

**CITY OF PORT ST. LUCIE
CITY COUNCIL REGULAR MEETING MINUTES
NOVEMBER 28, 2011**

A Regular Meeting of the CITY COUNCIL of the City of Port St. Lucie was called to order by Mayor Faiella on November 28, 2011, 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:

Jerry A. Bentrrott, City Manager
Gregory J. Oravec, Assistant City Manager/
CRA Director
Roger G. Orr, City Attorney
Sherman A. Conrad, Parks & Recreation
Director
Edward Cunningham, Communications Director
Marcia Dedert, Finance Director/Treasurer
Joel Dramis, Building Official
Daniel Holbrook, Planning & Zoning Director
Renee Major, Risk Management Director
Jesus A. Merejo, Utilities Director
Karen A. Phillips, City Clerk
Brian E. Reuther, Police Chief
Patricia Roebling, City Engineer
Carol Heintz, Deputy Clerk Supervisor

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

STEVE CARROLL - EMPLOYEES AT DIGITAL DOMAIN

Mr. Carroll said, "Digital Domain had a Securities and Exchange Commission offering. They sold some stock on an IPO. In that IPO they listed 261 jobs in excess of \$65,000 a year each. When Mr. Textor was here about 90 days ago, he said he had 261 employees, 223 were entry level. Did those 223 all of a sudden get promoted to \$65,000? Is that California, Canada, and everywhere?" The City Manager replied, "The last numbers that I have, I believe their average salary was in the \$80,000 area, and that was between 150 and 200 employees. It's a well paid industry." Mr. Carroll asked, "Could you back up the 261 at over \$65,000 each?" The City Manager replied, "The last time they reported, which was between 150 and 200, they had a list of all of the people, where they were living, and what their salaries were." Mr. Carroll asked, "Would you find out for me if the 223 entry level employees are counted in that, or are those separate and haven't been counted yet?" The City Manager replied, "I haven't seen the latest figures. I will have to get with him." Mr. Carroll commented, "That's what he filed with the SEC."

TRAVIS WALKER - CARHA LETTER TO THE MAYOR

Mr. Walker said, "I'm a volunteer missionary with CARHA, which stands for Christian Action Relief for Haiti. While Mayor Faiella serves the people of the City of Port St. Lucie, she also serves the people internationally. It may or may not be well known, but the Mayor took time out of her busy schedule and time away from her family to serve the people of Haiti, which is the poorest country in the western hemisphere. Not only did she serve the children in orphanages, churches, and schools, but she also developed relationships, met with and reached out to leaders in Haiti including the Mayor of Gonaives, which is the third largest City in Haiti behind Port-Au-Prince and Cap-Haitien. I have a letter from the Mayor of Gonaives, which states, 'The City of Gonaives, represented by Mayor Stephen Moise, recognizes CARHA from Port St. Lucie, Florida, with its achievements in Gonaives. CARHA is working to set up in the City of Gonaives an orphanage to help the underprivileged children, and to create a school for the young people of Gonaives. The City of Gonaives brings its entire support for CARHA, which wants to participate in the development of Haiti, while investing in projects of importance and to improve the conditions for the people and children of Haiti. I would like reference to this letter be used to forward the work of CARHA.' We would like to present this letter to you, and thank you for your work. It's helping us to broaden the work that CARHA does there, and thank you for helping us promote the mission statement of CARHA, which is to invest in the children of

Haiti." Mayor Faiella stated, "It was my honor to do this, to serve and get acquainted with the people, as well as being a good ambassador for our City. We have a number of Haitians who live in our City, and we need to support them."

5. PROCLAMATIONS AND SPECIAL PRESENTATIONS

a) SPECIAL PRESENTATION - ST. LUCIE COUNTY COMMISSIONERS TO PRESENT THE "BE A HERO CHALLENGE" TROPHY TO THE CITY OF PORT ST. LUCIE FOR WINNING THE BLOOD DRIVE CHALLENGE BETWEEN THE COUNTY & THE CITIES

Commissioner Dzadovsky said, "When the original numbers were provided, we were at a luncheon provided by the Van Duzer Foundation. I had to eat crow that day, and it was quite difficult. We came in front of you some weeks ago and placed a challenge to you to what governmental body could achieve the most pints of blood at this year's Blood Bowl. The number of total pints was 1,352, and that was able to probably save over 4,000 lives. With my humble approach to this, we would like to provide you with THE trophy. It's well deserved. I would like to thank all of the employees and citizens of Port St. Lucie who came out and supported your effort in the Blood Drive. On behalf of the Board of County Commissioners and our employees who came out and did a great job to try and provide as many pints of blood as possible, I salute you, Mayor and Council, with this bottle of champagne. The challenge is on for next year. We are going to come back strong. The employees and citizens of unincorporated St. Lucie County will prevail. We will come back stronger than ever, and we will do over 2,000 pints of blood for the Blood Bowl and St. Lucie County. This plaque is also to recognize your placement in the Blood Bowl." Mr. Van Duzer stated, "The big winners in this were the citizens of St. Lucie County, with 1,352 pints of blood collected. That will save 4,036 lives. Without that, there are people who would not be here right now. I got a call yesterday that the blood collected is already gone." Mayor Faiella noted, "We had a great time with the County Commissioners, and you did an amazing job in helping the residents of Port St. Lucie."

b) SPECIAL PRESENTATION - NATIONAL PATRIOTIC EMPLOYER AWARD TO BE PRESENTED TO THE MAYOR

PAULA NICOLLETTI, Ombudsman with the Department of Defense, said, "I am asked only by military personnel who have taken pen to hand and have nominated people through Washington, D.C., to receive this award. The nomination narrative says, 'I was

already a member of the Port St. Lucie Police Department when I enlisted in the United States Coast Guard Reserves. They have diligently supported me in the needs of the service for my entire 20-year career, during three deployments, three space shuttle security missions, 240 weekend drills, and 20 periods of active duty for training. The City has been understanding during short notice recalls, and continues or augments my salary and benefits while I'm on active duty, and has kept in touch with my family on longer recalls. Additionally, the City has recently been forced to lay off employees due to cuts in revenue, and has been extremely proactive in preserving veterans' rights to retention and re-employment. The support I received over the last 20 years deserves recognition, and for that reason I nominate my employer, Mayor Faiella, for the Patriot Award.' Your City is extraordinary, and I want to compliment you and each member of your Council, the staff, and your citizens for taking care of our military. I will ask each of you as our military comes home in the next several months to support them. If you could call their families, check on them, and make sure that they don't need any help while they're gone, it would be most appreciated. I will share with you that the things I hear is that, 'If people would take care of my family and my job, I can get my job done wherever I am.' It's only through all of you and the things that you think of that are extraordinary."

c) SPECIAL PRESENTATION - AWARD OF GRATITUDE TO BE PRESENTED TO JOSEPH HOLIDAY FOR HIS SERVICE ON THE PUBLIC ART ADVISORY BOARD

Mayor Faiella presented an Award of Gratitude to Joseph Holiday for his service on the Public Art Advisory Board. Mr. Holiday said, "I would like to thank the Board and everyone who's responsible for this great honor. We have been happy to have music and art for the past 16 years. It has made me healthier and happier to be able to do this in Port St. Lucie, and I think we've come a long way."

6. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

Councilman Kelly **moved** to approve the Agenda. Vice Mayor Bartz **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

b) MINOR SITE PLAN, AMBROSIA TREATMENT CENTER, LOCATED ON THE EAST SIDE OF BAYSHORE BOULEVARD BETWEEN DUVAL AVENUE AND DUXBERRY AVENUE, CONVERT A MODEL HOME CENTER AND ADJACENT RESIDENTIAL BUILDINGS, TOTAL OF FOUR ONE STORY BUILDINGS, INTO GROUP HOMES, P11-055, RMP ENTERPRISES, LLC

c) RAFTELIS FINANCIAL CONSULTANTS, INC., CHANGE ORDER #3, WATER AND WASTEWATER REUSE RATE STUDY, #20110039, ADDITIONAL DEVELOPMENT AND REVIEW OF USER RATE ALTERNATIVES AND UPDATE THE FINAL DRAFT, \$13,485.96 FOR A NEW CONTRACT TOTAL OF \$111,395.96, NO ADDITIONAL CALENDAR DAYS, FUND 431-1340-5310, UTILITY SYSTEMS

d) WAIVER OF BID PER SECTION 35.04 (C), FOR GOOD CAUSE SHOWN, ICMA RETIREMENT CORPORATION, ADMINISTRATIVE SERVICES FOR CITY SPONSORED RETIREMENT PLAN(S), #20120017, ANNUAL ADMINISTRATIVE ALLOWANCE OF \$45,000, WHICH SHALL BE PAID QUARTERLY TO THE EMPLOYER (CITY), TERM OF AGREEMENT IS FIVE YEARS, HUMAN RESOURCES

e) MINOR SITE PLAN, LOCATED AT 619 SW WHITMORE DRIVE, PROPOSED USE IS FOR A VEHICLE STORAGE YARD, P11-102, CASABELLA HOLDINGS

f) WAIVER OF BID PER SECTION 35.04 (C), FOR GOOD CAUSE SHOWN, HECTOR TURF, INC. TWO (2) TORO INFIELD PRO 3040 SPORTS FIELD MAINTENANCE EQUIPMENT, \$30,287.01, #20120016, FUND 001-7210-5644, PARKS AND RECREATION

g) KEEP PORT ST. LUCIE BEAUTIFUL, APPROVAL OF VENUE CHANGE FROM THORNHILL FACILITY TO CIVIC CENTER FOR THE ANNUAL CLEANUP DAY, AND LANDSCAPING/SIGN AT GREEN RIVER PARKWAY, ENGINEERING

h) PURCHASE OF FORECLOSED PROPERTIES, NEIGHBORHOOD STABILIZATION PROGRAM 3 (NSP3), 230 SW CHANDLER TERRACE, PORT ST. LUCIE, FLORIDA, \$100,000, COMMUNITY SERVICES

Vice Mayor Bartz **moved** to approve the Consent Agenda. Councilwoman Martin **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 11-81, PROVIDING FOR THE ABANDONMENT OF A PORTION OF AN EASEMENT AFFECTING LOT 21, BLOCK 2369, PORT ST. LUCIE SECTION THIRTY FOUR; PROVIDING AN EFFECTIVE DATE

The City Clerk read Ordinance 11-81 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 11-81. Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of Ordinance 11-81. The **motion passed unanimously** by roll call vote.

b) **ORDINANCE 11-84**, AUTHORIZING THE CONVEYANCE OF CERTAIN PARCELS OF LAND AND EASEMENTS FROM THE CITY OF PORT ST. LUCIE TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") AS PART OF THE TURNOVER OF CROSSTOWN PARKWAY AND I-95 INTERCHANGE TO FDOT; PROVIDING AN EFFECTIVE DATE

The City Clerk read Ordinance 11-84 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 11-84. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Ordinance 11-84. The **motion passed unanimously** by roll call vote.

c) **ORDINANCE 11-85**, SUPPLEMENTING ORDINANCE NO. 98-9 OF THE CITY ENACTED ON FEBRUARY 9, 1998, AS SUPPLEMENTED; AUTHORIZING THE REFUNDING OF ALL OR A PORTION OF THE CITY'S OUTSTANDING SALES TAX IMPROVEMENT REVENUE BONDS, SERIES 2003; PROVIDING FOR THE ISSUANCE OF NOT EXCEEDING \$16,000,000 SALES TAX REFUNDING REVENUE BONDS, SERIES 2011; PROVIDING FOR THE PAYMENT AND SECURING OF SUCH SERIES 2011 BONDS FROM THE HALF-CENT SALES TAX REVENUE DISTRIBUTED TO THE CITY PURSUANT TO CHAPTER 218, PART VI, FLORIDA STATUTES, AND CERTAIN INVESTMENT INCOME AS PROVIDED HEREIN; AUTHORIZING THE APPROPRIATE OFFICERS OF THE CITY TO PROCEED TO DEVELOP NECESSARY DOCUMENTS TO SELL THE SERIES 2011 BONDS AT NEGOTIATED SALE; AND PROVIDING AN EFFECTIVE DATE

The City Clerk read Ordinance 11-85 aloud by title only. Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Councilman Kelly **moved** to approve Ordinance 11-85. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Ordinance 11-85. The **motion passed unanimously** by roll call vote.

9. OTHER PUBLIC HEARINGS

a) **PORT ST. LUCIE RESIDENTIAL STREET LIGHTING ASSESSMENT**

AREA, BOUNDARY #267, SW FACET STREET

Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Councilwoman Martin **moved** to approve Residential Street Lighting Assessment Area, Boundary #267, SW Facet Street. Councilwoman Berger **seconded** the motion. The City Clerk restated the motion as follows: for approval of 9 a), Street Lighting Boundary #267. The **motion passed unanimously** by roll call vote.

b) PORT ST. LUCIE RESIDENTIAL STREET LIGHTING ASSESSMENT AREA, BOUNDARY #268, SW MC COMB AVENUE

Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Vice Mayor Bartz **moved** to approve Item 9 b), Boundary #268, SW Mc Comb Avenue. Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of 9 b), Street Lighting Boundary #268. The **motion passed unanimously** by roll call vote.

c) PORT ST. LUCIE RESIDENTIAL STREET LIGHTING ASSESSMENT AREA, BOUNDARY #269, SE BELLA ROAD

Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Councilwoman Berger **moved** to approve Item 9 c), Boundary #269. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of 9 c), Street Lighting Boundary #269, SE Bella Road. The **motion passed unanimously** by roll call vote.

10. FIRST READING OF ORDINANCES

a) ORDINANCE 11-87, AMENDING THE CITY OF PORT ST. LUCIE CODE OF ORDINANCES, AMENDING CHAPTER 155 SIGN CODE OF THE CITY OF PORT ST. LUCIE LAND DEVELOPMENT REGULATIONS; PROVIDING AN EFFECTIVE DATE

The City Clerk read Ordinance 11-87 aloud by title only. Councilman Kelly **moved** to approve Ordinance 11-87. Vice Mayor Bartz **seconded** the motion. The City Clerk restated the motion as follows: for approval of Ordinance 11-87. The **motion passed unanimously** by roll call vote.

b) ORDINANCE 11-88, UPDATING THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF PORT ST. LUCIE; PROVIDING THE INVALIDITY OF ANY PORTION SHALL NOT AFFECT THE

REMAINING PORTIONS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE

The City Clerk read Ordinance 11-88 aloud by title only. Councilwoman Berger **moved** to approve Ordinance 11-88. Vice Mayor Bartz **seconded** the motion. The City Clerk restated the motion as follows: for approval of Ordinance 11-88. The **motion passed unanimously** by roll call vote.

c) ORDINANCE 11-82, PUBLIC HEARING, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PORT ST. LUCIE TO INCLUDE A LARGE SCALE AMENDMENT TO THE FUTURE LAND USE MAP FOR THE KOLTER GROUP, LLC (P11-124) TO CHANGE THE FUTURE LAND USE DESIGNATION FROM CG (GENERAL COMMERCIAL), RM (MEDIUM DENSITY RESIDENTIAL), AND OSC (OPEN SPACE CONSERVATION) TO RGC (RESIDENTIAL GOLF COURSE) FOR A PARCEL LEGALLY DESCRIBED AS LOCATED IN SECTION 34, TOWNSHIP 36 SOUTH, RANGE 39 EAST AND SECTION 4, TOWNSHIP 37 SOUTH, RANGE 39 EAST, LOCATED WEST OF INTERSTATE 95, EAST OF RANGE LINE ROAD AND NORTH OF THE INTERSECTION OF VILLAGE PARKWAY AND CROSSTOWN PARKWAY; PROVIDING THE INVALIDITY OF ANY PORTION SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE

The City Clerk read Ordinance 11-82 aloud by title only. Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Councilman Kelly asked, "When you take away the Commercial, and we're giving this Medium Density Residential, does this take away from the sustainability? This is a large residential area." Mr. Holbrook replied, "No, because what they're requesting will allow for commercial and residential components. We had changed the policy to that future land use designation a few years ago, which basically broadened and allowed those other uses to go within the golf course land use. This information is also provided in the staff report. This is also accompanied with a Notice of Proposed Change to the DRI to incorporate this parcel into that DRI. That DRI has thresholds for residential and commercial." Councilman Kelly **moved** to approve Ordinance 11-82. Vice Mayor Bartz **seconded** the motion. The City Clerk restated the motion as follows: for approval of Ordinance 11-82. The **motion passed unanimously** by roll call vote.

d) ORDINANCE 11-89, DEFINING THE FOUR CITY COUNCIL DISTRICT BOUNDARIES AS SET FORTH IN SECTION 5.05 (COUNCIL DISTRICTS; ADJUSTMENT OF DISTRICTS) OF THE CITY CHARTER; PROVIDING FOR AMENDMENT OF SECTION 33.04 (ELECTION DISTRICT(S), PORT ST. LUCIE CITY CODE; PROVIDING AN EFFECTIVE DATE

The City Clerk read Ordinance 11-89 aloud by title only. Councilwoman Martin **moved** to approve Ordinance 11-89. Councilman Kelly **seconded** the motion. Vice Mayor Bartz said, "Regarding this ordinance, I was very strongly supporting the new map. However, I want to say to the Committee that I personally don't feel we handled it correctly. They had the perception that we didn't pay attention to what they gave us. I don't believe that they realize that we had those maps for some time along with the minutes of the meeting, and that we did pay attention. I believe that at the last meeting it appeared that we made light of their opinion, and didn't take that into account. For those people on that Committee, I want them to know that we took it very seriously. I still feel strongly that this map flows better, so I haven't changed my opinion. I just think that we could have handled it a little differently." Councilman Kelly stated, "I looked at every map, and everyone in the office carried around the maps. I also want to compliment the Committee, because I understand their meetings were run very professionally and they did everything by the book. We did select one of their maps. I want to thank them for their service." The City Clerk restated the motion as follows: for approval of Ordinance 11-89. The **motion passed unanimously** by roll call vote.

e) ORDINANCE 11-90, PROVIDING FOR THE CONSOLIDATION OF THE ENGINEERING DEPARTMENT AND THE PUBLIC WORKS DEPARTMENT; PROVIDING FOR THE AMENDMENT OF SECTION 32.38, PORT ST. LUCIE CITY CODE, AMENDING THE RESPONSIBILITIES OF THE ENGINEERING DEPARTMENT; PROVIDING FOR THE REPEAL OF SECTIONS 32.80, 32.81, AND 32.82, PORT ST. LUCIE CITY CODE; PROVIDING THAT ANY REFERENCES IN THE PORT ST. LUCIE CITY CODE TO THE PUBLIC WORKS DEPARTMENT SHALL BE DEEMED TO REFER TO THE ENGINEERING DEPARTMENT; PROVIDING AN EFFECTIVE DATE

The City Clerk read Ordinance 11-90 aloud by title only. The City Attorney said, "With the Council's permission before it comes back for second reading, I do recommend that we proceed with first reading and approval. There are references to some state agencies. In the combining ordinance, we brought forth and continue with the same name of those agencies. However, some of them have changed names, so I'm going to tweak this ordinance to clarify that so it's using current names. I was actually thinking about eliminating the names altogether, and refer to them as state and federal agencies generically. It's not a substantial change to the ordinance, but I did want to bring that to the Council's attention." Councilwoman Martin **moved** to approve Ordinance 11-90. Councilwoman Berger **seconded** the motion. The City Clerk restated the motion as follows: for

approval of Ordinance 11-90. The **motion passed unanimously** by roll call vote.

11. RESOLUTIONS

a) RESOLUTION 11-R81, PUBLIC HEARING, GRANTING A SPECIAL EXCEPTION USE FOR AN ENCLOSED ASSEMBLY AREA IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT PER SECTION 158.124(C)(2) (ORDINANCE NO. 11-79) FOR GRACE CHURCH LEGALLY DESCRIBED AS PARCEL "A" TOWN CENTRE, P11-130; PROVIDING AN EFFECTIVE DATE

The City Clerk read Resolution 11-R81 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 Resolution 11-R81. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Resolution 11-R81. The **motion passed unanimously** by roll call vote.

b) RESOLUTION 11-R94, SUPPLEMENTING ORDINANCE 11-85 OF THE CITY OF PORT ST. LUCIE, FLORIDA, ENACTED ON NOVEMBER 28, 2011, WHICH AUTHORIZED THE REFUNDING OF ALL OR A PORTION OF THE CITY'S OUTSTANDING SALES TAX IMPROVEMENT REVENUE BONDS, SERIES 2003; PROVIDING FOR THE SALE AND ISSUANCE OF NOT EXCEEDING \$16,000,000 SALES TAX REFUNDING REVENUE BONDS, SERIES 2011, TO FINANCE THE COST THEREOF; PROVIDING FOR THE PAYMENT OF THE SERIES 2011 BONDS FROM CERTAIN PLEDGED REVENUES; AUTHORIZING THE CITY MANAGER TO DETERMINE THE DATE OF SALE OF AND THE DETAILS OF THE SERIES 2011 BONDS WITHIN CERTAIN PARAMETERS TO BE SET FORTH IN A BOND PURCHASE AGREEMENT; APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A BOND PURCHASE AGREEMENT WITH THE UNDERWRITER SUBJECT TO THE PARAMETERS AND LIMITATIONS SET FORTH HEREIN; AUTHORIZING A NEGOTIATED SALE OF THE SERIES 2011 BONDS AND PROVIDING FOR THE AWARD AND SALE OF THE SERIES 2011 BONDS TO THE UNDERWRITER SUBJECT TO THE PARAMETERS SET FORTH HEREIN; APPROVING THE FORM AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND THE EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT; AUTHORIZING THE ACQUISITION OF A MUNICIPAL BOND INSURANCE POLICY AND A RESERVE ACCOUNT CREDIT FACILITY, IF DETERMINED BY THE CITY MANAGER TO BE IN THE BEST INTERESTS OF THE CITY; APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW DEPOSIT AGREEMENT; APPOINTING AN ESCROW AGENT; AUTHORIZING THE OFFICERS AND OFFICIALS OF THE CITY TO EXECUTE AND DELIVER THE SERIES 2011 BONDS AND SUCH AGREEMENTS AND CERTIFICATES AS ARE NECESSARY AND DESIRABLE IN CONNECTION WITH THE SALE, ISSUANCE AND DELIVERY OF THE SERIES 2011 BONDS, INCLUDING A PAYING AGENT AND REGISTRAR

AGREEMENT; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE

The City Clerk read Resolution 11-R94 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 Resolution 11-R94. Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of Resolution 11-R94. The **motion passed unanimously** by roll call vote.

12. UNFINISHED BUSINESS

There was nothing scheduled for this item.

13. NEW BUSINESS

a) FERGUSON WATERWORKS, AMENDMENT #1, POLYETHYLENE PIPE AND FITTINGS, #20080141, ANNUAL PRICE INCREASE ON THREE PRODUCTS FOR A PERIOD OF TWELVE MONTHS, \$141,000, FUND 401-4126-5530, ENGINEERING

The City Manager said, "This is Amendment #1 of the Ferguson Waterworks annual contract. They have price increases on three different products that are required through the Engineering Department. Those are listed in your backup documentation. We would purchase those items on an as-needed basis and in accordance with budget, and we do recommend approval." Councilwoman Berger **moved** to approve Item 13 a). Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 13 a). The **motion passed unanimously** by roll call vote.

b) DISCUSSION REGARDING APPROVAL OF SITE PLANS, PLANNING AND ZONING

The City Manager said, "At the last Retreat, there was a presentation made to the City Council called Regulatory Rethink. This is the outcome and recommendation to move forward with some of the recommendations or the ideas expressed at that meeting." Mr. Holbrook stated, "This memo and the backup information went to the Planning and Zoning Board this month. They discussed it, and the general consensus and the minutes are attached. It was that they were in favor of streamlining the process. Obviously, this solely rests with the Council. So, if it's your pleasure and you would like change to our current process, we can have that discussion. Some of the backup material also included

comparisons of some other jurisdictions within the area." Councilwoman Berger noted, "I support the Regulatory Rethink. I like the title and everything about it. I think it's going to streamline the process, and save our future business owners a lot of money in regulation fees and time. I appreciate you putting this much work toward this, and I think that the final product is coming out very nicely."

Mayor Faiella replied, "I totally agree. It's great." Councilman Kelly **moved** to approve Item 13 b). Councilwoman Martin **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.

14. COUNCIL COMMENTS AND COMMITTEE REPORTS

VICE MAYOR BARTZ - TREE LIGHTING AT TRADITION

Vice Mayor Bartz said, "I had an opportunity to go to the tree lighting at Tradition, and it was amazing. There were people just streaming in, and the square became more and more crowded to the point where you almost couldn't walk through it. The Port St. Lucie High School Band was there and did an incredible job. I almost started believing in Santa again. He was that good. It was nice to see Tradition lit up. They had snow for the kids to play in again, and it was really nice to bring in the holiday season like that." Mayor Faiella stated, "I believe they had over 2,000 people."

COUNCILWOMAN MARTIN - APPOINTMENT OF MAYOR FAIELLA TO THE TCRLC

Councilwoman Martin said, "I want to congratulate the Mayor for being nominated and for accepting the nomination as President of the Treasure Coast Regional League of Cities. I understand you will be installed January 25."

COUNCILMAN KELLY - TRADITION/COMBINING PUBLIC WORKS AND ENGINEERING

Councilman Kelly said, "Mr. and Mrs. Santa Claus are always the best, most authentic, because that's the real Santa Claus. Vice Mayor Bartz brought up that sometimes things go through quickly, because we've talked about it with staff. They really are no brainers, and sometimes people feel that we take it too lightly. There was one tonight that was a huge item and we put that through in about two seconds. It was the combining of Public Works and Engineering. I want to compliment our City Manager for

doing that. That's a big deal. We have been consolidating things, and I don't think there's much more we can do. It was a good thing for the City, and it saved us a lot of money."

COUNCILWOMAN BERGER - DISTRICTING COMMISSION

Councilwoman Berger pointed out, "As far as making sure that we explain how the voting process goes, we could really extend every meeting if we really talked about the length of each item. The Committee pieces probably can take more attention from us, because there are humans involved. The last time it seemed like there were some hurt feelings, and I'm sorry that happened. Typically, I don't mention when we reach out to people unless it's a quasi-judicial thing, but I did reach out to Tracy Johnson weeks before we made that decision to talk to her about the number of maps that she produced and the Committee itself. They did do a lot of work. I had those conversations individually, and didn't get a chance to connect with Ms. Johnson, but left voice mails. I do remember Councilman Kelly saying that the map he brought forward was very similar to one of the maps she had produced. I think if we could have done anything better, it would have been that when we give direction to the Committee we should have asked for more than one map, because I know in the minutes they had a discussion about whether to produce more than one map. They chose one map and it didn't happen to be the map we went with. We're never going to agree with everyone. Sometimes committees just don't work out as well as you would like them to, and if you're on a committee or have ever been on a committee you know how frustrating it can be. Sometimes you walk away from these events thinking that it was a waste of time. However, it's never a waste of time. Thank you for taking the time again. I hope everyone feels appreciated." Mayor Faiella asked, "How many maps did she present?" Councilwoman Berger replied, "I think she had four or five."

MAYOR FAIELLA - CHRISTMAS LIGHTS

Mayor Faiella stated, "I did go to Tradition Saturday night to light the tree. It was wall-to-wall people, and it was a great event. There's also another event that's put on by WZZR. They collect toys, but they keep the toys in our county. A resident off Starflower has 38,000 lights, and 43 Christmas trees. The forty-fourth tree is swimming in his pool and it's lit. Every tree has a theme. It's absolutely fantastic."

15. **ADJOURN**

There being no further business, the meeting adjourned at 7:55 p.m.

Karen A. Phillips, City Clerk

Carol M. Heintz, Deputy Clerk Supervisor