilwoman Martin for being there to serve breakfast, helping out, and cheering them on. I can't tell you the emotions that we had that day. We took 189 veterans, and 60 of them came from Port St. Lucie. A majority of them came from Kings Isle in St. Lucie West. We have a disc of pictures that I'm going to give to Mr. Cunningham. We were met by a Four Star General from the Air Force Chief of Staff when we came off of the plane. The veterans thanked the City for taking on this kind of a role, because we had visitors from West Palm Beach, Vero Beach, and Fort Lauderdale that indicated that their cities have never taken on a role like this. They praised us and thanked us for doing it. It is a wonderful feeling and experience." Councilwoman Berger asked, "Did you get a motorcycle escort all the way to the airport?" Mayor Faiella replied, "Yes. There were the Knights of Columbus, the Blue Knights, the American Legion, and a couple of others that escorted us from here. Every intersection had a Port St. Lucie officer, a Martin County officer, or a Stuart officer all the way to Palm Beach County, and FHP to let us through. At the airport there were water trucks that made an arch on the planes to wish the plane good luck, as well as when we arrived at the Washington Airport. There was a marching band for them, and people singing like from the 40's with the poodle skirts. On the Palm City Bridge, there were people waiting for us with flags as we were going by. It was very touching, and some of them were crying." Councilman Kelly remarked, "There were about 100 motorcycles." Mayor Faiella stated, "I could not believe the amount of money that we raised in less than three months. The rest of the money will go towards next year's event. Thank

you again everyone. I really appreciated it."

COUNCILMAN KELLY - ACTING POLICE CHIEF BOLDOC

Councilman Kelly said, "We have a new Acting Police Chief." The City Manager stated, "At Chief Reuther's request, I appointed Acting Chief Bolduc, so that he could learn on the job to be ready to go. He has been working hard."

17. ADJOURN

There being no further business, the meeting adjourned at 9:45 p.m.

Karen A. Phillips, City Clerk

April C. Stoncius, Deputy City Clerk