

**CITY OF PORT ST. LUCIE
CITY COUNCIL SPECIAL MEETING MINUTES
JUNE 18, 2012**

A Special Meeting of the CITY COUNCIL of the City of Port St. Lucie was called to order by Mayor Faiella on June 18, 2012, at 2:10 p.m., at Port St. Lucie City Hall, 121 SW Port St. Lucie Blvd., Port St. Lucie, Florida.

1. MEETING CALLED TO ORDER AND ROLL CALL

Council Members

Present: Mayor JoAnn M. Faiella
Vice Mayor Linda Bartz
Councilman Jack Kelly
Councilwoman Shannon M. Martin

Members Not

Present: Councilwoman Michelle Lee Berger

Others Present:

Gregory J. Oravec, City Manager
Roger G. Orr, City Attorney
James Angstadt, Acting Assistant City
Engineer
Stephanie Beskovoyne, Assistant City
Attorney
Milton Collins, Assistant City Attorney
Sherman Conrad, Parks & Recreation Director
Anne Cox, Planning and Zoning Assistant
Director
Edward Cunningham, Communications Director
Joel Dramis, Building Official
Daniel Holbrook, Planning & Zoning Director
Renee Major, Risk Management Director
Jesus A. Merejo, Utilities Director
Karen A. Phillips, City Clerk
David K. Pollard, OMB Director
Patricia Roebeling, City Engineer
Pat Selmer, Acting Community Services
Director
Tonya Taylor, Facilities Administrator, P&R
Anthony Veltre, Nuisance Abatement Program
Coordinator
Carol M. Heintz, Assistant City Clerk

3. **PLEDGE OF ALLEGIANCE**

Mayor Faiella led the Assembly in the Pledge of Allegiance.

4. **PROCLAMATIONS**

There was nothing scheduled for this item.

5. **SPECIAL PRESENTATIONS**

There was nothing scheduled for this item.

6. **ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA**

Councilwoman Martin **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) **REQUEST FOR UNITY OF TITLE** FOR FLORIDA SUNSET PROPERTIES, INC., TO COMBINE LOTS 9 AND 20 BLOCK 1213, PORT ST. LUCIE SECTION 8, TO ALLOW THE OWNER TO BUILD A GARAGE ON HIS ADJACENT VACANT LOT, LEGAL DEPARTMENT

c) **REQUEST FOR UNITY OF TITLE** FOR GARY A. AND LAURIE D. CONKLIN, TO COMBINE LOTS 10 AND 11, BLOCK 546, PORT ST. LUCIE SECTION 13, TO ALLOW THE OWNERS TO PLACE A SHED ON THEIR ADJACENT VACANT LOT, LEGAL DEPARTMENT

Councilwoman Martin **moved** to approve the Consent Agenda. Councilman Kelly **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**

There was nothing scheduled for this item.

9. **OTHER PUBLIC HEARINGS**

There was nothing scheduled for this item.

10. **FIRST READING OF ORDINANCES**

There was nothing scheduled for this item.

11. RESOLUTIONS

a) **RESOLUTION 12-R70**, IDENTIFYING CERTAIN PROPERTY WITHIN THE CITY OF PORT ST. LUCIE A THREAT TO THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE COMMUNITY PURSUANT TO CHAPTER 40 OF THE PORT ST. LUCIE CITY CODE; PROVIDING FOR A HEARING DATE TO DETERMINE WHETHER THE AFFECTED PROPERTIES SHOULD BE FOUND A PUBLIC NUISANCE; PROVIDING NOTICE TO THE OWNERS AND MORTGAGEE(S) OF THE PROPERTIES OF SAID HEARING DATE; PROVIDING AN EFFECTIVE DATE

The City Clerk read Resolution 12-R70 aloud by title only. Mr. Veltre said, "A Code compliance case was opened against the property at 1254 SE Nancy Lane on April 18, 2011. We brought the property through the Special Magistrate process, and there's an active lien on the property. The property is vacant and abandoned, and there is no foreclosure proceeding filed against the property. The Code Compliance Division originally found violations of high grass and weeds, damaged soffits in need of repair, a fence in need of repair, and an unmaintained and unsecured swimming pool without an approved child safety barrier." Ms. Beskovoyne stated, "It is covered though." Mr. Veltre noted, "Upon further inspection we found additional violations of an abandoned vehicle in the driveway that does not belong to the owners of the property. We have attempted to contact the owner of the vehicle to no avail. The neighbors believe she may be incarcerated, and we will be asking to have a tow company remove the vehicle from the property if we do get to that point. We also found a roof in need of repair or replacement, and an unpermitted addition to the structure. We have attempted to compel the owner to voluntarily bring the property into compliance, but there has been no contact with the owner of the property, and the pool has been temporarily secured with a cage. However, it does not meet the requirements set forth in the FBC for a child safety barrier. In the interest of public safety and welfare, we did secure the structure, and have been maintaining the grass on the property. The Building Department completed an assessment on the property to determine what is needed to bring the property into compliance."

Mr. Veltre continued, "The following violations were also noted: The rear patio was enclosed using substandard methods and without a permit; the rear patio elevation is the same as the elevation of the exterior slab, causing significant water damage to the interior; there are obvious signs of mold growth

throughout the enclosure; the roof of the addition is severely damaged; and the exterior wall against the pool deck is crumbling from exposure to moisture. The laundry room is located in the garage and appears to have been moved to another wall of the garage. It's unknown if the plumbing and/or electric meets Code, because it was done without a permit. The roof has obvious signs of failure throughout the interior of the house. The air conditioning system has been removed by unknown persons. The in-ground swimming pool may have structural as well as electrical issues. The pool water level is only halfway up leading us to believe that a leak exists. The electric pump is missing parts, falling apart, and wires are now exposed. The house electric was cut at the meter can and live wires were exposed. We did call FP&L and have the power cut for safety concerns. Unknown people have cut into almost every electrical wall switch, outlet, and other electrical systems to strip the house of the wiring. In an attempt to strip the house of the wiring there have been holes punched in every wall and in the ceilings."

Mr. Veltre stated, "The house was originally a wood frame, three bedroom, one bath home with a one-car garage built in 1984. Staff is recommending demolition for the violations listed above, and in the best interest of the health, safety, and welfare of the surrounding community. Mr. Dramis, Building Codes Administrator, has reviewed the assessment." Vice Mayor Bartz noted, "The house is not in foreclosure, and it is owned by someone that we can't contact. Is that correct?" Ms. Beskovoyne replied, "That's correct, and that's not unusual. We often struggle getting into contact with someone. The addresses that are provided are not correct. We make every attempt to give notice, also tying the tax collection end to our process as well making sure there's no sale pending. We really do a lot to try and get someone to help us before we intervene." Vice Mayor Bartz asked, "Did I hear you say that the vehicle didn't belong to the owner of the house?" Mr. Veltre replied, "The vehicle was originally abandoned in the City swale across the street from this residence, and we red tagged it to have it removed. We found out from the tenants who live in the house across the street that it was a friend of theirs that they had since kicked out and who they believe had been arrested. Somehow the vehicle made its way into the driveway of the abandoned house. The only addresses on record for the vehicle led to another house where she no longer lives."

Vice Mayor Bartz asked, "Does law enforcement check that vehicle to make sure it's not a stolen vehicle or anything like that?" Mr. Veltre replied, "Code actually does a little of that when

they find it. We would run it to make sure that it wasn't stolen. The specialist who originally red tagged it in the City swale would have done that." Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Councilman Kelly pointed out, "I don't have a problem with the nuisance abatement, but the only picture I have of the roof looks pretty good. I didn't hear anything about it not being structurally sound. If we approve this, who makes the decision to demolish the house?" Ms. Beskovoyne replied, "The standard is 75%. If it costs more than 75% to repair this home than what the home is worth, we demolish it." Councilman Kelly asked, "Is the Building Department going to make that determination?" Ms. Beskovoyne replied in the affirmative. The City Manager asked, "Didn't you read into the record that the demolition was approved by Mr. Dramis?" Mr. Veltre replied in the affirmative. Vice Mayor Bartz **moved** to approve Resolution 12-R70. Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of Resolution 12-R70. The **motion passed unanimously** by roll call vote.

12. UNFINISHED BUSINESS

There was nothing scheduled for this item.

13. NEW BUSINESS

a) **MELVIN BUSH CONSTRUCTION, INC.**, FOR WATER MAIN RELOCATIONS ON THE SOUTH SIDE OF EASY STREET IN INDIAN RIVER ESTATES, E-BID #20120042, WITH A REPLACEMENT AMOUNT OF \$55,817, AND A CONTRACT PERIOD OF 25 CALENDAR DAYS WITH NO OPTION FOR RENEWAL, 438-3316-5630, UTILITIES

The City Manager said, "On Easy Street, at the northern extent of our range, we have some utility pipes within the St. Lucie County right-of-way. St. Lucie County is doing a drainage project, which will cause some conflicts with our pipes. Therefore, we are required to make adjustments to those and do a conflict resolution. This contract is in the amount of \$55,817 to take care of those conflict resolutions, and staff recommends approval." Councilman Kelly **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) **PROPOSAL FOR A SATURDAY COMMUNITY GREEN MARKET** AT THE PORT ST. LUCIE CIVIC CENTER, CO-PRODUCED AGREEMENT BETWEEN ARTHUR DAMATO AND BARBARA VERVILLE AND THE CITY, PARKS AND

RECREATION

The City Manager stated, "We did have a Green Market at the Village Square of City Center, and it was one of those events that we were trying to promote. Unfortunately, the previous producer of that went in a different direction, but then we met Mr. Damato. He was looking to do one in Tradition, but could not come to terms and couldn't get everything put together in a timely fashion. He started discussing it with Ms. Taylor at the Civic Center, and we now have a co-produced agreement that would renew our effort to have a Green Market at our Village Square on Saturdays from 8:00 a.m. to 3:00 p.m. during season. In lieu of cash rent up front, it provides for us to split the proceeds. Staff certainly supports this and recommends approval." Mayor Faiella stated, "I'm very glad to see this happening, because I remember when I met with Mr. Damato and yourself, and we were trying to bring it to Port St. Lucie." Councilman Kelly **moved** to approve Item 13 b). Councilwoman Martin **seconded** the motion. Vice Mayor Bartz noted, "I went to the old market we had many times. One of the things I said was that we weren't making it available to many people who would like to participate, and that a Saturday or Sunday market would be much better. I'm really excited that we're doing this on Saturday." The City Manager commented, "Our goal is to begin on Saturday, September 8, 2012. It's every Saturday from 8:00 a.m. to 3:00 p.m. in the Martin Health Village Square. They are going to have a mixture of produce, seafood, sauces, plants, food, beverage, and product vendors. We will also work with our larger special events, and try to collocate those things, so that when the Green Market falls on Oktoberfest or St. Patty's Day, it just becomes a bigger party, and we draw even more people there. We are going to try and work together with all of the entities to make it as big and wonderful as we can." The City Clerk restated the motion as follows: for approval of Item 13 b). The **motion passed unanimously** by roll call vote.

c) PRESENTATION OF ENERGY AUDIT, CONTRACT #20110058, BY AND BETWEEN HONEYWELL INTERNATIONAL, INC., AND THE CITY OF PORT ST. LUCIE, CITY MANAGER

The City Manager said, "In 2011, the City entered into an Energy Audit Agreement with Honeywell after going through a competitive selection process. We hired Honeywell to study our electrical systems and operating procedures and reduce its expenditures. After several months of work, Honeywell completed an audit report, which was presented at the Winter Retreat to the Council. They are setting forth a number of energy conservation

measures, ways to save money, and they are guaranteeing that a certain amount of savings will occur. The City will use those savings to fund the purchase and implementation of the energy saving measures. It's really no different than looking through your house and trying to figure out why the thermostat is set on 73 when it could be set on 75 or 76. Why do I have this 20 year old air conditioner instead of a state of the art one? Why do I have this incandescent bulb rather than a compact florescent or LED? As any good homeowner, when the City is making that evaluation, it has to determine if the upfront costs of purchasing that new technology produces enough savings to justify it. After much negotiating, we have gotten into a place where the juice is worth the squeeze. Based on the current state of the performance contract, it should produce approximately \$3 million of cash flow in addition to paying for all of these improvements. The amount that they actually guarantee is \$343,953. However, they are guaranteeing that there will be enough in savings to pay for all of the improvements."

The City Manager continued, "There is new sports lighting in the parks that's guaranteed for more than 15 years. For 25 years we will not have to touch a bulb. We won't have to replace an air conditioner anywhere for 15 years. All of these improvements that will help save us money and stop us from having to buy a new one in five years are taken care of. Right now, there's an air conditioning unit in the Police Department that's failing. Those are the kinds of things that this contract is doing."

BUENO PRADES, Honeywell, said, "Staff was very helpful in pulling all of this information together. When you finished the competitive process and selected Honeywell, we conducted a survey of over 170 of your facilities, not just buildings but also sports lighting, and some of the infrastructure. We had informational workshops to make sure staff understood how the process worked, and we submitted a number of different conservation measures. Over the last number of months, we have been working with staff in collaboration to refine those recommendations and select the ones that made the most sense for the City, with a focus on those that have the best bang for the buck in terms of payback. Generator Load Shedding takes leverage as your existing generation equipment. We then run it during certain peak periods of electrical demand to help save the City money in terms of rebates and other benefits, credits from FP&L. With Building Lighting and Controls, we're going to be making improvements or renovations to 47,617 lighting fixtures throughout the City, as well as adding 195 areas where we're doing lighting controls. Those types of conservation measures

include replacing incandescent lamps or lower efficiency fluorescent lamps with high efficiency fluorescent and LED technology."

Mr. Prades continued, "We're making renovations to sports lighting and controls in three different parks. They are Whispering Pines, Sandhill Crane, and Swan. The little league has rules on how much lighting is supposed to be in the ballfield. We will maintain those levels guaranteed for 25 years. Vending machines are run 24 hours. There's no need for them to run when there's no one there to purchase the product. These are technologies that have been approved by vending machine vendors. We will go into your facilities and put in an aerator, low volume flush valves, etc., in bathrooms, sinks, and kitchens. Building Envelope improvements include ceilings, windows, caulking, door sweeps, and other types of technology that help the hot humid air outside penetrate into the facilities. One of the larger projects is the Municipal Complex Chiller Plant. Currently the three buildings have stand alone HVAC equipment. We're going to put in a very high efficiency central plant and then pipe the chilled water to the other buildings, so that this very high efficiency plant provides cooling for all three facilities. In addition, we will leverage the existing equipment to provide backup for that. Chilled Water Pumping is related to that, and we will be providing variable frequency drives and converting chilled water valves from a three-way to a two-way valve. It's a much more efficient way of pumping water to the buildings."

Mr. Prades stated, "We will be replacing some of the HVAC units. There will be ten units total. We will be adding to the MIS server room a high efficiency air conditioner. Variable Air Volume (VAV). . . ." The City Manager noted, "Servers generate a lot of heat, and they have to remain cool at all times. Given the original design of the building, the MIS server room is cooled by leaving the air conditioning for a big part of the building on all the time. We are air conditioning uninhabited space much of the time around the clock just to keep the servers cool." Mr. Prades continued, "VAV HVAC is another technology type where instead of pumping the same amount like it in your house, the air conditioner fan is either running or it isn't running. When it's running, it's blowing as much air as it can all the time. With VAV we control how much air is being sent to the space depending on occupancy and temperature, etc. It's a much more efficient way to cool the space. Building Automation and Controls is another one of the larger conservation measures. We're going to be installing automation systems throughout your

facilities. We will also be providing programmable thermostats in some of the smaller buildings where it doesn't make sense to provide a full-blown central system, although those thermostats will also report back to a central place. This conservation measure not only allows us to control and monitor how you're using energy in your facilities, but it will also give staff the ability to see what's going on and better manage your resources."

Mr. Prades stated, "Computer Power Management and Green Print is a way to make your PC work stations work more efficiently by shutting them down automatically when they're not being used, and automatically starting them up in the morning so that people don't have to reboot. We're seeing that people will leave their PC's on all night when they don't need to be on. Greenprint is a tool that allows us to be more efficient when printers are used, how they use ink, and facilitate using double-sided pages on print jobs. With reference to Pedestrian Street Lighting, we're going to be converting 1,098 lights that light the walkways. We're going to be converting them to a high efficiency white light type of technology. Currently, those lights have a yellow light that is very difficult to tell colors. The color rendering is very poor. With the new light, it's a whiter light that has a much better color rendering index. You will be able to detect colors better. Folks will be able to see better. It's not only quality improvement of a light, but also a safety enhancement for the City. For the Sports Lighting, the City will be purchasing some of the material directly. We will supervise the Vending Misers and review what the City does, but the City will be installing those."

Mr. Prades noted, "Computer Power Management and Greenprint will also be done internally by IT staff." Vice Mayor Bartz commented, "I keep hearing 'We will monitor' and 'We will do.' Is it really you or us?" Mr. Prades replied, "With regard to the energy savings, Honeywell has a program that it's putting in place as part of this agreement where Honeywell monitors year after year the energy performance of the conservation measures. We will report back to the City on an annual basis, documenting the savings and validating the guarantees. With regard to the Building Automation System, City staff will have access to that. Honeywell personnel will have access to the system to do trending and to check on energy usage." Vice Mayor Bartz asked, "Who will build the Municipal Chiller Plant and how big is that?" Mr. Prades replied, "It includes 250 tons. That's not the weight of the equipment. It's the air conditioning capacity. Honeywell is taking full responsibility for the implementation

of that project. It includes the equipment, cooling tower, piping to the other buildings, and a small building to house the chiller equipment." Vice Mayor Bartz asked, "Does that chiller need constant monitoring? I know that the School Board was using that and it seemed that it was labor intensive." Mr. Prades replied, "The chillers are pretty simple. They will be fully automated, so they turn on and off. The computer system will automatically turn the systems on and off and operate them. Obviously, as with any piece of equipment, there is maintenance required. You already have multiple chillers that need to be maintained. This just consolidates it into some smaller equipment. There are other chillers that will be provided as backup."

Mr. Prades pointed out, "Your staff is more than capable to maintain and operate the systems." Vice Mayor Bartz remarked, "I heard you say on the pedestrian lighting that you still wanted to evaluate the poles for the fixtures. Are we looking at just changing out the bulbs for the different lighting and safety features?" Mr. Prades replied, "There are two general types of lighting the City has. There's pedestrian lighting, which are the kind where there's a pole and they sit on top of the pole, and then there are the street lighting, which are the ones where the arms stick out. This focuses on the pedestrian lighting, and we will be retrofitting them. They will look the same from the outside except that the light will be a whiter light. In the interest of making sure that you and your constituents like everything that we're doing, we're going to provide a mockup for a small number of those lights. We will provide the City Council and the public, if it's the City's wish, with feedback on the lighting. After a couple of months, we can make adjustments to the lighting. It's going to be a very open process. We will also evaluate the street lighting. We're looking at using LED technology. Even after all of the payments are made on the financing, there is still a net positive cash flow for the City. There are a number of benefits to the City that we just didn't take. If the City was going to have to spend cash to replace a piece of air conditioning in a few years, if that wasn't money that was already targeting or already spent, we didn't show that as a savings. Likewise, part of the benefit of this program is that your personnel will be more efficient."

Mr. Prades remarked, "Now if there's an HVAC problem, instead of having to get into a truck and go out to the building to check it out, they may still want to do that, but they will be able to see what's going on with it through the automation system. We didn't take any savings for that. Overall, the project will

generate \$644,000 for the first year. It's 12.4 year simple payback. The Honeywell portion of the total improvements is \$7,965,132. The City is going to purchase some equipment directly. The total cost will be just under \$8 million. The savings from the project are equivalent to removing 730 cars from the City of Port St. Lucie streets, or the equivalent electricity used in 464 homes. We understand in working with the City Manager and staff and seeing the Council at work the need for transparency in how the government conducts its business. Honeywell would like, as part of this program, to work with City staff to provide videos, updates, and post them on your website, so that you can see the progress on the project and the benefit that it's bringing to the City." Councilman Kelly asked, "Did you look at any vehicle savings?" Mr. Prades replied, "Not at this time." Councilman Kelly asked, "Is there a preventative maintenance package with all of these things?" Mr. Prades replied, "We will provide the City with a preventative maintenance plan. All of the equipment comes with one. We offer to provide that to the City. However, part of our discussion with the City was how best to address that. It was felt in collaborating with the City that the City had their own internal resources and they preferred to do all of the maintenance."

The City Manager stated, "Building Maintenance is awesome, and Building Maintenance will continue to maintain the building systems. They will just have new systems to maintain, which will be warranted, and they will continue to do what they do now. The Building Maintenance staff was involved throughout this process. They did reach out to the School Board in reference to the chillers, and made sure it was a different, better model." Mr. Prades noted, "We have included a very comprehensive training to make sure that staff is prepared." Councilman Kelly asked that Honeywell take a look at the solar panels at the Civic Center when time comes and give their recommendation as to what they would use in the future. The City Manager commented, "He tried to recommend some, and quite frankly, the payback wasn't sufficient. I had them take that out of there. We were really trying to focus on cash flow and savings. If it doesn't pay itself back in a short enough period of time over the useful life of the improvement, which you just hit on, it's not a good business decision for us. All of these improvements in this project help save money and pay for themselves over a 15 year time period. Some of these improvements will extend beyond 15 years to 20 or 25 years." Vice Mayor Bartz pointed out, "If I understand right, you guys are in here for the long haul. As we determine down the road where we may want to investigate another area and maybe the technology becomes better, you are going to

be there to help us make those decisions. Is that correct?" The City Manager replied, "They will be happy to sell us things into the future." Mr. Prades remarked, "We are independent in that we're not a solar panel manufacturer. We're going to give you an independent assessment of the right technology."

Vice Mayor Bartz said, "We're talking about a long term partnership. We're not talking about you coming in here and selling us a few things." Mr. Prades stated, "We will be here for at least 15 years." Mayor Faiella asked, "Is this just for information?" The City Manager replied, "Yes. Because it's such a large contract would you like to table it to the next meeting?" Mayor Faiella replied in the affirmative. Councilman Kelly **moved** to table to the next meeting. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: to table Item 13 c) to the Council Meeting of June 25, 2012. The **motion passed unanimously** by roll call vote.

14. COUNCIL COMMENTS AND COMMITTEE REPORTS

VICE MAYOR BARTZ

Vice Mayor Bartz had no updates.

COUNCILWOMAN MARTIN

Councilwoman Martin had no updates.

COUNCILMAN KELLY - POLICE CHIEF SELECTION/CONSENT AGENDA

Councilman Kelly said, "I want to commend the City Manager on what we did over the weekend with the police chiefs. I thought it was over the top, but it wasn't. It was run very well. At 1:30 p.m., we had a variance for the shed or second garage on another building. On approval of the Consent Agenda, Item C, was a request to place a shed on an adjacent vacant lot. Is that an entirely different thing?" Mayor Faiella replied, "Yes. That's Unity of Title."

MAYOR FAIELLA - POLICE CHIEF SELECTION

Mayor Faiella said, "I'm sure that the City Manager will select the best candidate for the City of Port St. Lucie. Hopefully, in the next week or so, we will have a new Chief of Police. Is that correct?" The City Manager replied, "That's the plan."

15. ADJOURN

There being no further business, the meeting adjourned at 3:10 p.m.

Karen A. Phillips, City Clerk

Carol M. Heintz, Assistant City Clerk