

MINUTES OF A REGULAR POSTPONED MEETING OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 6:30 P.M. ON TUESDAY, FEBRUARY 19, 2008.

Mayor Benton called the meeting to order.

Reverend Ted Rice, St. Peter Lutheran Church, gave the invocation.

The Pledge of Allegiance was recited.

Upon Roll Call, those present were: Mayor Robert J. Benton; Commissioners Rufus Alexander, Edward Becht, Christine Coke, and Reginald Sessions; City Manager Dennis Beach; City Attorney Robert Schwerer; and City Clerk Cassandra Steele. Those absent: None.

The next item on the Agenda was Approval of Minutes of the Regular Meeting on February 4, 2008.

Motion was made by Commissioner Coke, seconded by Commissioner Alexander, to approve the Minutes of the Regular Meeting on February 4, 2008.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Coke, Sessions, and Benton. Those opposed: None.

Mayor Benton proclaimed February 17-23, 2008 as NATIONAL ENGINEERS WEEK. Mr. John Donahue was present to receive the proclamation.

Mr. John Donahue said he is the Regional Vice President for the Florida Engineering Society, which encompasses both the Palm Beach and the Treasure Coast Chapters. They have their Engineers Week Banquet coming up this Friday. They will set and be proud of all these proclamations they are collecting right at the front table. On behalf of the Treasure Coast Chapter of Florida Engineers Society, thank you very much for honoring them with this proclamation.

Mayor Benton presented Pastor Kenneth Bell Sr, with a proclamation in honor of IMMANUEL FULL GOSPEL BAPTIST CHURCH.

Pastor Kenneth Bell said this is a very exciting time for them. It has been long, but they did not give up and they believe everything is just working right on time. They are excited and they believe that they are divinely led to build a beautiful sanctuary for the Lord. They believe that even when it is built, they are going to have an expansion. Again, thank you very much.

The next item on the Agenda was Public Hearing on Application for **Site Plan Review** submitted by Adams Ranch, Inc. for **Bridgewater II**, a 12,300 square foot office building at **511 South 2nd Street**; said property zoned C-1, Office Commercial Zone.

Mr. Peter Buchwald, Zoning Administrator, said the applicant is requesting Site Plan approval to construct a 12,300 square foot office building at 511 South 2nd Street. The 1.51-acre parcel includes an existing office building known as Bridgewater I, located on the north portion. The property is zoned C-1, Office Commercial, with a future land use of CO, Offices for Professional Business Services. The property to the north is zoned C-4, Central Commercial, and occupied by office buildings. The properties to the south and east are zoned C-1 and occupied by single-family homes. Property to the west is zoned I-1, Light Industrial, and occupied by the Florida East Coast Railway. The proposed land use is consistent with the surrounding land uses. The three-story office building will be situated toward the middle of the site. Access to the development will be provided by an entrance located on South 2nd Street near the south property boundary. But in addition, a shared driveway connection will be provided between the existing building to the north to further improve the connectivity. Some on-site parking spaces will be located underneath the three-story building. An existing sidewalk extends along the property frontage along South

2nd Street and the project will have a dedicated internal sidewalk that will extend out to the sidewalk along the road and between the buildings. The project received a Certificate of Appropriateness for design review and approval by the Historic Preservation Board on May 29, 2007, since the property is located in a historic district. A traffic report conducted by Culpepper & Terpening indicated that 266 daily trips will be generated by the proposed development. Of these trips, 93 PM peak hour trips and 19 AM peak hour trips will be generated. To meet traffic concurrency, the applicant is proposing a proportionate fair share contribution in the amount of \$7,847.00 for improvements to U.S. Highway #1, specifically for a right-hand southbound turn lane for the intersection of Virginia Avenue and U.S. Highway #1, and is also proposing signal timing modifications at the intersection of Orange Avenue and U.S. Highway #1. Staff concurs with the cost analysis and that the proposed improvements will mitigate for the traffic impacts from the proposed development.

All affected departments have reviewed the submittals and approved the proposed site plan based on it meeting the technical requirements of code. At their January 8, 2008 meeting, the Planning Board voted unanimously to recommend approval of the site plan. As the site plan meets the requirements of the code, staff also recommends its approval.

Mayor Benton declared a Public Hearing in session and asked if anyone in the audience wished to be heard.

Mr. Stefan Matthes, Culpepper & Terpening, Inc., said he is here representing Adams Ranch, the owners of the property. As usual staff has done a very good job in making the presentation, so he really would just stand by to answer any questions they may have.

Commissioner Becht asked when does he think they will be breaking ground?

Mr. Matthes said they would like to break ground by May; but of course that will be dependant on how quickly they can get the building through the permitting process.

Commissioner Becht asked are they ready to submit their permit application?

Mr. Matthes said they are probably within 30 days of being ready to submit for permitting.

Commissioner Becht asked would he let him know when he submits the package for permitting? Because he wants to see when it comes out the other end.

Mr. Matthes said he will be happy to do so.

Seeing no one further and hearing no one wishing to be heard, Mayor Benton declared the Public Hearing closed.

Motion was made by Commissioner Coke, seconded by Commissioner Alexander, to approve the Site Plan submitted by Adams Ranch, Inc. for Bridgewater II at 511 South 2nd Street.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Coke, Sessions, and Benton. Those opposed: None.

The next item on the Agenda was Public Hearing on Application for Site Plan submitted by Medical Realty Associates LLC for Fort Pierce Medical Park, a 28,500 square foot professional/medical office building on the east side of South 25th Street between Frist Boulevard and Quincy Avenue; said property zoned C-1, Office Commercial Zone.

Mr. Paul Williams, Urban Forester, said the applicant is requesting approval for a site plan to construct a three-story professional medical office building located on property off 25th Street between Frist Boulevard and Quincy Avenue. The zoning map shows the property to be C-1, Office Commercial, and is adjacent to properties also zoned C-1 to the north,

east, and west. The property to the south is zoned OS-1, General Open Space. The site plan before them shows the layout of the property and how it will be adjacent to 25th Street, with the main building facing Frist Boulevard. The building meets the new design review guidelines, and the elevations are well proportioned and contain appropriate entrances and detailing. The landscaping, this project is going to have approximately 700 inches of DBH trees, existing native trees protected, and an additional 22 palms protected and the addition of 99 trees and palms with the landscape plan. Stormwater management shows that the existing retention pond is along 25th Street. Traffic summary, the project impact statement conducted by Culpepper & Terpening specifies that the proposed development will generate a total of 951 daily trips, with a total of 105 AM peak hour trips and 127 PM peak hour trips. The proposed project is de minimis project impacts. The project traffic study further indicates that the traffic concurrency is met in accordance with the City code and no roadway improvements are required for the project requirements as specified by the code, all have been satisfied. This is a rendering of the project as they would see it from Frist Boulevard. This landscape plan shows the existing trees to be preserved and also the landscaping trees that will be added. All affected Departments, including the County, have approved the site plan based on it meeting the requirements of the City Code. At their January 8, 2008 meeting, the Planning Board voted unanimously to recommend approval of the site plan. As the proposed site plan meets the requirement of the City Code, staff recommends the City Commission approve the project.

Commissioner Becht said he thought that the Planning Board had made a recommendation regarding the appearance of the building on the 25th Street side, that the floor plan shall be mirrored to allow for the eastern and western elevations to be exchanged.

Mr. Peter Buchwald, Zoning Administrator, said that is correct. If the Commissioners will look at the elevations in their packet, the applicant has done that already, they have met that condition.

Mayor Benton declared a Public Hearing in session and asked if anyone in the audience wished to be heard.

Mr. Stefan Matthes, Culpepper & Terpening, Inc., said he is representing the applicant. Staff has done a wonderful job presenting it; and he just standing by to answer any questions they may have.

Commissioner Becht asked when does he anticipate submitting for permits?

Mr. Matthes said they will be submitting between two weeks and 30 days.

Commissioner Becht said let him know when his construction plans are final, meaning he is submitting the final package.

Mr. Matthes said he will copy him on the transmittal letter.

Commissioner Becht said he would like to track how long it takes to come out the other end.

Commissioner Alexander said he did not hear they are getting any money with this one.

Mr. Matthes said no traffic impacts to the point where it requires improvements.

Seeing no one further and hearing no one wishing to be heard, Mayor Benton declared the Public Hearing closed.

Motion was made by Commissioner Coke, seconded by Commissioner Sessions, to approve the Site Plan submitted by Medical Realty Associates LLC for Fort Pierce Medical

Park to be located on the east side of South 25th Street between Frist Boulevard and Quincy Avenue.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Coke, Sessions, and Benton. Those opposed: None.

Ordinance No. L-01 entitled, "AN ORDINANCE **REZONING** PROPERTIES LOCATED ALONG THE EAST SIDE OF SOUTH 33RD STREET, SOUTH OF ATLANTIC AVENUE AND NORTH OF BOSTON AVENUE, FROM C-3, GENERAL COMMERCIAL ZONE, TO R-4, MEDIUM DENSITY RESIDENTIAL ZONE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE." was placed on second and final reading and read by title only. (Applicant: Isaiah & Helen Lucas - Greater Friendship Missionary Baptist Church)

Mr. Peter Buchwald, Zoning Administrator, said a site plan and conditional use and the first reading of the rezoning ordinance was approved unanimously at the last Commission meeting.

Mayor Benton declared a Public Hearing on Ordinance No. L-01 in session and asked if anyone in the audience wished to be heard.

Seeing no one and hearing no one wishing to be heard, Mayor Benton declared the Public Hearing closed.

Motion was made by Commissioner Sessions, seconded by Commissioner Alexander, that Ordinance No. L-01 be passed on second and final reading.

Those voting in favor of the passage of Ordinance No. L-01 on second and final reading were: Commissioners Alexander, Becht, Coke, Sessions, and Benton. Those opposed: None.

Ordinance No. L-02 entitled, **AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 22, ARTICLE IV, SUPPLEMENTARY REGULATIONS, SECTION 22-60, **OFF-STREET PARKING AND LOADING**; SPECIFICALLY AMENDING SECTION 22-60(d)(2), NUMBER OF REQUIRED OFF-STREET PARKING SPACES, COMMERCIAL; AND SECTION 22-60(e)(2), NUMBER OF OFF-STREET LOADING SPACES, COMMERCIAL; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**" was placed on second and final reading and read by title only.

Mr. Peter Buchwald, Zoning Administrator, said this is the second reading of an ordinance which the Commission passed unanimously on first reading at the last meeting.

Mayor Benton declared a Public Hearing on Ordinance No. L-02 in session and asked if anyone in the audience wished to be heard.

Seeing no one and hearing no one wishing to be heard, Mayor Benton declared the Public Hearing closed.

Motion was made by Commissioner Sessions, seconded by Commissioner Becht, that Ordinance No. L-02 be passed on second and final reading.

Those voting in favor of the passage of Ordinance No. L-02 on second and final reading were: Commissioners Alexander, Becht, Coke, Sessions, and Benton. Those opposed: None.

Ordinance No. L-03 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **2810 SOUTH JENKINS ROAD**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Patricia Shaw - P.K. Trading Company)

Mr. Peter Buchwald, Zoning Administrator, said this is second reading and staff is here to answer any questions they may have.

Mayor Benton declared a Public Hearing on Ordinance No. L-03 in session and asked if anyone in the audience wished to be heard.

Seeing no one and hearing no one wishing to be heard, Mayor Benton declared the Public Hearing closed.

Motion was made by Commissioner Coke, seconded by Commissioner Alexander, that Ordinance No. L-03 be passed on second and final reading.

Those voting in favor of the passage of Ordinance No. L-03 on second and final reading were: Commissioners Alexander, Becht, Coke, Sessions, and Benton. Those opposed: None.

Ordinance No. L-04 entitled, "AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING THE CODE OF ORDINANCES; AMENDING SECTION 22-34(c) OF CHAPTER 22, ARTICLE III, CONDITIONAL USES PERMITTED; BY ADDING SECTION 22-34(c)(13) TO PERMIT **SHIP AND BOAT BUILDING AND REPAIR FACILITIES** IN THE I-1, LIGHT INDUSTRIAL ZONING DISTRICT, WITH CONDITIONAL USE APPROVAL; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE." was placed on first reading and read by title only.

Mr. Peter Buchwald, Zoning Administrator, said if they will recall, the Commission was notified by Staff of this pending zoning text amendment application on January 7, 2008. The applicant has owned the property located at 1201 North 2nd Street since 2003. This property is zoned I-1, Light Industrial. The operations of Cracker Boy Boat Works have been conducted by the applicant on this property and on a property located at 1602 North 2nd Street which the applicant has owned since 1978. The property located at 1602 North 2nd Street is zoned I-2, Marine Industrial. The operations of Cracker Boy Boat Works are classified in the City Code as ship and boat building and repair facilities, and are expressly permitted in the I-2 zoning district. However, ship and boat building and repair facilities are not expressly permitted in the I-1 zoning district. Therefore, the applicant has requested that the zoning text be amended to permit ship and boat building and repair facilities in the I-1 zoning district with conditional use approval. The proposed zoning text amendment simply involves the addition of a conditional use. These are the I-1 zoning districts within the City. Providing this additional conditional use appears suitable for these districts. In addition, the conditional use appears especially suitable for those I-1 zoning districts located near the waterfront. Permitting ship and boat building and repair facilities as a conditional use will require staff review, Planning Board consideration, a public hearing, and City Commission approval, and it provides for the implementation of parameters and safeguards such as landscaping, fencing, and other types of buffering, and ensures

consistency with the zoning district. Therefore the proposed zoning text amendment is not inconsistent with Chapter 22 of the City Code. In addition, the Comprehensive Plan identifies the Future Land Use designations of the I-1 zoning districts to be I, Industrial, or HI, Heavy Industrial. These designations provide for the storage, distribution, manufacturing and processing uses, and intensive industrial manufacturing uses. Therefore, permitting ship and boat building and repair facilities as a conditional use is not inconsistent with the Comprehensive Plan. Also, the proposed amendment meets other standards as specified by the City Code. At their January 8, 2008 meeting, the Planning Board voted unanimously to recommend approval of the proposed ordinance. As no inconsistencies have been identified between the proposed zoning text amendment and the Comprehensive Plan or Chapter 22 of the City Code, Staff recommends approval of the proposed ordinance for a zoning text amendment to permit ship and boat building and repair facilities in the I-1, Light Industrial zoning district with conditional use approval.

Commissioner Alexander asked if this is going to be an ordinance coming through the Mayor and Commissioners, why do they need an applicant to follow up on this? Is this something staff should be spearheading?

Mr. Buchwald said the applicant made application; and as part of their procedure, they brought before the Commission to see if they should take it any further. The applicant initiated that. Plus the applicant provided the application review fee of \$1,000, which compensates for staff's time to review and prepare this ordinance.

Commissioner Alexander said maybe he is the only one confused about that. But if this is an ordinance going to be permitted, then no one should have to pay them to do an ordinance.

Mr. Buchwald said there are three ways which an ordinance can be initiated - one is by staff, one is by an applicant, and one is by the Commission. It has been the Commission's desire for Staff to bring all proposed zoning text amendments before them in advance, so that they can say right up front if they are extremely opposed to it, so it would stop right in its track. This was done by applicant, staff brought it before the Commission in accordance with their wishes, the Commission did not indicate any opposition at that time, so they brought it to the Planning Board, and now it is in front of them. The applicant was the one that initiated.

Commissioner Alexander said there is no opposition at all. He just wants to know when do applicants start bringing an ordinance before them? He thought they were the policy makers. But he will go along with this.

Mayor Benton declared a Public Hearing on Ordinance No. L-03 in session and asked if anyone in the audience wished to be heard.

Mr. Martin Murphy said he is the owner of Cracker Boy Boat Works. Mr. Buchwald has worked with him and guided him through this and has explained it better than he ever could think about it. This is something that they need to straighten out. They have owned the property and they have been using the property and it was zoned improperly. This is the way the Planning Department said it could be straightened out the easiest. He would like to thank Mr. Buchwald's department for all the help that they have done for them in this so far.

Mayor Benton said he would like to thank Mr. Murphy for his patience, because he knows this was a long time coming.

Seeing no one further and hearing no one wishing to be heard, Mayor Benton declared the Public Hearing closed.

Motion was made by Commissioner Coke, seconded by Commissioner Sessions, that Ordinance No. L-04 be passed on first reading.

Those voting in favor of the passage of Ordinance No. L-04 on first reading were: Commissioners Alexander, Becht, Coke, Sessions, and Benton. Those opposed: None.

Ordinance No. L-05 entitled, "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CODE SECTION 2-29(a); MOVING **PUBLIC COMMENTS** IN ORDER OF BUSINESS SO AS TO PRECEDE CONSIDERATION OF PUBLIC HEARINGS; RENUMBERING SUBPARTS ACCORDINGLY; REPEALING ORDINANCES AND PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE." was placed on first reading and read by title only.

Mayor Benton declared a Public Hearing on Ordinance No. L-05 in session and asked if anyone in the audience wished to be heard.

Seeing no one and hearing no one wishing to be heard, Mayor Benton declared the Public Hearing closed.

Motion was made by Commissioner Coke, seconded by Commissioner Becht, that Ordinance No. L-05 be passed on first reading.

Those voting in favor of the passage of Ordinance No. L-05 on first reading were: Commissioners Alexander, Becht, Coke, Sessions, and Benton. Those opposed: None.

Mayor Benton said this was the first reading of this ordinance. After the second reading at their next meeting, public comment will not be at the end of the meeting any more, public comment will be at the beginning at the meeting, so they do not have to stay here all night. Bear with them for one more meeting.

Commissioner Alexander asked how are they going to get to educate the public on what they expect out of them?

Mayor Benton said as far as the timing, he is going to try to limit it to a total of half an hour, just like Port St. Lucie and the County does. They are going to try to keep comments, like they have always done, to five minutes or less. They are going to have a sign up sheet where people sign up. It will be his job to keep everything going and moving right along.

Ordinance No. L-06 entitled, "AN ORDINANCE OF THE CITY OF FORT PIERCE, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE; CREATING CHAPTER 17, ARTICLE V (SECTIONS 17-90 THROUGH 17-110); SETTING OUT REQUIREMENTS FOR **ILLICIT DISCHARGE AND CONNECTION OF NON-STORMWATER DISCHARGE TO THE STORM DRAINAGE SYSTEMS** FOR CERTAIN DEVELOPMENT PROJECTS; PROVIDING STANDARDS FOR ILLICIT DISCHARGE AND CONNECTION; PROVIDING ADMINISTRATIVE PROVISIONS RELATING TO INSPECTION, SURVEILLANCE, MONITORING, AND ENFORCEMENT; PROVIDING FOR APPEAL OF VIOLATION NOTICE, ABATEMENT; LIENING COST OF ABATEMENT; PROVIDING FOR SEVERABILITY; REPEALING ORDINANCES AND PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE." was placed on first reading and read by title only.

Mr. Jack Andrews, City Engineer said this is just a step on their way with their NPDES (National Pollutant Discharge Elimination System) permitting requirements that they have to fulfill and this will bring them into compliance with that.

Commissioner Becht said this draft ordinance was sent out by Mr. Andrews department to various engineering firms, the Treasure Coast Builders Association, and the Chamber of

Commerce. He is very happy that is the practice now to get these ordinances out so that they can get comment back before the ordinances are passed and they figure out what is wrong with them. He compliments and thanks Mr. Andrews for that.

Mayor Benton declared a Public Hearing on Ordinance No. L-06 in session and asked if anyone in the audience wished to be heard.

Seeing no one and hearing no one wishing to be heard, Mayor Benton declared the Public Hearing closed.

Motion was made by Commissioner Sessions, seconded by Commissioner Coke, that Ordinance No. L-06 be passed on first reading.

Those voting in favor of the passage of Ordinance No. L-06 on first reading were: Commissioners Alexander, Becht, Coke, Sessions, and Benton. Those opposed: None.

The next item on the Agenda was Ordinance No. K-651 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **875 W. MIDWAY ROAD**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2008; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF."

(Property Owners: William & Charlotte Nelson) (Passed on first reading on December 3, 2007. December 17th - Motion to postpone to January 22nd. January 22nd - motion to postpone to February 19th.)

Mr. David Recor, Deputy City Manager, said this is an annexation proposal that was presented as part of the original 197 at the end of 2007. Staff has met with the property owner on several occasions. In the midst of that, the property owner elected to obtain legal counsel. Staff has also met with legal counsel regarding this annexation. There are really two issues that they have been focusing on - a short term solution to address the property owners concerns regarding the annexation, as well as a bigger picture or a longer term solution as to how the City will deal with future annexations of White City property in general. Legal counsel for the property owner was actually very helpful, has provided some suggested language for the longer term solution. However, they have been trying to focus on the short term solution of getting this annexation back to the Commission for second reading. The resolution to the issue that they have reached is an amendment to the Land Development Regulations that will actually provide for the existing use on the property. Staff is requesting that this be postponed until such time as that text amendment can be presented to the Planning Board and come back to them for first reading, and when second reading is scheduled for the text amendment, they will also have this annexation on the agenda for second reading as well. This will result in the applicant immediately being annexed into the City and yet not being made non-conforming because the existing use will be provided for in the Land Development Regulations.

Mayor Benton asked that could take six months though, right?

Mr. Recor said no, he expects that it will probably be the second meeting in April.

Motion was made by Commissioner Coke, seconded by Commissioner Becht, that second and final reading of Ordinance No. K-651 be postponed until April 21, 2008.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Coke, Sessions, and Benton. Those opposed: None.

The next item on the Agenda was Ordinance Nos. K-728 through K-759, Extending the Territorial Limits of the City.

Mayor Benton asked this next set of annexations is going to take approximately how long?

City Clerk Steele said about 16 minutes.

Mayor Benton said bear with them until these can be read.

Ordinance No. K-728 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **2405 WINDING CREEK LANE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Edward & Eileen Lewis)

Ordinance No. K-729 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **2205 WINDING CREEK LANE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Sham & Lorena Mohammed)

Ordinance No. K-730 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **2201 WINDING CREEK LANE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Kimberly Graham)

Ordinance No. K-731 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **2109 WINDING CREEK LANE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND

PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: William & Janice Teschner)

Ordinance No. K-732 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **2105 WINDING CREEK LANE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Jerald & Margaret Daugherty)

Ordinance No. K-733 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **2103 WINDING CREEK LANE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Gregory & Suzanne Fasula)

Ordinance No. K-734 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **2005 WINDING CREEK LANE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: David & Stephanie Whiteside)

Ordinance No. K-735 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **WINDING CREEK SUBDIVISION, LOT 15**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Josh & Caren Bennett)

Ordinance No. K-736 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **2012 WINDING CREEK LANE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED

PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Samuel & Lynn Rowe)

Ordinance No. K-737 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **2008 WINDING CREEK LANE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Frank & Sylvia Lombardozzi)

Ordinance No. K-738 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **2004 WINDING CREEK LANE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Stephen & Tammy Matthes)

Ordinance No. K-739 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **2000 WINDING CREEK LANE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Norman & Vivian Trabulsky)

Ordinance No. K-740 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **1912 WINDING CREEK LANE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Robert & Brenda Cooper)

Ordinance No. K-741 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **WINDING CREEK SUBDIVISION, LOT 21**; DIRECTING THE ST. LUCIE COUNTY

PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Gerald & Donnelly Khourie)

Ordinance No. K-742 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **WINDING CREEK SUBDIVISION, LOT 22**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Roger & Elizabeth Winn)

Ordinance No. K-743 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **WINDING CREEK SUBDIVISION, TRACT A**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Winding Creek Property Owners Association)

Ordinance No. K-744 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **1909 WINDING CREEK LANE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Richard & Mary Perry)

Ordinance No. K-745 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **WINDING CREEK SUBDIVISION, LOT 27**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: William & Carol Archebelle)

Ordinance No. K-746 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **WINDING CREEK SUBDIVISION, LOT 28**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Erick & Marien Dominguez)

Ordinance No. K-747 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **2108 WINDING CREEK LANE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Rogelio & Sheila Gonzalez)

Ordinance No. K-748 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **2200 WINDING CREEK LANE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Michael & Deborah Haas)

Ordinance No. K-749 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **2204 WINDING CREEK LANE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: William & Marcia Yetman)

Ordinance No. K-750 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **2300 WINDING CREEK LANE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL

ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Ronald & Louetta Price)

Ordinance No. K-751 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **2400 WINDING CREEK LANE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: John & Barbara Davis)

Ordinance No. K-752 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **4330 WINDING PLACE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Joseph & Theresa Crespi)

Ordinance No. K-753 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **4326 WINDING PLACE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Kathleen & Ronald Leclair)

Ordinance No. K-754 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **4237 WINDING PLACE**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: David & Tricia Pollard)

Ordinance No. K-755 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **WINDING CREEK SUBDIVISION, TRACT B**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE;

DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Winding Creek Property Owners Association)

Ordinance No. K-756 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **WINDING CREEK SUBDIVISION, LOT 44**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Roger Terry)

Ordinance No. K-757 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **WINDING CREEK SUBDIVISION, LOT 46**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Ashok & Ranjan Patel)

Ordinance No. K-758 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE THE **WINDING CREEK ROADS**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2008; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Winding Creek Property Owners Association)

Ordinance No. K-759 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **WINDING CREEK SUBDIVISION, LOT 25**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Robert & Sophia Sebeny)

Mr. Peter Buchwald, Zoning Administrator, said this is the second reading. The first reading the ordinances were passed unanimously by the Commission.

Mayor Benton declared a Public Hearing on Ordinance Nos. K-728 through K-759 in session and asked if anyone in the audience wished to be heard.

Seeing no one and hearing no one wishing to be heard, Mayor Benton declared the Public Hearing closed.

Motion was made by Commissioner Coke, seconded by Commissioner Becht, that Ordinance Nos. K-728 through K-759 be passed on second and final reading.

Those voting in favor of the passage of Ordinance Nos. K-728 through K-759 on second and final reading were: Commissioners Alexander, Becht, Coke, Sessions, and Benton. Those opposed: None.

The next item on the Agenda was Mr. John Donahue, Boyle Engineering, to give **State Road A1A** status update.

Mr. John Donahue, Boyle Engineering, said they have his report. If they will focus on Phase 2B, they can see that the City Engineer and his staff have forwarded a response to the Pelican Yacht Club's study by Fuller Armfield-Wagner Appraisal & Research, Inc. to the City Attorney and that is being reviewed right now. Phase 1, as promised FPUA has completed their potholing of the utility locations along Phase 1. He actually brought the report up and dropped it off today. FPUA needs to review that and then they can start on the utility conflicts and adjusting the drainage facilities accordingly.

Mayor Benton asked have they resolved the problem with the roundabout in front Harbour Isle yet? He knows there was an electrical issue that started in September and was resolved, but they keep calling them on this.

Mr. Jack Andrews, City Engineer, said he spoke with FDOT again today. Today's report is they have completed the agreement that they need to enter into for the subordination agreement of the utilities. FDOT has prepared it, they presented it to their legal department, they have two comments that they were working on today. They expect to get it to them by the end of this week, at which time he will have to present it to the City Attorney's office, and hopefully they will put this to rest. This is the final item they tell them that is holding them up.

Commissioner Coke said Phase 2B, she sees the design and permitting are complete. Is it her understanding now that the Pelican is holding them up on this project?

Mr. Donahue said the Pelican has done a study of their own, what they own out there, and have asked that the City give some things back to the Pelican.

Commissioner Coke said she understands that. She has been trying to work on this situation with the Pelican for well over 18 months. Are they now to the point where the Pelican not moving forward with this is going to delay their project?

Mr. Andrews said no, not at this time. They are currently out for bid for Phase 2B. They are expecting their bids to come back in on March 6th, they will be opening bids for this. He will have to bring it back to the Commission for award. It also enters into, if they have enough funds to complete that phase, this is what they will be looking at. Currently at this particular time, no they are not holding them up, but they are getting to that point.

Commissioner Coke said but they are within weeks of that happening.

Mr. Andrews said yes.

Commissioner Sessions asked with regard to the time aspect of it, in Phase 1 regarding the utility relocation, does Mr. Donahue anticipate or foresee a conflict with the FPUA in terms of getting the design work of relocating the utilities?

Mr. Donahue said that is what they had to confirm in the field, the exact locations of the lines. Normally they use record drawings or as-built drawings; but sometimes those are not correct and they get into situations where they have conflicts during construction which costs a lot more because then the contractor asks for change orders rather than competitively bid the project. They ran into a similar project with a BellSouth duct bank on 7th Street where the record drawings showed it to be in one location, and when they started tearing up the road and installing some drainage facilities, it was found to be in a different location, which caused delays and expense to the project. They are trying to avoid that.

Mayor Benton said he will see Mr. Donahue in Tallahassee tomorrow evening and Thursday. Mr. Donahue will be working with him to try to secure some funding for A1A.

The next item on the Agenda was Approve forwarding a request to the TPO for funding for State Road A1A Reconstruction - U.S. #1 to Blue Heron Boulevard.

Mayor Benton said when he was in Tallahassee a year ago requesting funding from the State Legislature to finish the reconstruction of A1A, the price tag was \$7 million. In a year it has gone up \$2 million. They hope that somebody up there in Tallahassee or locally will redirect this money and get this job finished. The timing delays were caused by not only DEP, but FDOT; and he guesses some natural disasters have caused the price tag for this project to go way out of hand. They would like to get it finished. They have a request here to ask the TPO to maybe look at allocate funding from another area.

Motion was made by Commissioner Sessions, seconded by Commissioner Becht, to approve forwarding a request to the TPO for funding A1A Reconstruction - U.S. #1 to Blue Heron Boulevard.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Coke, Sessions, and Benton. Those opposed: None.

Commissioner Coke asked could Mr. Andrews be sure to bring some background information to the next TPO meeting in April? Background of what the initial cost was and what it has escalated to. She believes there are probably some funds that can be redirected for immediate use.

Commissioner Sessions asked if in fact Plan A does not work, do they have a Plan B? A \$9 million shortfall is pretty healthy. He is just wondering, have they possibly identified any alternative funding sources if in fact this does not happen?

Mayor Benton said there is a certain project scheduled that the contract is to be let, he believes in March, for reconstruction and six laning of U.S. #1 from Edwards Road to Virginia Avenue. At least in his opinion, and he hopes the rest of the Commission, that with the budget cuts not only the City has, but Tallahassee is in even worse shape financially, he would hope that the understanding is they need to finish the jobs they have going instead of starting something new. If they look at the reconstruction work that has been taking place on U.S. #1 between Rio Mar and Midway Road, which is way behind schedule, several businesses have been put out of business. With the economy, there are several that are really hurting, so he does not think they need to do that to their folks along U.S. #1.

This money that would be used there would be used to buy out some businesses because FDOT has to buy additional right-of-way, so it would put a hurt on some of those businesses there. He thinks they can redirect some of that money to get going on this, he

hopes. He really does not expect much in Tallahassee when it comes to money, but he has to go try.

City Clerk Steele introduced the following Resolution by title only:

RESOLUTION NO. 08-06

"A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, DESIGNATING **2529 OKEECHOBEE ROAD** AS A HISTORIC PROPERTY AND A LOCALLY SIGNIFICANT SITE."

Motion was made by Commissioner Coke, seconded by Commissioner Becht, that Resolution No. 08-06 be adopted.

Commissioner Becht asked this is actually a historic designation that is triggered by an owners request?

Ms. Kia Powers, Historic Preservation Officer, said that is correct, this was an owner-initiated application.

Those voting in favor of the adoption of Resolution No. 08-06 were: Commissioners Alexander, Becht, Coke, Sessions, and Benton. Those opposed: None

The next item on the Agenda was Discussion of City Hall **Parking Garage** operating policies.

Commissioner Becht said with simplicity, he would like to throw out a couple of ideas, and have reaction from staff and have reaction from the Commission. He would like to discuss leaving the first floor of the garage open to users of City Hall and public parking, and ask staff to park on the second, third, and fourth floors, wherever else they can park. But to allow the user public to use the first floor and anybody that may use the parking garage during the day, so that the ground floor would be open. He met with Bob Swisher from the DBA (Downtown Business Association) and he informed him of an interesting fact, that the jury pool that comes to beautiful downtown Fort Pierce are provided with stickers, apparently by the Clerk of Courts Office, that essentially gives them a free pass to park on the streets all day long, and that would be true even if they have 400 empty spaces at City Hall. So he would like to discuss how they might deal with that. They need and want to encourage the jury pools to come to downtown Fort Pierce; but if they are going to be sitting in a court room for eight or nine hours during day, maybe they can make arrangements where they can park in a garage, either the County's garage or... If he read the report correctly on the County garage, the Public Defender burnt the third floor and the Courthouse personnel burnt the first floor, so they have 60 spaces available on the second floor for their jury pool. Eventually in order to encourage people to use the public parking garage, he thinks they are going to have to create a little incentive for that to happen. That is not going to be pretty, it is going to be the meter maid entering into a program of enforcing a two hour parking restriction. He does not want to do that immediately, he thinks that is a bad idea, while they still have some... The Renaissance building is still under construction and he does not think the fallout from the Clerk of Court building has been sorted out yet. For instance, when the Renaissance building is finished and the streetscape is done around that building, maybe it would be appropriate at that time to start a meter maid program where they start letting folks know via television that they are going to enforce parking restrictions; and then for six months after that, she issues warnings, and after the six months, then she starts to issue real tickets, so they can encourage people to use free public parking either in the County parking garage or the City parking garage. He wanted to talk about if they were going to leave the first floor open, he would like to see what would be involved with leaving it open 24 hours a day. And maybe put up some barricades where they could not get up to the second floor. He thinks if they could not get

up to the second floor, they can't get up to the third or fourth floor. He got an interesting e-mail from Mr. Ward which wisely talked about the need for these rules to evolve as they see how the parking garage is being used. But he thought it appropriate for the City Commission to try and give direction on this so it is utilized. It is a \$13 million investment and they need to make sure the public uses it.

City Manager Beach asked who does he anticipate would need parking 24 hours a day?

Commissioner Becht said it would not be necessary 24/7. He does not know if that is midnight or 2:00 o'clock, but on the weekends they could have people that would be parked there until 1:00 or 2:00 o'clock on Friday and Saturday. It does not have to be Monday, Tuesday, Wednesday.

City Manager Beach said what staff is encouraging is that they get the garage open, operated, and see what those demands are. He thinks the more regulations that they pass related to the garage, the more enforcement activity that they have to be engaged in as a staff to see that it happens that way. He thinks that with 468 spaces being placed on a market... By the way, their real parking issues are and have always been one of convenience, not one of lack of facilities. Parking is everywhere, but not where people want it to be. One of the things they are going to learn over the next few months is whether or not this parking garage is where people want it to be. He would like for them to look at this over a period of time, whether it is 30 days or 60 days, to try to assess how it is being used and what type of policies need to be put in place to make it be used more effectively. He really likes the idea of finding a way to charge for parking on the street in an attempt to direct people to the parking garage where there is free parking. He thinks that has merit. But he would still encourage them to watch it for a while before they make those decisions.

Commissioner Coke said she is going to hesitate to start with charging for parking on the street because it is almost as bad as charging for parking in their parking garage. She does not want to say the trolley word because everybody here cringes. But she honestly believes that one of the reasons their trolley was not successful was because they did not have proper signage up from day one, it was later on that they got the signage. She thinks the first thing they ought to do when the parking garage gets open is put some signs throughout downtown - City Hall Parking Garage - Free Parking - and the location, so people will know where it is. She has concerns about talking about closing the parking garage at a specific hour. There was a performance at the Sunrise Theatre Friday night, they had the first Broadway touring company come here and did The Producers. One of the ushers directed a woman to her. It was her first time at the Sunrise, first time in the City of Fort Pierce, and it was her birthday. She parked in the County parking garage; and when she was exiting, she was informed by one of their police officers that the County sometimes locks that garage and sometimes it will take them hours before they can get somebody down to unlock the garage. The woman's leg was in a cast, she was not supposed to be walking, she had park at the other side of Citrus Avenue. She knows they had talked at some juncture earlier about putting a sign on the County garage - Sunrise Theatre Parking here. She thinks it would behoove them, so as long as the theatre is growing rapidly, on evenings that the theatre is open they have to be sure that at bare minimum the City's garage is open. And they ought to encourage Mr. Wilkes, any tickets he mails out, to put a notation that parking is available there.

Mayor Benton said after the last FPRA meeting, he met with Mr. Swisher and Mr. Rosslow to discuss the garage. He understands the merchant's problem is people parking out front and workers parking out front and also at City Hall. Coming from that meeting, his opinion would be is maybe what they should consider if there is a problem, that they would enforce that two hour parking downtown. And also on the first floor of the parking garage, make that two hour parking. So that way people visiting downtown merchants or people visiting City Hall would have the use of the closest spaces. And if they are looking at the Fort Peirce Police Department possibly moving into part of that office space, he thinks they can

have that meter maid keeping an eye on things downtown. But he does not know of any other way they can keep the roads and the good spaces open conveniently for the merchants. Something to think about. But if they want to take a couple of months and see how things do go, that would be his idea.

Commissioner Alexander said one point about the signage on the building, they need to have some emergency numbers, that if anyone has any problems, contact numbers they have available. He had thought at one time they had requested... And he sees in a memo from Mr. Ward that there will not be any electrical outlets for any type of electrical cars, carts, or anything. He is trying to figure out, he thought they had requested that. He won't go beyond that, thinking that they requested those things. He just thinks they need to feel their way. Not saying just give carte blanche to anyone to do anything, but they know right from wrong. They just need to feel their way and how they are going to do this. His main question is, when are they supposed to be utilizing that garage?

Mayor Benton said he is told March 17th. They are being punished to the tune of \$1,500 a day.

Commissioner Alexander said it does not matter if it was \$2,500 a day, he is still concerned about why is the public not in that building.

Mayor Benton said hopefully very soon. He had to bite his tongue at Coffee with the Mayor last week, because he had told them last month they would be parking in there this month and it did not happen. But that is out of their hands. He knows there was some discussion about the electric cars and plug-ins. To him, if someone is going to use their electric car, plug it in at home. At the price of everything now and their budget cuts, he would hate to see people start using their garage just to charge their cars.

Commissioner Alexander said he is not necessarily talking about cars, he is talking about people on those little scooters. Some do not have that monetary thing where they can buy new batteries when they feel like it. It is just anything that is man made is going to break down. He just thought that they would have something there for the handicapped, that is the ones that need most. And he thinks they should not ever let that be overlooked.

Commissioner Coke said she agrees that they had discussed that and she thinks they all agreed that it was going to be in the original plan. But when it wasn't, she thinks the choice came down to either give these gentlemen an excuse to delay the opening yet again, or go ahead and retrofit that afterwards.

Commissioner Alexander said fine with him. He just wants to make sure they consider it.

Mayor Benton said he would have a concern for safety reasons. If they have folks in there on those little carts interacting with cars, there could be a problem in a parking garage for safety reasons.

Commissioner Alexander said he thought they have a little dead section where they walk outside this area here before they get to... What is the harm?

Mayor Benton said at the FPUA one time, they had someone coming in on a daily basis just to charge up their cart; and they had to draw an end to it.

Commissioner Sessions said not to take away any merit from some of the rules and regulations Commissioner Becht has proposed, but this is a project that he hopes there is a great demand for. It is something he inherited, they all had made the decision to put the money into it. But he thinks that they need to wait and see whether or not it necessitates any rules and regulations. And if in fact it does, Commissioner Becht has pointed out and brought to their attention some valid points that probably takes care of a lot of their

homework. But to start off with rules and regulations, he thinks would be premature at this point in time. Hopefully they can leave it wide open and carefully monitor the situation as the City Manager has pointed out.

Commissioner Becht said he is fine with that. He just wanted to have a discussion on it.

Commissioner Coke said her only concern with not establishing any rules and regulations, she does not think that she wants to get to the point where they are reserving the first floor for two hours or anything. Her concern is that they have heard from a lot of people that they felt that this garage was being built and was going to be used purely utilized by City employees. With that in mind, to dis-spell that, she certainly thinks that the City Manager and the management here at City Hall want to do everything within their power to encourage that City employees do not park on the first floor and leave that open for the public to use.

Mayor Benton said they will address this issue if there are problems in the very near future. Lets get it open and see how it works to start.

The next item on the Agenda was Mayor Benton discussion regarding the proposed placement of Wind Turbines at Blind Creek Park.

Mayor Benton said he has a meeting with the Secretary of DEP on Thursday in Tallahassee. And seeing how in the last few weeks how things have changed, at least at the County level, where the State stepped in and wanted to oversee their local issue on this, he felt it was time maybe the City of Fort Pierce got involved in it. It has been discussed now since the end of last summer or early fall when he had met with some folks from FP&L and they showed him these pretty pictures of these windmills sitting over the nuclear power plant and he could hardly see them. But since then he has learned a lot, he thinks they all have. At 410 feet high, not only the aesthetics, but at a time when they are spending over \$10 million putting utilities underground on A1A, not just for aesthetic reasons, but they go less than a couple miles outside the city limits and they are going to look at these things 410 feet high that will be moving around on their beaches that belong to all of them and the people that stay in their hotels are going to those beaches. To him, there is just way too much for Tallahassee to make decisions for them. And he thinks they have a lot of questions that need answers. He just thinks it would be nice for him to be able to send that message that the Fort Pierce City Commission has some grave concerns on property values, aesthetics, environmental issues to the Secretary on Thursday so he knows how they feel. The County, he knows they will be discussing this soon. And he does not think this is going to affect Port St. Lucie like it is going to affect Fort Pierce, because they are quite a ways away from the beach. Commissioner Becht lives on Indian River Drive. He does not know whether he wants to look at these things.

Commissioner Becht said he does not want to look at them. But he does not want to ignore, as D.C. has done, America's dependance... This gets real broad real quick. The County had an eight hour discussion on it the other day and he does not want to have an eight hour discussion tonight on it, particularly without any public input and without any FP&L input. And that what bothers him about this. There was an eight hour meeting at the County and the County did not make a decision on this. It is not in the City, it is in the County. He is dramatically impacted by this. Many of his friends and his family are impacted by this possibility. The exciting thing that is happening here is that St. Lucie County is talking about an alternative energy. That they are talking about it at Blind Creek Park is not exciting. But whatever might be done here needs to be done very carefully that it does not dilute the good that might be accomplished by the discussion on alternate energy that does not exist on a national level in D.C., because they are not talking about it. They are so dependent on oil lobbyist money that they will not talk about it. So the only way that this is going to happen is on a local level, because the oil industry can't lobby all 67 counties in Florida to have things their way. If the discussion is going to start, it is going

to start at grassroots. And that is where they need as leaders to get it started. Unfortunately this thing got hijacked with real, but also emotional, concerns about putting these things on environmentally sensitive lands. He does not think there is any dispute that it is environmentally sensitive lands. And it is complicated because FP&L has apparently misrepresented certain facts for the second time as they come to St. Lucie County with a proposal. The misrepresentation with the coal issue, with what they had done with neighbors, and then the misrepresentation about what they knew about the process in Tallahassee or did not know about the process in Tallahassee. He admires what he thinks the Mayor is trying to accomplish here. But he thinks there is a very narrow path that they go here to encourage the County to continue the discussion on alternate energy; and also, with less than a full discussion with the public, make a decision that they do not want wind turbines at Blind Creek Park, when the five County Commissioners could not make that decision after eight hours.

Mayor Benton said he believes in alternative sources of power. He worked in the power industry for almost 20 years. But knowing that nine of these structures will only create enough power on a good day for 3,000 homes. In St. Lucie County they have two nuclear power plants, they are getting to finish their gas plant out here, and the County is looking at building a facility. How much do they have to do?

Commissioner Becht asked how do they draft the letter?

Mayor Benton said he just wants to draft a letter that says let them make these decisions locally, don't push this down their throat.

Commissioner Becht said he is very comfortable with let them make the decision locally here at home.

Mayor Benton said he is not looking to say yes or no. He is just saying, let them deal with it here.

Commissioner Becht said absolutely.

Mayor Benton said his concern last week was that this ARC group (Acquisition and Restoration Council), which he heard about at the last minute when he was on vacation, was going to make this decision in Tallahassee without their input. So he would just like to let the folks in Tallahassee know to listen to them first.

City Manager Beach said he would encourage everybody to not think of this as seven or nine wind turbines, but think about wind turbines on the entire coast of Florida, however many could be constructed. If it makes sense to put up seven or nine, it makes sense to put them every 600 feet from here to Tallahassee. Just ask themselves if that is something that they think has value for the State of Florida.

Commissioner Coke said she was at the meeting when the County discussed this. She was only there for three or four hours. But many of the County Commissioners and many of the citizens, everyone was uniformly bringing up the point that they wanted to see St. Lucie County move forward in being the leader to explore alternative energy. The concerns were, number one, they did not know that they believed in turbines. Some people said that was the absolute wrong thing, some people said they did not have enough information. But not one person there spoke against moving forward with exploring alternative energy. There was a lot of different discussion about utilizing things with the waves and whether that could come through later on. She thinks they do not want to necessarily shut the door on further discussions with FP&L on what they can do here to bring alternative energy sources. She thinks the Mayor is 100% right, that this decision needs to be made at a local level.

Mayor Benton said at their last FPUA meeting - they had a workshop the same day the City had their workshop, so he was not there - but Florida Municipal Power Agency came up. They have some panels, he guesses some type of solar panel, that they are looking at putting some in Fort Pierce somewhere, in the Keys, and in different areas, that produce a considerable amount of electricity compared to these turbines. They said they can put them on top of buildings, parking garages, and he guesses they can tie into the grid. He has asked for information on that. But he thinks they need to look at the big picture before they jump and make a decision. He thinks their beaches are one of their biggest assets. And once they do something they could all regret... He thinks there needs to be a lot of discussion and a lot of pros and cons on this. He just does not think Tallahassee, like what they did to the cities and the counties with this last amendment, he just does not want it to continue. If it is okay with everyone, he will draft a letter tomorrow on his way up and see if he can e-mail it back to everyone and fine tune it.

Commissioner Becht said he is 110% in favor of this decision being made at the local level with full public participation. It is a very emotional issue. At the end of the day, he does not think anybody is going to buy into covering their coastline with wind turbines. But he is encouraged by the fact that they are having discussions about alternative energy. He just wishes they could get to the solar faster.

Mayor Benton said he thinks it is getting better, he thinks it is better than this, at least from what he read. He is not trying to take a stance on this other than let them decide at home. He would like to have their approval of whatever he puts together, so he will try to get it to them. His meeting is late Thursday afternoon, so if he can get it to them sometime tomorrow late, he can get a response by Thursday morning.

Commissioner Alexander said he has his response now.

The next item on the Agenda was Commissioner Alexander discussion regarding presentation of "The Life and Times of Zora Neale Hurston" documentary at the **Sunrise Theatre** on February 28th.

Commissioner Alexander said at the last FPRA meeting he brought back greetings, they missed the other Commissioners that was not there. He just asked a question of the producers, could they do something for the Commissioners? This thing is going to go international. And he would like for the Commissioners and the staff if possible to have a private showing. He thought if he put it out ahead of time that they could come to some conclusion. The producers are here and it is something that they wish to do for the Mayor and Commissioners. He did not want to extend it too far out and he did not know what was going on at the Sunrise Theatre, but he did not get any opposition from the Sunrise Theatre.

Commissioner Coke said she thinks it is a absolutely wonderful idea and she thinks they should move forward with it. Her concern is, sitting on the Sunrise Theatre Board, she does believe they are booked the evening of February 28th. Is it something that possibly they could arrange to do it in the meeting room upstairs?

Commissioner Alexander said he was thinking more so the screen, that they wanted the theater, the movie effect of it. He just thought it was an idea for the Commissioners.

Commissioner Coke said she thinks it is a very worthwhile thing. She thinks it is something they all need to see. Her concern is, she does believe that is an evening that the Opera Society is having a dress rehearsal.

Commissioner Alexander said he does not know what shortcoming that would be for them, but they are here they can ask them.

Mayor Benton said he would like to see it, he thinks they all would.

Commissioner Coke said there only about ten of them and the theater seats 1,200. That might be a little overkill.

Mayor Benton said maybe they should open it up for people that did not see it, because wasn't it shown the same day as the Super Bowl?

Commissioner Alexander said he was thinking of staff, but then he did not want to put any more undue pressure on the producers. He did not know which direction, that was just a request of him to them, and they looked at it and smiled and said wonderful. It is something they look forward to doing. When he put it as an agenda item, he did not get any kickback from it one way or the other and he thought it was ample time.

Mayor Benton said maybe the gentlemen can talk to Mr. Ward and Mr. Wilkes and find a time that they can show it again and open it up to the public. To have it just for the Commissioners, when they have a big theatre there...

Mr. Jose Garofalo said he is the director of the documentary.

Mayor Benton asked if they had Mr. Ward and Mr. Wilkes get in touch with them, would they be willing to try to set up a time that they could show this?

Mr. Garofalo said absolutely, he thinks it is a great idea that they can open it up to the public. When the screener did his world premier, it was during the Treasure Coast International Film Festival. Which by the way, they thank them for their participation, it was a great success. It brought in approximately 1,200 film makers and film bureaus that weekend, it was great. Unfortunately, that Sunday happened to fall on Super Bowl Sunday. So he thinks that affected a lot of people's plans.

Mayor Benton said he thinks they would have a heck of a turnout next time. That is why he thinks this community really should see that. It is something they can do for the community. It is just sitting down with the Sunrise folks and coming up with a date that amenable to everyone.

Mr. Garofalo said absolutely.

The next item on the Agenda was Commissioner Alexander discussion regarding the Toussaint L. Overture International School, Inc., a/k/a The Charter School of Fort Pierce.

Commissioner Alexander said he thinks they are all aware of the individuals that came before them before seeking a charter school. He thinks it was the location that they had before was kind of out of place. They have gone and gotten permission from the Orange Blossom Business Center, even the School Board gave them a letter of acceptance willing to share the same building. Those individuals are here tonight and he would rather for them to speak. They have a short time coming; and when he called to check on them, one thing led to another.

Mayor Benton said he agrees. He has met with them several times over the years. In fact, he brought this up not too long ago, they had the opportunity to go into the Orange Blossom Business Center; but it was a zoning issue and he did not get the support of three people up here to move forward with that. But he thinks they should, he thinks it is a good place. It is an office building and the School Board is there. There is not a lot of traffic there. It would be, in his book, an appropriate use. They have a time frame now that if they do not find someplace very soon, the School Board...

Commissioner Alexander said they have the place, it is that they need the Commission's support.

Mayor Benton said they need their support because there is some zoning issues he thinks that their staff has to deal with and come back with. It is just finding three of them up here that are willing to take it the next step.

Commissioner Coke said she has met with the people. They are going to provide a different service to the youth of their community. They are not talking about taking children that go to school on a regular basis here and pull straight A's. They are talking about children that have some educational challenges. These people are geared towards meeting those educational challenges of these children. She thinks it is a need that has been created in their city that has not been met by the educational system that they have now. She thinks they need to move forward expeditiously to ensure that these people are there to provide those services for these children. Because once they lose a child, it is a lot harder to get one back than it is to stop them from getting to the point where, if they do not feel good about themselves and they do not have the tools to learn. Illiteracy and lack of education, she is sure the Chief will agree, is one of the high causes of crime. If they can get this school up and running and give it their full support and help some of these kids so they get the education they need so they can perform in society, they won't be frustrated with themselves and then look to turn to a lifestyle that the Chief is going to have to deal with instead of them.

Commissioner Becht said he has met with the folks as well. He believes in what they have told him they are going to do. He finds himself both here and off hours occasionally arguing with city staff about planning and zoning interpretations. He would ask Mr. Recor, is there a planning policy that says it is bad planning for them to try and create a charter school in the Orange Blossom Mall? The space is not being used, there is an abundance of parking. The number he heard, and he would like to tie them to this, was 17 full-time jobs. So they have the ability to educate the kids, create 17 jobs, and utilize vacant space. Is there a planning policy that gravitates against putting this charter school in that location on a five or ten year lease?

Mr. David Recor, Deputy City Manager, said there is no policy that the staff currently administers. He thinks staff had based their interpretation or the rationale for why schools in general are not permitted in the C-3, the most permissive commercial zoning district that the City has, on the fact that there was some logical incompatibility between children and various transportation issues in the city's most permissive commercial zoning district. When they came to them in November and asked if there was any interest to provide for a definition for charter or private school in the C-3 district, what they were suggesting was to not only create that definition, but to provide for the use by conditional use. That would give the City Commission the ability to look at the issues on a site by site basis; and if there were circumstances that warranted additional review, they would have the opportunity to mitigate the impact by condition. No, there is no provision in the development regulations that say schools in commercial areas are a no-no. It is simply a logical connection of incompatibility between the two land uses.

Commissioner Becht said that is what he was looking for, the logical incompatibility. The problem that he has is, that for however many years they have been coming before them, they have not been able to find the logical compatible area where they belong. If they can tell him where that is or if they have been able to find it, he thinks they would be open and they would be doing their thing and he would have 17 more employed people in Fort Pierce. At this point in time, if he is reversing his position, he is reversing his position because he is better educated. He would be in favor of the conditional use in the Orange Blossom Business Center, if that is C-3. He appreciate the concerns about mixing children and traffic and retail. But at this point in time, they are just going to have to bite the bullet and get them open.

Commissioner Coke said it was her understanding after meeting with these people last week, the way that is going to be laid out, these children will not be utilizing the same entrance as the School Board and all those other people. They are going to have their own little area, so it is going to be away from everyone else. They are not going to be allowed to roam the existing mall area freely, they are not going to be running around outside, and they will not be interacting with the other traffic going there.

Mr. Recor said the conditional use process will require a site plan which will enable the Commissioners to make those determinations.

Commissioner Becht asked is he saying they are going to have to site plan the entire Orange Blossom Business Center or just their portion?

Mr. Recor said a site plan that provides sufficient information for the Commissioners to make an informed decision. That does not involve site planning an area of the mall that is not otherwise affected by this use. But if the development involves closing off access to a portion of the mall, certainly the Building Department is going to have an interest in that. They are going to need to look at access, how the school will be parked. Certainly they know there is an abundance of availability of parking there. It is simply a site plan that goes along with the narrative of how the operation will be conducted.

Commissioner Becht asked is he looking at landscaping and those types of things? When Mr. Recor says site plan, he sees a laundry list of things.

Mr. Recor said he does not want to make any commitments as far as what would or would not be required tonight on the fly. He would rather sit down with the Zoning Administrator and make those determinations.

Commissioner Coke said number one, it is clearly the will of this Commission that this project move forward. Number two, these guys are not going in and renting a part of a shopping center parcel and building a building. They are in fact renting and renovating an existing building.

Mr. Recor said they throw everybody through the ringer.

Commissioner Coke said what she is telling him, they are not looking to throw them through the ringer, they are looking to expedite the process.

Mr. Recor said he and Mr. Buchwald need to sit down again, now that there seems to be momentum in moving this forward. Let them sit down with the understanding of moving this forward as painlessly as possible.

City Manager Beach said as Mr. Recor had indicated, this has been brought to the Commission in the past and there were suggestions made by the staff as how this may move forward. And for whatever reason, that was not followed through with. He thinks if the Commission says they have an interest in pursuing this, then staff's role then becomes to bring them the methodology to accomplish that. It is not necessary for the Commissioners to tell Staff how to do that, but simply indicate this is something that they would like to see occur. And then Staff will suggest to the Commission what changes have to be made to the codes to make it happen.

Mayor Benton said that is what they are saying. Mr. Recor oversees that department, they know he works for them, so they are sure they will have something back here soon. They will be working with these folks and make this reality.

Commissioner Becht said his concern is the interpretation of the code. If Mr. Recor is saying that a conditional use requires a site plan, then he does not know how they get creative and bend the code requirements. If they have to go in a different direction than a

conditional use, then lets be clever enough to figure out where they do not completely bastardize their code.

Mr. Recor said they will put their heads together and come up with a way to get this before them.

City Manager Beach said just a word of caution. Don't think for a moment that this is not going to be complicated. Everyone that has tried to go inside the mall and redevelop and do something in there has met with a number of building requirements, not based on the City of Fort Pierce's code, but based on State codes, based on fire codes, based on all types of development issues that relate to whatever it is they are trying to do. There is not going to be anything uncomplicated about it, but they can move it forward where they can make it legal.

Mayor Benton said maybe they can have a status report on how things are moving along with this.

Mr. Recor said he oversees that department too, so he will get everybody in one room and figure out a way to get it before them.

The next item on the Agenda was Commissioner Sessions discussion regarding the merits of operating the Willie B. Ellis Substation on a 24 hours/7 days a week schedule.

Commissioner Sessions said he is bringing this item to their attention under the impression that everybody agrees that the best method of crime prevention is certainly visibility. They have the Willie B. Ellis Substation on Avenue D, which is probably known as being the core of the cancer of crime throughout their city and perhaps the state. For whatever reasons, that police substation is open like a social security office from 8:00 to 5:00 p.m. He does not know the reasons why it has been that way up to this point, but he thought it was something that they needed to address. While he was out campaigning, it was a major concern of individuals out there as to why this substation was not open so that the citizens would have accessibility to the substation itself. His understanding from talking to the Chief and looking into what had happened in the past, there was a philosophy that the officers were needed more so on the streets than in a station. But when they look at what was going on in their main police station years ago with the traffic that was coming in and out of U.S. #1, from what he was told that was a very place where there was a lot of traffic coming in and out where complaints were being made. It would appear that if they had a stationary point where complaints could be made, they could offset the number of officers time that is needed out on the streets to take complaints. In more urban areas they have actually complaint takers, because it is very cumbersome from a time standpoint to take complaints. He does not think they actually need to advertise for a complaint taker. But again, this is an area that they can get the visibility they need in order to eradicate crime and also help out with the response time of their police officers with being tied up with taking complaints. If it is anything like what went on on U.S. #1, years ago, it would certainly well utilized and not underutilized if they were to open up that station on Avenue D.

Chief of Police Sean Baldwin said he and Commissioner Sessions actually did meet within the last few weeks to discuss this. Before he gets started, he has a couple of slides here to present some facts they may need in order to make this decision. He wants to tell them that his preference is to have all of their stations open 24 hours a day. That is the old cop in him that thinks that a police station should be open 24/7 to serve the public. What this becomes is simply a matter of priority and funding. He knows he has talked with Commissioners about this issue in the past and they have made conscious decisions about whether or not the stations would be open based on these two issues. In his professional opinion, there is a preference for putting the feet on the street or seats in the cars and being out in the community and serving the community rather confined to a station. There is certainly some truth in what Commissioner Sessions says about having people sitting at

a desk that can take complaints over the phone, police reports, and so forth. There is certainly some value to that and it does offset some of the work that their police officers have to do in the field and frees them up for more patrol time rather than sitting and taking reports. That is certainly a well made point. Like the Commissioner, he has also heard the cries from the community, specifically toward opening the Ellis Police Substation. Let him present them with the facts and then they can go from there. He wants to remind them that they have frozen positions at the police department. There is a total of seven positions. Now all of these are not field positions, but they will note that five of them are field positions. They are operating with seven positions unfunded or frozen at this point, five of which are field positions. He wants to make another note. They currently have the Main Station and the Ellis Substation open Monday through Friday, 8:00 to 6:00 p.m. That is staffed by Community Service Aides. This is the same job description, the Community Service Aides either work in the station, at the window, or out in the field taking reports - same position, same job description. A few years ago they did a staffing study that showed by 2007 they should have added ten additional officers to their staffing and patrol, and then this year in 2008, seven more. From his discussions with the City Manager and talking about their budget for next year, it does not appear that that is going to happen. Here is what it will cost to open either or both the Main Station and the Ellis Substation, 24 hours a day, seven days a week. The cost is \$168,292 roughly. That is based on the need for four more positions to be added for each of those stations that would be opened up. It actually takes five people to staff a position 24 hours a day, seven days a week. They already have one in place at both stations. They checked with some other jurisdictions just to see what is going on at their stations in case they wanted to make that comparison. St. Lucie County Sheriff's Office, their stations are 8:00 to 5:00, Monday through Friday. Port St. Lucie, their main station and their substation out west of town are open 24 hours a day, seven days a week. Stuart Police Department has business hours. Vero Beach Police Department is open 24/7. Actually Vero is staffed by dispatch, which Fort Pierce does not have because they have a centralized dispatch unit. Indian River County Sheriff's Department is open 8:00 to 5:00, Monday through Friday. And Martin County Sheriff's Office is open 8:00 to 5:00, Monday through Friday. The majority of the local agencies are operating at business hours, but there are some exceptions to that. He is going to give them his professional recommendation based on his experience here at the Police Department and his position as a Police Chief. His preference is number one, staff the unfunded positions. Number two, staff the shortage in the officer positions. Number three, staff that Main Station. And number four, staff the Ellis Substation. That will take \$1.1 million a year to do that. Now the decision the Commissioners make is they set the priority and they do that by the funding that they provide for him. He can tell them absolutely that he cannot open the Ellis Substation with the resources that he currently has. So if they make a decision that there is a priority and there is a need... He hears it from the community, Commissioner Sessions has heard it, that it is a priority for their community. If it is something that they are going to provide the resources to do, then that is what he will do. But they are going to have to work on getting that \$168,000 so he can do that.

Commissioner Coke asked the FPRA people are going to move forward with the Neighborhood Policing program?

Chief Baldwin said yes. They are actually working on staffing those positions right now.

Commissioner Coke asked is it not conceivable that some of those positions could be utilized in the Ellis Substation and thus offset some of this cost?

Chief Baldwin said that comes down to the priority of this Commission. They are going to be hiring police officers in those positions to do community policing.

Commissioner Coke said it was her understanding that that program was going to take place pretty much in that neighborhood.

Chief Baldwin said that is absolutely true.

Commissioner Coke asked would it not make sense then to incorporate this 24/7 cost as part of that and see what the differential would be?

Chief Baldwin said if he takes four police officers out of that package that they approved, which is 14 sworn positions, if he takes four of those away from those activities that he promised that initiative was going to provide and put them in a station, they will not be able to do those activities. In other words, they will not be able to go out in the community and do the bike patrol, foot patrol, and those things.

Commissioner Coke said her thought was not to pull them off of that. But she is sure there is a certain amount of time per day that is spent per officer at the station. They do not hit the ground running from bed.

Chief Baldwin said actually the police officers are spending 90% of their time out in the field. Because of the computers they have in their cars, they are not sitting at the station. That Ellis Substation actually is open, not to the public, but operating 24 hours a day. There are people in and out of it. He can tell them that at 3:00 o'clock in the morning, it is likely there is nobody there. In fact, the way they are currently operating the station, it is preferable that there is nobody there, that they are actually out in the street patrolling and doing the things they need to do. She mentioned the Community Policing through the Redevelopment Agency. He can tell her that it is going to take four months to get that off the ground. If they are looking at October 1st, if they use the fiscal year for as they get started, there is certainly some funding that will not be spent this year out of that program because it is going to take awhile to get that up and running. So that is an opportunity, but it is a short term solution that does not solve the problem. He also wants to tell them that hiring the Community Service Aides is about 75% of the cost of hiring an officer. So clearly the way to go with this type of position is to put a civilian Community Service Aide sitting at that desk rather than a Police Officer.

Commissioner Alexander said he thinks that is where his direction was going. If he is hiring these new officers, wouldn't he have to have some support people to support those officers that he is bringing in? He is really bringing in a new division, but they won't have anyone sitting there covering their backs while they are out there in streets? Or are they going to go directly to 911 which is not under their control? Are they not going to have any kind of control of those new officers?

Chief Baldwin said what they will do is, they will hire new officers, they will put them in regular patrol positions, and they will move experienced officers into the Fort Pierce Redevelopment Agency project positions. They will have supervisors, there are two Supervisors included in that. There is also a Crime Analyst that will provide them with the administrative support and information that they need.

Commissioner Alexander asked speaking of the support, the people that sit and do the paperwork, he does not need any of that?

Chief Baldwin said he is not going to turn down help.

Commissioner Alexander said he is trying to figure out how they can get beyond this cost here to have it 24/7. If they are going to have officers out there, believe him it is not going to be no coffee and donut breaks. It is going to have to be something besides where it is at now. Are they leaving that up to the Chief? He is saying in four months they will know the difference. That is what he is looking forward to.

Chief Baldwin said let him be clear, in four months they will see their FPRA program up and running and they will start seeing results from that. The way it stands right now, that does

not include opening the Ellis Substation 24 hours a day, seven days a week. And he thinks that is what Commissioner Sessions was directly trying to get to.

Commissioner Becht said the Chief has discussed this with them at various times and the Chief keeps leading them back to, if they are going to give him a body, he would rather have the body out on the street than sitting behind a chair at the substation. But he has also heard Commissioners from District 1 talk about a public perception over there. At some point in time they are not doing a good job about educating them - do they want someone sitting behind a desk, or do they want somebody out on the beat? The Chief sends them a pretty thick brochure weekly that tracks crime and he tries to read it. To the extent that he understands it, it seems to him that there are days of the week that have higher instances of crime than other days of the week. If his assumption is correct, Friday and Saturday they have spikes. He has heard what the Chief has said, staffing that substation 24/7 is his number four priority. But in his professional judgment, does he see any tangible benefit in doing it only in the spike times? Say Friday and Saturday nights they would stay open 24/7. Can he do that at substantially less than \$168,000? First he wants to know if there is a benefit and then he needs to know what the cost is.

Chief Baldwin said there is undoubtedly a benefit, as Commissioner Sessions pointed out. There are times when their officers are out in the street and they are spending time writing reports. If these positions were staffed, those employees could write those reports at a desk and allow the officers more time to do patrol and pro-active type of policing. There is no doubt that is a point well made. Could they do it at peak times? Yes, they could. He does not know if that is an acceptable middle road. They certainly could. Would it save money? It absolutely would, they could cut this in half. He will determine the hours by the resources that they give him. If they give him the resources to keep it open 24 hours, he will keep it open 24 hours. If they give him the resources to keep it open 12 hours a day, that is what he will do. Or certain peak times, he will work on that.

Commissioner Becht said he is throwing it out for discussion. Are his assumptions correct, it is Friday and Saturday nights?

Chief Baldwin said it is safe to say that those are their busiest periods.

Commissioner Becht said if they asked him to do a pilot program for six months, Friday and Saturday nights, to man it full-time, see what happens. They will know how much it will cost and he will be able to come back and say they achieved these things, they did not achieve these things. And let them decide at that point in time if it is worthwhile or not worthwhile. He throws that out just for discussion.

Mayor Benton said some years ago after the Ellis Substation opened on Avenue D - he was a Commissioner at that time and Commissioner Session might have been here - they were really pushing Chief Savage to get that facility open 24 hours a day. He thinks they did for maybe a short time and then probably budget restraints or late at night not a lot going on at the station and the need to put people back on the street. Also, when Weed & Seed came along, being very involved with Weed & Seed for the last five years, he thinks the public liked the idea of getting the officers out of the office, out on the street being seen. And he thinks the crime stats in the last five years have proven that. Being out there and being visible and talking to people on the street and dealing with the issues on the street versus having officers in a building all night long. He thinks the public, at least with Weed & Seed, bought into that. What does the Chief think?

Chief Baldwin said he can give them some history. There was a period of time where they did try to actually staff and open the substation 24 hours a day. If he recalls, it was a very short period. The reason that stopped is because they hit some problems with their budget, they froze close to 20 positions, and they just could not do it anymore. They have never recovered from that. They have never added the additional staffing that they needed to add. And still today, they have frozen positions. It has always been a funding issue.

The priority has gone to patrol and putting officers in the streets. They certainly have seen a decrease in crime over the last five years, over the last ten years. He thinks that is because they are out in the street working proactively, the community is working hard to make that happen, all the redevelopment that is going on, and all the things they talked about at the budget workshop. He does not want to completely discount what Commissioner Sessions is saying, there is a concern in the community about this substation being open, he has heard it. He has explained to neighborhood groups the reason why they do not do it is because they want the police officers out on the street. Everybody always agrees with that, they want more police officers out on the street; but they seem to also want the substation open too.

Mayor Benton said there is a possible way to do this, it depends on what the public wants. He knows with Weed & Seed they have a bit of funds that are in the account that have to go back to the FPRA to the tune of somewhere close to \$100,000. That might be a route to go for at least the first year.

Chief Baldwin said if they would like to implement some type of pilot program, they can try to work that out utilizing those funds. He wants to be careful about adding permanent full-time positions and then talking about taking them away after a six-month period. They may have to work that out on some type of overtime or sharing basis and just see how it works, even if it is just for a month or so, to see what the numbers actually are.

Commissioner Becht asked what is the probationary period?

Chief Baldwin said it is six months.

Commissioner Coke said she is not sure if this accomplishes everything. Ideally they would love to give him this \$1.1 million and just have Christmas come again in life, but that is not going to happen. She likes the idea of a pilot program. But she would like to ask if maybe they can keep some very specific records. Did people come in between 5:00 and 9:00, between 9:00 and 12:00 midnight, between 12:00 midnight and 3:00 in the morning? Did no one walk through the door between 3:00 in the morning and 8:00 the next morning? She thinks if they tracked that type of thing for three months... The Chief was talking about \$168,000 for four positions for a year. If they went down to two nights a week, he might be looking at \$50,000 for the year. If they start out with a three month pilot program and could actually analyze... Number one, she would like to know the times people came in. And number two, she thinks it is very important to look and see why people are coming in.

City Manager Beach said they just had an election where 70% of the voters of St. Lucie County indicated that they wanted to pay less taxes. The Police Department is funded by ad valorem property taxes. They have had a state-mandated reduction over the last two years in property taxes. Staff right now will be implementing a hiring freeze effective March 1st that applies to all new positions and there are some modifications of that that he will describe in detail in a memo to them. If they are considering altering how they currently do things, that is fine, they can alter their priorities. But he wants to suggest to them that there are no resources to fund increased activity, it does not exist. They have to go the opposite direction. They have to do less, not do more. And that is going to become incredibly apparent as they get into their budget cycle.

Commissioner Sessions said he agrees to some degree with what their City Manager is saying, doing more in light of their financial status with what just happened, taxpayers indicating that they wanted to reduce the cost of taxes. By the same token, he thinks there are some other projects out there that are less needed that warrant in his opinion to some degree being reduced or eliminated as opposed to combating crime. He does not think there are many citizens out there that will say they need to reduce their spending in order to stop combating crime at this point in time, especially in light of what is going on here in the City of Fort Pierce. To reduce spending is one thing. But for the sake of combating crime in the area such as Fort Pierce, he does not think it is a message they want to send out

there. When they talk about needing more officers out on the streets, what they fail to realize - and that is the point he was trying to make earlier - is that a lot of the time of these officers are spent doing paperwork when those officers could actually be out combating crime. If they had someone at a stationary point to take that burden off of the officers, they could expeditiously combat crime and have those officers out in the streets as opposed to sitting around doing a whole lot of paperwork, which is what is going on now.

Commissioner Becht said in light of the City Manager's comments and the Chief's professional recommendations, why don't they make sure this is on the agenda for the budget workshop. As Commissioner Sessions is saying, they may have to take something from another program. But he would like to talk about it then when they are talking about everything they are going to have to axe.

Commissioner Sessions asked a workshop when?

City Manager Beach said March 25th, they have a budget workshop scheduled.

Chief Baldwin said if it helps, before then he will prepare some type of proposal to do a pilot project and try to limit those expenses, so that they can get an idea over a couple of months period of time what the impact would actually be.

Commissioner Sessions said they need to keep in mind also, they talk about a pilot program, a lot of it has to do with public awareness in terms of responding to what they are proposing. They do not want a smokescreen, they do not want to set it up to fail. To say that they are going to do a pilot program for three months and not make the public aware of what is actually going on, then they are not going to get what he anticipates to be a response that would warrant keeping the station open.

Mayor Benton said the Chief can have a proposal ready for this workshop coming up. Hopefully they will have a more accurate figure as far as the reduction in tax revenue that will be coming in this year. Just so the public knows, because of the passing of this amendment last month and the reduction of property values, the City could be looking at as much as a \$6 million reduction coming into its budget this year. It is a hard to do more with less. They are going to reprioritize some things. Tonight they cannot do that, but if they can have those numbers for the workshop. Is that okay?

Commissioner Sessions said yes, he does not have a problem with that.

The next item on the Agenda was Submittal of Applications for Appointment to the **Citizens Utilities Advisory Council**.

Mayor Benton said he had two folks up until the other day, but one decided to run for office instead of sitting on this council, so he will have another name for them at their next meeting.

Commissioner Alexander said he has his second individual's application.

City Clerk Steele said yes, she put it in front of them tonight, so it is part of their package.

The next item on the Agenda was Submittal of Applications for Appointment/Reappointment to **Boards and Committees**.

City Clerk Steele said they have the submittal of applications for appointment or reappointment to various boards and committees for consideration. They will have resolutions on their next agenda.

Mayor Benton said just so Commissioner Sessions knows, instead of voting on it the night that they see these applications, they take them home, go over them, and they will vote on them at their next meeting.

The next item on the Agenda was City Attorney request **Closed Door Meeting** with the City Commissioners to discuss pending litigation (per F.S. 286.011(8)).

City Attorney Schwerer said this is a request under Florida Statute 286.011 by his office for a closed door session. The litigation involved is a federal court lawsuit that has been pending for a few months. It is styled West and Alberts vs. City of Fort Pierce. He is in need of advice concerning litigation strategy and litigation expenditures. This is the first step in the process under the statute. He has to make the request in an open meeting, which he is making tonight. He and the City Clerk will then work on the notice that is required. They will be scheduling a meeting with the Commission. There will be a public notice given of that meeting. It will be closed door. And there are a lot of other procedural requirements that they will be following concerning that. That is his request, they will be scheduling that meeting as soon as they can get everyone to the table.

Mayor Benton asked he is looking at doing that by next week?

City Attorney Schwerer said yes.

Commissioner Alexander asked this is the first time he has ever asked for a closed door concerning litigation?

City Attorney Schwerer said no. This is fairly common when they run into issues concerning litigation that requires some sort of direction from the Commission.

Commissioner Alexander said maybe he is out of place, they do have other litigations that he knows a couple of Commissioners requested to be abreast to. He does not know if this is the one here. He is just having concerns when Commissioners do not have any input on some of these lawsuits that come in before them, whether they want to litigate it or whether they want to try come to some closure on it. He will wait until after this meeting before he makes a comment on it.

City Attorney Schwerer said his door is open 24/7 basically to discuss any ongoing litigation. This is particularly a matter involving a pending case where the attorney that is handling the case for the City need direction on which way to go with it and they also need direction concerning strategy and expenditures. The other cases, he reports to them on a status report basis routinely.

Commissioner Alexander asked he is going to have numbers at this meeting?

City Attorney Schwerer said yes.

The next item on the Agenda was Code Compliance Manager submittal of proposed amendments to Code Section 4-61, Lighting on Beach, for protection of **Sea Turtles**.

Ms. Peggy Arraiz, Code Compliance Manager said staff was directed to work on amending the sea turtle protection beach lighting ordinance. Unfortunately she had missed the meeting where this was discussed, which is why she is bringing it back to them for comment and discussion at this time. They used the resources that were presented to them. They contacted several agencies to receive some comments and recommendations from them. She has included in their packet the proposed changes they would like to see made. Some of the points that she would like to point out. It does extend the time frame from May 1st, it backs it up to March 1st. It more clearly identifies the lighting for exterior lights and now includes restrictions for interior lighting as well to reduce the impact of lighting onto the beach and the impact to the turtles. It also requires from this point forward

that new building plans include plans for window tinting on any windows that face the beach. Those are some of the changes that were included in the amendments.

Commissioner Alexander asked from May to March, is there a reason why?

Ms. Arraiz said yes, there is. If they refer to the comments that she included from Florida Fish & Wildlife, they indicated that there are other kinds of turtles that start coming to the beaches in March, so they requested that they back it up to March 1st.

Commissioner Alexander said he was reading in the newspaper that somewhere in the state they were already there. They are not going to consider that or is that too much?

Ms. Arraiz said unfortunately she is not the expert on this. She took the experts from the Florida Fish & Wildlife's word on this one. They are telling them to be March 1st.

Commissioner Alexander said it is February and they are saying now they already have turtle nests. Are they exempt from having turtle nests now or is that just certain parts of the state?

Ms. Arraiz said unfortunately she cannot answer that. She could ask Ms. Higgins from the Florida Fish & Wildlife.

Commissioner Alexander asked would she find out and get back with them on that?

Ms. Arden Peck said she is a retired Turtle Mother. She spent seven seasons patrolling the beach with Grace Kedziora, they had their own little section of the beach. Yes, it is a tad early, but the leatherbacks sometimes come in at the end of February. This girl just couldn't wait.

Commissioner Alexander asked are they saying this has not been revised since 1996?

Mayor Benton said it started when he was on the Planning Board. They are just modifying it to be more stricter. It is also a code enforcement nightmare. He knows what they have dealt with in the past with a few folks, getting people to address this. How soon can they have this back in front of them?

Mr. David Recor, Deputy City Manager, said if these recommendations are satisfactory and meet with the Commission's approval, they will put these in an ordinance format and bring it back to them at the next meeting. It does not require a change to the Land Development Regulations, but rather municipal code. In other words, it will not require review by the City's Planning Board. It will still require two readings because it is an ordinance. City Clerk Steele said let her correct one thing, it will not be back at the next meeting, not until it is advertised.

The next item on the Agenda was Director of Fort Pierce Redevelopment Agency request City Commission establish a policy for the selection of a **Chair and a Vice-Chair for the FPRA Board**.

Mr. Jon Ward, FPRA Director, said staff requests some clear guidance on an item. Previously when they were setting up the FPRA management, the resolution that appointed the Chairman and Vice-Chairman appointed that chair by name and not by permission. In other words, Mayor Bob Benton, was appointed to be the Chairman, not the Mayor. Commissioner Alexander was appointed to be Vice-Chairman, not the Mayor Pro-Tem. If that was the message they wish to send, they have the Mayor and the Mayor Pro-Tem serve as Chair and Vice-Chairman, then they need to ratify that. Or if there is another method that they would like to select, staff is open to that too.

Mayor Benton said they have a choice. They had this discussion at the last FPRA meeting. They can elect officers amongst themselves or this Commission can appoint...

Mr. Ward said he thinks the regulation is that this Commission appoints those positions.

City Attorney Schwerer said correct.

Mayor Benton said in other words, right now they can appoint the Chair and Vice-Chair of the FPRA Board.

Mr. Ward said what he would like for them to do is set a policy. If they are going to elect them from the Commission at large, then set that policy. Or if they are going to have the policy that the Mayor and the Mayor Pro-Tem fill those positions, then set that policy. He would just like some clarity.

Mayor Benton said he thinks they had that discussion, that they were going to elect not the Mayor and the Mayor Pro-Tem, but from this Commission.

Commissioner Coke said her suggestion to simplify things for years to come, that if they are not going to do the Mayor and the Mayor Pro-Tem... She knows the Mayor had some discussion that perhaps he felt that somebody else should be chairing that board. Maybe what they could do is the previous Mayor Pro-Tem could serve as Chair and the current Mayor Pro-Tem would serve as Vice-Chair. Then the following year, the person that served as Mayor Pro-Tem this year, would become the Chair of the FPRA Board and whomever was Mayor Pro-Tem would serve as Vice-Chair of that also.

Mayor Benton said that is a good recommendation as far as he is concerned.

City Manager Beach said staff's preference - whether it matters or not - is that the policy be that whoever is Mayor and Mayor Pro-Tem serve as the Chairman and Vice-Chairman of the Redevelopment Agency.

Commissioner Alexander said that is not what the Commission wishes.

City Manager Beach said he is aware of that, but he thinks Mr. Ward is in agreement with staff's suggestion. Their suggestion is it stay with the Mayor and Mayor Pro-Tem. But they do not have to follow that suggestions, they can set the policy however they choose to set it.

Commissioner Becht said as long as he is never Mayor Pro Tem, he is happy with that policy.

City Attorney Schwerer said just something for them to consider though. When they have official documents being signed many times for closings, real estate transactions, or funding, they have the need for the Mayor to be there for the City and sometimes the Mayor Pro-Tem. If they put different people in that position, they may need to have additional people at those type of functions when they have closings or transactions for instance. So it is a little less confusing if they know they are dealing with the Mayor and the Mayor Pro-Tem.

Commissioner Alexander asked why can't they just add the Mayor's signature on all needed papers?

Mayor Benton said it just means one more person at the closing. Not a problem.

City Attorney Schwerer said potentially one more person at the closing, it depends. An additional person at the closing is all he is pointing out.

Mayor Benton said he thinks Commissioner Coke made a good suggestion.

Commissioner Coke said she does not mean to be taking anything away from the Mayor.

Mayor Benton said he does not mind.

Commissioner Coke said she knows he was adamant at the last meeting. He might have just been tired of FPRA stuff.

Mayor Benton said there are several reasons for it. He thinks it gives other folks up here an opportunity to get a little bit more information, a little bit more time with staff, understanding the agendas and a lot of the details that go through it.

Mr. Ward said they do not have to make a decision on it tonight, if they would like to think about it. It is something to think about and bring back. They just need some clear direction on it.

Mayor Benton said plus it sets the two boards apart. He knows there has been a lot of discussions for years about the City Commission and the FPRA. This way, as is in the FPUA Board, the Mayor never sits as Chair there, but everybody else has. He guesses it is an unwritten policy. He sees no problem doing that with the FPRA Board.

Commissioner Becht said he does not want this to come across the wrong way. It is very gracious of the Mayor, he is one of the ones that brought this up that they could have a rotating Chair. He had not thought about that before. This is about public service, it is not about the money, but there is a differential in the salaries that they receive, and the Mayor receives additional compensation because the Mayor does more work because he has to do more work because he has larger duties. If the Chair for the FPRA is rotated, part of that burden is shifted. He is not complaining about it, he just wants to bring it out as another little nuance. The Mayor may be innocently trying to be fair about sharing the opportunity of chairing the FPRA Board. But right now he has to tell them, he is not interested in chairing the FPRA Board, he has enough on his plate and he is doing everything he can. He just brings out that nuance to think about.

Commissioner Coke said she could really care less if it stays the way it is or it changes, however they want to do it. The only comment she is going to make to Commissioner Becht's point is, the FPRA Board has never been a paid board. For twenty-something years, before the City Commission sat as the FPRA Board, those men and women that have served on that Board for twenty-something years before the Commission sat on that Board did not get any compensation.

Mayor Benton said one way or the other, they Mayor will be here almost every day anyway and will be spending just as much time in Mr. Ward's office. It is in front of them tonight, what is the pleasure of the Commission? Continue as they go, or do they want to change and have a policy?

Commissioner Alexander said they just want to be fair to the Mayor, because he made a point of interest, not being tired of anything, but just having the leadership blossom the best.

Mayor Benton asked they are good the way it is, is that what he is hearing now?

Commissioner Alexander said the Mayor was adamant about the change.

Mayor Benton said he was adamant only because several times he was told that it was perceived that he received more information than everybody else.

Commissioner Alexander said that is on a routine basis. They don't worry about that.

Mayor Benton said no, he heard it a lot. He just felt that maybe somebody else should have that opportunity to get that information too.

Mr. Ward said if that is the will of the Commission, then he will bring a resolution back to them with that reflection - the Mayor as Chairman and Mayor Pro-Tem as the Vice-Chairman.

Commissioner Alexander said he begs to differ.

Commissioner Sessions said he would be interested in giving it a little more consideration. He has heard all of their points, he thinks all of them are valid. But it is something that he would like to look into it a little more. Lets face it, there is a lot more fiscal responsibility now in light of the monies that are being handled. To be able to be versatile from all districts at large as well, maybe it is something that he would consider as far as the Mayor's recommendation is concerned. But again, he would like to look at it at a later date and time just to give it a little more consideration.

Mayor Benton said lets have it scheduled for the next agenda and everyone discuss it. This is something they do need to make a decision on before there could be an audit.

The next item was the **Consent Agenda**. Mayor Benton asked does any Commissioner wish to remove an item?

Commissioner Alexander said he would like Item 29g (Blanket Purchase Order for the Sunrise Theatre) pulled for discussion.

Motion was made by Commissioner Coke, seconded by Commissioner Alexander, and unanimously carried, that the following items on the Consent Agenda be approved:

- a. Approve Agreement between the South Florida Water Management District and the City for a \$900,000 Grant towards construction of the **Moore's Creek Linear Park**.
- b. Approve Combined Voluntary Cooperation and Operational Assistance **Mutual Aid Agreement** between the Fort Pierce Police Department and the St. Lucie County Sheriff's Department.
- c. Approve Police Department contribution of \$1,000 from the Law Enforcement Trust Fund to the Executive Roundtable of St. Lucie County, Inc. for the **Kids at Hope Program**.
- d. Approve Interlocal Agreement between the School Board of St. Lucie County and the City for City contribution of \$55,000 towards construction of a parking lot with drainage facilities at the **Dan McCarty Middle School**.
- e. Approve Purchase Order by Public Works Parks & Grounds Division to Hoover Pumping Systems Corporation in an amount not to exceed \$18,094.10 for Emergency Repairs to **Irrigation Pump Station** at North U.S. #1 and State Road A1A.
- f. Approve increase in Blanket Purchase order from the **Sunrise Theatre** to Hometown News from not to exceed \$10,000 to not to exceed \$20,000 to cover cost of advertising theatre shows to September 30, 2008.
- h. Approve travel and attendance by Commissioner Alexander and Commissioner Sessions to the **National League of Cities** 2008 Annual Congressional City Conference in Washington, D.C. on March 8-12, 2008.

i. Approve Application for **Alcohol Beverage Permit** submitted by Keith Anderson, Roy's Liquors, Inc., for Backus Days Festival at Indian River Veteran's Memorial Park on March 1 and 2, 2008.

j. Approve request by Carol Sahadeo for extension to pay lot clearing and demolition liens against **120 North 12th Street**, paying \$5,000 at this time and balance of \$4,304.33 in six months.

The next item considered was Item 29g, which had previously been removed from the Consent Agenda: Approve increase in Blanket Purchase Order from the **Sunrise Theatre** to Southern Wine & Spirits from not to exceed \$10,000 to not to exceed \$30,000, and increase in blanket Purchase Order from the Sunrise Theatre to RAD Productions from not to exceed \$10,000 to not exceed \$12,000 to cover cost of liquor expense for the Sunrise Theatre bar to September 30, 2008.

Commissioner Alexander said he thought when they are working with that Sunrise Theatre, they are going to give opportunity to any and everyone. His main concern is, are they utilizing their liquor license, or is that something comes along with individuals?

Mr. Jon Ward, FPRA Director, said they are utilizing their liquor license. The reason they are getting this is, they are purchasing directly the liquor supplies for the bar from these folks.

Commissioner Coke asked could he clarify for Commissioner Alexander about the new liquor license the Sunrise Theatre has as opposed to the one that was in existence?

Mr. Ward said when they purchased the Mana Tiki Restaurant some years ago, along with that came a 4-COP liquor license, a much larger and much more comprehensive license than they needed. They put it in abeyance for a couple of years. They recently sold that for \$210,000. In the interim period, there is a liquor license that is available for performing arts facilities specifically. It is a very inexpensive license. What they had done is applied for that license and that is what they have acquired. They sold the large license and acquired the performing arts facilities license, and they are operating under that license.

Commissioner Alexander asked he thought they have two sets of licenses?

Mr. Ward said no, just the one.

City Manager Beach said they have one at the golf course, that may be what he is thinking about.

Commissioner Alexander asked this is only for the necessary purchasing, wholesale?

Mr. Ward said yes, this is for them to purchase wholesale to sell at retail at their bar in the theatre.

Motion was made by Commissioner Alexander, seconded by Commissioner Becht, to approve increase in Blanket Purchase Order from the Sunrise Theatre to Southern Wine & Spirits from not to exceed \$10,000 to not to exceed \$30,000, and increase in Blanket Purchase Order from the Sunrise Theatre to RAD Productions from not to exceed \$10,000 to not to exceed \$12,000 to cover cost of liquor expense for the Sunrise Theatre bar to September 30, 2008.

Mr. Joe Doster, Avalon Beach Club, said with him is Ken Irish. They represent the owners and residents of the **Avalon Beach Club** at 355 South Ocean Drive. They have been in the process of rebuilding their condominium and community for the last three years.

Tonight they ask for assistance with a problem that they have with flooding from the street behind them.

Mr. Ken Irish said every time it rains, they have had a problem. (Mr. Irish showed photographs to the Commissioners.)

Mayor Benton said he has seen the flooding of this parking lot. Maybe they can have the Engineering Department take a look at.

Mr. Doster said they understand there is a project that has been planned on the books for some time, but they do not know what the status is.

Commissioner Coke asked do they have something on Hernando Street and Avalon Avenue?

Mr. Doster said there has been a new storm sewer installed a few blocks away.

Mayor Benton asked can Mr. Andrews take a look at that and have staff give them a report before the next meeting. They know there is a problem. What can they do to address it?

Mr. Jack Andrews, City Engineer, said yes, he will be happy to get with these gentlemen.

Mr. Irish said they have been wading through water in their parking lot ever since he has been there.

Commissioner Becht said make sure to give their names and a contact number to Mr. Andrews before they leave so he will know how to get a hold of them.

Mr. Ken Irish said the **Jetty Park** and that area. Being in the tourist business for over thirty years, he knows what it takes to get tourists to return and spend their vacations and money in this area. Cleanliness of the area is number one. They can see by these pictures this public area does need some attention.

Mayor Benton said he is sure they can do a better job about emptying the garbage pails over there. It is also trying to deal with their budget. Unfortunately, this is only going to get worse, with \$6 million out of their budget. He questioned over the holidays paying overtime. It is not going to be as easy as it used to be. But it is important that they try to keep up their biggest assets and keep them clean. He thanks Mr. Irish for all the work he does because he knows how much he picks up.

Mr. David Recor, Deputy City Manager, said for the Commission's information as well as the public, they do have daily service at the Jetty Park. But as the number of users has obviously increased due in large part to the improvements that they have made, and they all know that additional improvements are planned, that should be and will be a consideration in increasing it, particularly at peak times. He wants them to know that there is daily service there, so it is not as if that facility is being ignored.

Commissioner Coke said maybe put out more garbage facilities.

Mr. Recor said that is certainly an option.

Mayor Benton said maybe they just miss sometimes, but some days they do not get out there every day.

Mr. Irish said he cleans the Black Pearl parking ramp, he cleans the fish cleaning table, he sweeps the catwalk down at the South Bridge, he picks it up everyday he fishes. The garbage cans there were full for approximately ten days, they were overflowed, there were maggots, stench. He really thinks it takes 15 to 20 minutes to pick those garbage cans up

on say Friday and Monday and then they will not have a problem. The Jetty, those cans were full, overflowing; and they had not been picked up for ten days to two weeks. They have to keep the area clean or they are going to have rats and everything else. Tourists see this, they are not going to come back. The toilet facilities, he took that picture on Saturday morning; and on Sunday afternoon, it was still like that, overflowed toilet, paper on the floor. It was sad. That was the little toilet that they have out there now. They built this new toilet, he hopes that they do clean this thing every day and weekends. It takes more than once. He ran a campground for 30 years. They can't do it in the morning and walk away from it, especially on the weekends. They have to have someone there to look at it once in a while, put some toilet paper in. The new building, the paint is peeling off the floors, the soap dispenser is torn off the wall.

Mayor Benton said the one out there was a temporary facility and it should be leaving any day now.

Mr. Bob Hood, Director of Public Works, said the temporary structure will be leaving, it will be coming back to the Compound until it finds another home.

Mayor Benton asked how soon?

Mr. Hood said he does not know. They have to move the one out at South Beach Boardwalk first and that will be the next one.

Mayor Benton said that facility was just temporary after the hurricanes until they got this new facility up and running. Very soon, they will have that nice new one out there.

Mr. Irish said the new one is open, it is operating. He was just in there the other day, the paint is peeling off the floors. On the weekend, it was a mess. Those are not self-cleaning, they have to have maintenance. He has swept them and put toilet paper in them. The one by the Black Pearl parking ramp, after they get through cleaning it, it is filthy. It is an eyesore, it does need some work there. They tear the toilet paper things off the wall.

Mayor Benton said that one is St. Lucie County's.

City Manager Beach said let them take a look at the maintenance schedule and see what is occurring there and they will deal with it.

Mr. Recor said he noticed one of the pictures shows beach grass and various debris on the beach. These citizens may not be aware that the Commission approved a beach raking program as part of this fiscal year's budget and they are about to let that contract. At least one of the issues pointed out here will be mitigated.

Mr. Irish said he has a couple more things if he has time.

Mayor Benton said they try to keep it to five minutes. If he has a list of things, if he would just get that list to him, he will get a response to him.

Commissioner Session said he would also extend an invitation to Mr. Irish to get in touch with him if he would like. He applauds him and he commends him in terms of his efforts in cleaning up this area. He wishes they had more citizens like him, he has led by example and set an example for others to follow. He can't commend him enough for his personal efforts in terms of what he is doing, putting his time into it, keeping this area clean.

County Commissioner Chris Craft said he wants to thank the Commissioners for the action they took earlier this evening (re **Wind Turbines**). He agrees with them, they do not need the State telling them how to do their jobs. They need to be on their time frames, not the State's, not a corporation's, or anybody else's, but on the time frames that they put forth

based on the input they get from their citizens. That is their responsibility and they will continue to work in that like. That is the message he tried to send to FP&L the other day at the 14 hour marathon, but they have a way of packing the house and having long meetings. This evening he just wanted to kind of address a few things and give them his perspective, because he thinks many times his perspective with this particular issue has been distorted. Back two and a half or three years ago, there is a gentlemen in the audience here, Philip Stickles, was actually protesting a sandmine that was going in his community. One of his best friends in the world, Commissioner Joe Smith, said at the end of that, this is one of the most difficult votes he will ever have to make. He reminds him of that each and every meeting when they have dozens that are more difficult. He can say for himself personally, the single most difficult issue that he has had to deal with is that they are dealing with right now, not necessarily with the wind turbines, but why are they even having to consider such a thing. That is because of global warming and climate change. It is a very broad conversation that most people do not understand because quite honestly they get wrapped up in their day to day lives taking their kids to soccer practice and working and coming home and doing laundry and cooking dinner. He understands that. He does not expect that everyone understand global warming overnight. They cannot look out the window and see it. They can turn on the news and see it. They can see record drought that they are experiencing here in South Florida. Scientists relate it directly to global warming. They can see record drought out in California. Scientists relate the wildfires taking place in California directly to climate change and global warming. The frequency of hurricanes and the intensity of hurricanes come about, scientists again have linked that directly to global warming. Some of the leading scientists are challenging them and explaining to them that if they do not make drastic changes in the way they live their lives and change their living habits, that they are going to go beyond repair for this earth and they are going to have tidal rise. Tidal rise comes about, their barrier islands are gone, they have other issues that they are going to have to deal with that. Half of Florida will be gone if the tide rises enough. That is what led him to where he is, the reason he requested they consider looking at public lands and the barrier island for wind generated power. The reason they have to consider that is because that is the only place where they can actually generate power in Florida on any sort of even close to a consistent basis and it is not that consistent even at that rate. He wishes they did not have to have these conversations because they are extremely difficult. It is extremely difficult to try and explain to people, from his position, why he is even considering such a thing. Why he would even consider using some of the most pristine land that exists in the world, as far as he is concerned. He is a native of Fort Pierce. He thinks most of them will admit that he is one of he best friends that Fort Pierce has. He votes against his Board on occasion when it is what he thinks is in the best interest of Fort Pierce and not necessarily the County. But there is a further discussion that they have to have. It is one that he does not think would have had any bearing two months ago had they started to have the conversation then; and that is, the unspoken green energy that exists that no one thinks about and no one is doing anything about, in his opinion. He is here today to ask that the City of Fort Pierce, this Commission, and he will speak in front of the City of Port St. Lucie and ask them to do the same. It is time that they start looking at that third unspoken power generation, that of conservation. He believes they can shift this conversation now. People are paying more attention to what is going on at this point. Daily, his support for the wind power has waned. And he thinks what they have now is people at the table who are passionate about this. And quite honestly, he would prefer that they shift their passions to educating the public and their neighbors on the importance of conserving electricity because they can conserve way more electricity than the wind power will ever generate and he understands that. He does not fault FP&L for the efforts that they have put forth because quite honestly they have one job and one job only, it is to increase shareholder value. He understands that, they are a corporation. He does not fault them for that. They have to have corporations in this world to make it go around. But he thinks as they go forward, they cannot be afraid to have difficult conversations. They have to invite everybody to the table for these difficult conversations. And understand that sometimes those conversations are going to become heated. They have to be able to move beyond the passion and the emotion of that subject and allow them to move to where they need to be; and that is, coming up with solutions to solving these complex problems. He has been

criticized by some because of his answer to a question that was posed to him. They asked, why is he worried about the carbon footprint of St. Lucie County? They are already carbon neutral. They already produce way more electricity than they will ever consume at the nuclear power plant. They all have a global responsibility that goes beyond the boundaries of their cities and their counties and their states and their countries. When they affect the atmosphere and they affect the planet, they affect everybody. When they put on a new power plant, they affect everyone. Everyone is affected by those things. That is why he believes that they have to look at things locally, regionally, and globally. If he did not think that it was in their best interest globally, he would have approved the coal plant, because quite honestly they would never have had the emissions problems from that coal plant in St. Lucie County because it would have blown to another county. They would have benefitted from the tax revenue from that coal plant. But they said no because it was the right thing to do regionally and globally. So what he would ask is that the Commission support him as they move forward and they start to shift these conversations to conservation and help come up with a very aggressive conservation standards for St. Lucie County, Fort Pierce, and Port St. Lucie. They are going to need FPUA on board with this 100%. FPUA has to be part of the education process. And he is going to ask the same of FPL.

Mayor Benton said if he had been here for their meeting earlier today, the FPUA did learn that being the high price or whatever, conservation must be working, or they know there are some empty homes, but the use of electricity has come down considerably in the last two months. Hopefully people are listening. The only way they are going to deal with these high electric bills and the cost of energy when they put gas in their car is to start using less and conserving more. The sad thing is, when their President a few weeks ago was over in the Middle East begging them to lower the cost of oil, instead of crossing this country begging people and educating people on how to save and conserve. Hopefully that is the direction they are going to go soon.

Commissioner Sessions said he notes under Comments from the Commission, there is a Joint Workshop with the City of Fort Pierce and the **Utilities Authority** regarding utility rates on Friday, February 29th at 9:00 a.m. Do they know who was responsible for organizing that meeting and what was the purpose?

Mayor Benton said he believes it was Fort Pierce Utilities Authority. The Commission has asked them in the past to sit down with them and discuss as far as rate structure and everything, instead of just coming to them cold turkey and informing them on the numbers.

Commissioner Sessions said the reason he asks is because he knows that they are in the process of allowing the citizens to have some input on this subject matter. To exclude them is what he looks at as being without allowing them to organize, it is somewhat premature for them sit down and have a discussion regarding the increase in utility rates unless they are about to increase their utility rates overnight. It just seems like some type of undermining tactic there.

City Manager Beach said this meeting was requested by the City Commission probably a year ago. They had asked the FPUA that before they prepared and submitted their budget and proposed rate increases, to include the Commission in those discussions. This joint meeting is actually a presentation by consultants of the FPUA to bring this Commission up to date on information regarding the cost of their operation and what type of rates they may anticipate in the future. He does not see this as a prelude to rate adjustments, although it may very well be. The meeting was requested by this Commission a long time ago.

Mayor Benton said there will be discussion, because there could be and will be rate adjustments because FPUA starting in May will not be producing power any more to put on the grid, they will be taking power off the grid with this new power plant. This new power plant does not belong to FPUA. They are in a partnership, in a co-op with Florida Municipal Power Agency. Now that they are not producing power, it is going to cost a little more. He does not know all the details. But that is what this workshop meeting is for. Nothing is

gong to happen overnight. They will be educated. And any rate increase has to come in front of not only the FPUA Board, but then this Commission has to approve it.

City Manager Beach said he might also add, this is a public meeting, not a private meeting.

Commissioner Sessions said he had the opportunity to attend the BET Comedy Explosion that took place at the **Sunrise Theatre** this weekend on Saturday. He is just sending this message out while they are on television that it was a shame that they did not have any restaurants open after the event itself. Maybe their restaurants need to monitor the events and possibly look at making a whole lot more money if they make themselves accessible after these events shut down. And they wonder why the FPRA considers opening up their own restaurant so they can make some money.

Mayor Benton said he has had some complaints about that, that there was nowhere to go, nowhere downtown open afterwards.

Commissioner Coke said she was there Thursday and Friday. Both times when the theatre let out, the Alumni Grill was open, but they were the only people that were open.

Commissioner Becht said tonight this City Commission had people coming to them asking them to approve two different commercial office centers - one in downtown Fort Pierce and one out by the hospital - in this economic climate. He wants to emphasize that to the public so they know that there are still people interested in building in Fort Pierce and they are paying money to engineers and architects and processing plans to build in Fort Pierce. That is exciting. The other thing that is happening, indirectly they got confirmation again tonight that the shopping center out on Jenkins Road is still moving ahead, because they processed an ordinance amendment that allows them greater ease in meeting their parking requirements. So they have the shopping center out on Jenkins Road and they have two office centers that are moving forward in the City of Fort Pierce. And that is good news.

Commissioner Alexander asked the **Jetty Park**, the Rollins property, could that be utilized as overflow parking for temporary? Or are they worried about the grass before they go into their plans?

Mayor Benton said he saw a memo or an e-mail and he thinks a response from Mr. Ward on that. As far as using the Jetty Park for overflow parking, he thinks there are some restrictions on their grant money that they got as far as what they have to do with that park. That memo went to all of them, so it should be in his box.

Commissioner Alexander said they are coming into the summer months, they just purchased the property down the street. Did they ever get the followup on the County properties on the beach side?

Commissioner Becht said he met out at the County and was fortunate enough to have County Commissioner Craft with him on a City issue; and in his opinion, because he was there, they got some attention from the County. Specifically Doug Anderson, the County Administrator, directed staff to cooperate with them for the use of the property across the street, meaning on the easterly side of A1A across from the two lots that they are going to own. There are a couple of issues that came up. There is in his opinion a very far-fetched possibility that there might be t-groins out there. If there are, that presents some complications. And then there were some issues raised about getting equipment on and off the beach. He followed up with an e-mail thanking the County Administrator for meeting with him, confirming that they were going to cooperate. The next step is for City staff to figure out how and when they are going to build a dune crossover, present the County with plans and an Interlocal Agreement, and then they would probably be done with it.

Mayor Benton said he is going to Tallahassee tomorrow for several reasons, he brought up a few of those tonight. He will be pushing their wish list up there with their local Legislators.

One that he has not brought up tonight, but he thinks they have heard about it, is **School Resource Officers**. Fort Pierce in the past has been very lucky that the Sheriff's Department has helped them out in taking care of that problem in the northern part of St. Lucie County and in Fort Pierce. Port St. Lucie, it has cost them over \$1 million a year. This year with the budget cuts and the passing of that referendum, it looks like the money is not there. Maybe there are some answers in Tallahassee. They said this amendment would not affect police and fire. Well folks, it is. Please he is asking folks to write their Legislators in Tallahassee and tell them to help the school systems fund these resource officers. Because with reduction of millions of dollars in their local budgets, it is not coming out of theirs, so they are going to need help for the schools. Please call their local state representative or Senator Pruitt's office.

Commissioner Alexander asked is that going to include school crossing guards?

Mayor Benton said he does not know how many school crossing guards they have now, but a lot of those are volunteers.

Commissioner Alexander said they just need to make sure they do not let that drop through the cracks.

Commissioner Becht said he had a chance to meet with Superintendent Michael Lannon and Kathryn Hensley and County Commissioner Joe Smith and Port St. Lucie Councilman Jack Kelly. The Mayor is correct, there is a real big problem here. Mr. Lannon is concerned. It is a \$5 million a year program, if he understands it correctly, and they get \$2.5 million from the State. He is concerned they will not even get the \$2.5 million from the State this year. He had sent an e-mail in to Mr. Beach or Mr. Recor requesting that they task their grant writer to see if there is any grant money for this. He knows County Commissioner Joe Smith did the same thing with the grant writer for the County, to see if there is any grant money available for school resource officers. But this is a natural consequence of the taxpayers desire to cut back on taxes, so this is one the programs that may fall.

Mayor Benton said it is not the world they grew up in. Those School Resource Officers are needed because it is a serious problem dealing with gangs. He hopes everyone does contact Tallahassee, their Representatives, and say they want their schools to be safe and they need these officers in these schools, help fund the positions.

Mayor Benton said he has mentioned it to the Chief, but just so the public knows, they have had some problems in the beach parks and the boat ramp or the parking lot near the Manatee Center with folks that spend the night at Wal-Mart with their campers and spend the days and the weekends in their **public parks**. Campers with trailers and boats take up several spaces and have created some problems. So if they can address that, keep one car space to a car. He guesses they will have to find somewhere else for these campers. For the Farmer's Market and for functions at the Art Gallery, these semi's and the trucks and trailers at the beach parks really limits the ability for residents to use those parks. And it is the same people every day, he hears.

There will be a Joint Workshop between the City and the Fort Pierce Utilities Authority regarding Utility Rates on Friday, February 29, 2008, from 9:00 a.m. to 12:00 noon at the Energy Services Center, 1701 South 37th Street, Fort Pierce, Florida.

There being no further business, Mayor Benton declared the meeting adjourned at 9:35 p.m.

Adjournment.

ATTEST:

CITY CLERK

MAYOR-COMMISSIONER

