

MINUTES OF A REGULAR 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 MONDAY, AUGUST 3, 2009.

Mayor Benton called the meeting to order.

Dr. Ken Brown, Hope for Families, 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 David Recor; City Attorney Robert Schwerer; and City Clerk Cassandra Steele. Those absent: None.

The next item on the Agenda was Approval of the Minutes of the Budget Workshop on July 10, 2009, and the Minutes of the Regular Meeting on July 20, 2009.

Motion was made by Commissioner Coke, seconded by Commissioner Alexander, to approve the Minutes of the Budget Workshop on July 10, 2009, and the Minutes of the Regular Meeting on July 20, 2009.

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

Mayor Benton proclaimed August 2009 as CIGARETTE LITTER PREVENTION MONTH.

Mr. Nick Mimms, Chairman of the Keep Fort Pierce Beautiful Advisory Board, said with him is Serena Knight, a future Board member, and Anthony Westbury is here as well, he is their Vice-Chairman, and also Barbara Harris and Martha Wright. On behalf of all those individuals, he would like to thank the Commissioners for their support for Cigarette Litter Prevention Month. Basically they are going to initiate an effort to implement strategies to place cigarette butt receptacles in the downtown area to try to alleviate some of the mass of cigarette butts that are found in and around their downtown. Cigarette butts are the leading and most littered item within the United States. They are going to try to jumpstart this program and maybe the private sector will follow suit, so they will have a more beautiful downtown. Keep Fort Pierce Beautiful has been very active. They had a couple of events that were very successful. On April 18th was the Great American Cleanup. They had about 100 volunteers that picked up almost 3 tons of trash, debris, and other junk that littered their streets. Also just recently was the Treasure Coast Waterway Cleanup. They helped sponsor some of the event with some materials. There were over 1,000 volunteers and it turned out to be a fantastic event. They are looking forward to doing more of that. Coming up on September 19th they will have the Intracoastal Cleanup. They are looking for several hundreds of volunteers up and down the coast of Florida, including the City of Fort Pierce, to come out and help in these efforts. Between the City of Fort Pierce Public Works Department, the Community Services Division, and

the community volunteers, Keep Fort Pierce Beautiful is a very positive and productive organization and they look to continue that.

Mayor Benton said thanks to Mr. Mimms and Ms. Knight for their efforts, especially with the waterway cleanups, helping out. That afternoon he was taken out into the inlet where a dozen boats or more, in a matter of probably 20 minutes when the tide was right, pulled up literally hundreds of pounds of lead and hundreds of yards of monofilament line. And it was just a drop in the bucket compared to what is down there. These cigarette butts, it looks like people just pull up to the corner while they are waiting for a red light and empty their ashtrays.

Mr. Mimms said nobody cares. But they are going to help out with that and hope they will make it a little bit better.

Commissioner Alexander said first he wants to congratulate Mr. Mimms and his team for their great effort to keep Fort Pierce beautiful. He does notice there are a lot of cigarette butts littering downtown. Do they have a device or something to pick up these cigarette butts?

Mr. Mimms said basically they just use their five fingers and some gloves, that is their device. The Public Works guys do the best they can.

Commissioner Alexander said they do an excellent job, he wants to congratulate Public Works. When they put these receptacles out there, is there such a thing as a fine for litter for cigarette butts?

Chief of Police Sean Baldwin said yes.

Mayor Benton proclaimed August 4, 2009 as 5TH ANNUAL HIBISCUS PARK NEIGHBORHOOD ASSOCIATION NATIONAL NIGHT OUT CELEBRATION and 26TH ANNUAL NATIONAL NIGHT OUT.

Mr. Randy Bond, President of Hibiscus Park Neighborhood Association, said the Hibiscus Park Neighborhood Association and Crime Watch have worked very hard over the past years to make their neighborhood a safer place. They are having their Block Party tomorrow night from 6:00 to 8:00 p.m. The Commissioners are all invited. The purpose of it is to get their neighbors together and get to know each other so they take better care of each other.

Mayor Benton said he regrets he will not be able to be there, as he has been there for the last several years; but he will be in Tallahassee trying to get their Marina permitted so they can begin reconstruction on that.

Mayor Benton said he would like to respond to a recent column in the local newspaper (July 29, 2009 - Antony Westbury: Time for leadership from both Fort Pierce city manager, commission) concerning the status of the City of Fort Pierce and its administration. If they are not aware, this ship is just sailing fine. The City of Fort Pierce is going through a tough

challenge, as all local governments and government entities and many corporations currently. In their case, managing to provide similar services with a 33% less budget in the City and 50% in the FPRA in the last two years. That means it is very difficult to provide the service that the public expects without raising taxes, which hasn't been an option with them. But with that reduction in the last two years and probably a bigger reduction next year, it has been a challenge for all of them, while still operating a City and providing for the current needs of their residents. Discussions about cutbacks and layoffs gives all of them heartaches, considering these employees are also their neighbors and friends. A lot of them have known each other for a long time, Fort Pierce isn't a big city. It is very difficult talking about laying off people who have been doing a good job making this one of the best-run cities in the State of Florida. That being said, after responsible cuts they have a legitimate balanced budget in front of them for tomorrow's Budget Workshop for 2009-2010 Fiscal Year. As for the organization, the captain and this crew... He is talking about the people sitting up here and their department heads. These five Commissioners up here have over 44 years combined experience running this City and he thinks they have done a darn good job. The Federal Courthouse has become reality, A1A and the beaches are under great revitalization, Pioneers Park, Moore's Creek, Heathcote Gardens - there are many more - improvements are a go, and new initiatives towards Marina reconstruction are just a few examples of the many accomplishments. The City isn't run by any one person. There are dozens of great professional people that are tasked with the daily running of this City and they are doing a damn good job with the challenges facing all of them in this economic time. Just remember, Mr. Westbury has a newspaper to sell. And it appears that good news doesn't sell papers well. He challenges the press to at least print the news, not create it. He just had to set the record straight that he thinks they have come a long way. He is very proud of everybody up here and this organization for everything they have done in his 14 years of being a part of it.

Mr. Marty Laven, 2400 South Ocean Drive, said as the former President of the Marine Industries Association of the Treasure Coast, he was lucky enough to view, but not participate in, the Waterway Cleanup this past Saturday. He knows the Mayor was out there with Captain Don Voss and also FEMA, which was pretty impressive. But more important, he wanted to give a public shout-out and thanks to everybody that participated and invite them all to the recognition party on Saturday, August 16th, at the Fort Pierce Yacht Club. A special thanks goes out to Nick Mimms and Serena Knight for supplying all the great stuff for the Waterway Cleanup. While he was out there on the site he was working on, he saw somebody from Public Works. A great community effort by everybody and he appreciates it.

Commissioner Sessions said he wanted to commend Mr. Laven for his efforts. It is not that often they see people work as hard as he does. He is not on salary, he just loves his City. He had an opportunity to be sitting in the back of a restaurant one day when Mr. Laven came in soliciting for help with the Keep Fort Pierce Beautiful and he put a lot of hard work and effort

into that. He just wanted to commend him for that. They talk so much about negative things; but when people do positive things, especially when they don't have to, that goes unspoken of. So give a person flowers while they live, not wait until they are dead to say positive things. He thanks Mr. Laven for his efforts.

Mr. Randy Toombs, 2602 Avenue B, said he has had for the last five months a problem. The old Winn Dixie at 25th Street and Orange Avenue (Kingdom Harvest Inc. at 2520 Orange Avenue) run machinery all night long. He has gone to Code Enforcement, they told him it was the Police Department's responsibility. He has gone to the Police Department, at first they told him it was a violation, then turned around and said it wasn't a violation. He has gone to City Commissioners and to the Mayor. Where does he go from here? It constantly runs and it disturbs the whole neighborhood. They cannot sleep when that thing is on. There are two different ones they use. This weekend he hasn't slept for the whole weekend. It is just continuously running. At night the place is closed, it is probably going to be running all night. They usually run it all night long. And the later it gets, the louder it gets. He doesn't know where to go from here. He has contacted everybody he knows and there has been no relief.

Mayor Benton said he has been out there, plus he asked staff, and he called there personally, but he doesn't have an answer for him tonight. Maybe tomorrow Mr. Recor's office can explain where they are, as frustrated as Mr. Toombs might be. He has called and was hoping they would address it. But he will have to find out what legally the City can do to quiet this down.

Mr. Toombs said according to the City ordinances, it clearly violates Sections 11-45, 11-48, and 11-52. Any one of those, it clearly covers that. There is no other way. This is the City of Fort Pierce ordinances. At the Police Department, Captain Kirk called and told him it was definitely a violation of Section 11-48, and he said they were going to be doing something about it. That was before Captain Kirk went on vacation. While he was on vacation, he called and talked to Lt. England; and she told him that she had a place one time that she had to put earphones on. He told her he thought it would be a sad day in Fort Pierce when they had to have earphones to go to sleep at night. He thinks that might have rubbed Captain Kirk the wrong way, so he called him back and said that it was not a violation, that they put a decibel on it and it did not meet the decibel requirement. But in the ordinance he is referring to, Section 11-52(g), even that says some sounds may not be such that they are measured or not exceed the limit, but may be excessive, unnatural, prolonged, unusual, and are a detriment to the public health, comfort, convenience, safety, and welfare. So even if they did the decibel part of it, it is still saying that all sounds is not going to be that way.

Mayor Benton said he understands his frustration. He hopes he or the City Manager's office will have some answers for him tomorrow.

Commissioner Alexander said he doesn't know why he and Mr.

Toombs haven't talked about this.

Mr. Toombs said he tried to get him a couple of times, but...

Commissioner Alexander said if he calls him, he will come running. He wants to know what the Chief has found out about this.

Chief of Police Sean Baldwin said they are in the process of investigating it. He thinks Mr. Toombs may have just gotten part of the story. They started with the level of the noise. They actually used a decibel meter and measured it from the specific distances, and couldn't determine a violation at that point, which may be the message Mr. Toombs got. But there are other options and other roads they can go down. They are pursuing all of those now and should have an answer for him in a couple of days.

Commissioner Alexander asked has he canvassed the neighborhood to see how they feel about this?

Chief Baldwin said Mr. Toombs has been pretty vocal about he feels about it. He is positive there is a solution and they will reach it in the next couple of days. It was actually Commissioner Sessions that asked him to check into this a couple of weeks ago.

Mr. Toombs asked so he will be hearing something hopefully in the next couple of days?

Chief Baldwin said in the next couple of days.

Mayor Benton said he went to the City Manager's office after he met with Mr. Toombs. He wasn't sure whether it was a Code Enforcement issue or the Police Department's. Hopefully they can resolve this. Also, he made a personal phone call; but he is playing phone tag with the organization out there. Something needs to be done about losing sleep because there is a motor running a freezer.

Mr. Toombs said feel free to drive by there now. They are closed and it will be running all night. It is noisy now. But wait until about 2:00 or 3:00 o'clock in the morning, they can't sleep, it will wake you up.

Mayor Benton said he has been by there after Mr. Toombs came to see him. Yes, that constant noise would probably get to him, some nights he probably wouldn't sleep much either. That is why something needs to be done.

Ms. Olivia Watkins, 1903 San Diego Avenue, said she is here for property they own at 427 North 25th Street (Consent Agenda Item #13e). There are some fines levied against the property for code violations. She submitted the request to reduce the lien. Her husband, Leroy Watkins, is deceased. His brother, John Watkins, is the other owner. His sister, Edna Watkins Howard, is the other owner. The three of them basically is the owners of that property. During the time when this violation wasn't

corrected, there were some serious things going on with both the sister and the brother. She submitted that information, that they both were seriously ill, both of them had open heart surgery. Her husband died because of heart problems, he had a heart transplant. It just runs in the family with the heart problems. These two now are running into problems and both have had open heart surgery, and both are now on disability. She thinks the Code Enforcement Officer at the time actually witnessed John Watkins trying to do the painting on the property; but he became ill and was unable to finish it. By her being the spouse of the deceased owner, she was not aware at the time of everything that was going on. But after they got sick, they had to ask her to see what was going on and help them out. That is when she found out what was going on, submitted the request to reduce those fines. It has been reduced from the initial amount. But she is here to ask for another reduction, because they are both on disability, on fixed incomes, and don't have any money. They just were able to pay the taxes. That was something else that was overlooked while they were ill. The taxes were behind and they just got that caught up, so they still own the property. They would like to try to sell it, because they could use the money. This was their parent's property. They could really use the money if they could get that house sold. But with all these additional fines and stuff, she doesn't know how they are going to be able to do it. She doesn't have the money. She was able to help them out with the taxes. But she is retired, she is on a fixed income too, and thank God she does not have any illnesses. But she is basically the spokesperson for the family now and would like to ask for consideration of the Commissioners to try to do something to help them out with that fine, so they can try to get that house sold and get some monies to help these two disabled people.

The next item on the Agenda was Public Hearing on **Community Development Block Grant** (CDBG) 2009-10 Annual Action Plan.

Ms. Dorina Jenkins, Assistant Director of Community Services, said it is mandated that all entitlement grantees receiving CDBG funding submit an Action Plan annually in compliance with federal regulations. The Action Plan's Final Statement of Objections summarizes the projected use of funds and activities that the Department of Community Development will undertake during Fiscal Year 2009-10. This is the second Public Hearing on the City's Community Development Block Grant Annual Action Plan for Program Year 2009-10. The purpose of this Public Hearing is to solicit comments from the public, and approve Resolution No. 09-41 to receive approval to submit it to the Department of Housing & Urban Development for approval.

Commissioner Becht said one of the activities (under Public Facilities & Improvements) is Art in Public Places, 301 South Martin Luther King Jr. Boulevard (Dreamland Park on South 25th Street). Is it possible to add the Avenue D Bus Station? They have talked about trying to put something significant in that location. He doesn't know where the money is going to come from; but if they have the money in here, he doesn't know if they could slide some money from something else.

Mayor Benton said this is for this budget year. Is that Bus Station going to be finished by the end of the year? Or is it something that might be added into next year's budget?

Ms. Jenkins said this is for October 1, 2009 through September 30, 2010.

Commissioner Becht said he doesn't think the Bus Station will be done by then. The other thing is, if he wanted assistance with the Economic Development Project - which is roughly \$3.3 million - where would he get information so that he could get that economic assistance?

Ms. Jenkins said that is the Coral Square Project. Christa Razem (Grants Writer) is working with that developer for the Section 108 Grant.

Commissioner Becht asked so all of the \$3.3 million is going there?

Ms. Jenkins said from her understanding, yes.

Commissioner Becht asked who would know, other than her?

Ms. Jenkins said Christa Razem.

Mr. Matt Margotta, Community Development Director, said he doesn't know if that is the exact figure, but he knows it is well over \$3 million, it might be on the line of \$3.2 million. But he doesn't think the money has been allocated, if it is anything more than \$3.3 million. As he understands it, that entire Economic Development Grant was awarded for the Brownfield Site at Coral Square.

Commissioner Becht said that is a special program and it would be over \$3 million. He just did not understand from this (Final Statement of Objections & Projected Use of Funds) that it was the Coral Square money.

Commissioner Alexander asked his understanding is they already completed allocation of these funds, right?

Ms. Jenkins said yes, this is the recommendation from the Communitywide Council.

Mayor Benton declared a Public Hearing 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.

City Clerk Steele introduced the following Resolution by title only:

RESOLUTION NO. 09-41

"A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AUTHORIZING THE CITY'S 2009-2010 COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT PROGRAM; AUTHORIZING THE MAYOR TO

EXECUTE SAID GRANT, ANY AND ALL APPLICATIONS AND OTHER DOCUMENTS INCIDENT TO OBTAINING SAID GRANT ON BEHALF OF THE CITY."

Motion was made by Commissioner Coke, seconded by Commissioner Becht, that Resolution No. 09-41 be adopted.

Mayor Benton said for the record, he thanks the Communitywide Council for their efforts. He sees past Commissioner Bob Burdge, who sits on the Communitywide Council, and wants to thank him for his efforts and everyone else that has spent a lot of hours putting this Action Plan together.

Commissioner Sessions asked in the allocations to the various churches (Eglise de Dieu Pentecostal Independent, Inc., and In the Image of Christ, Inc.), are these funds going to be subject to the public? They are not in a situation where the money is going to be spent particularly and specifically for that church, is he correct?

Ms. Jenkins said no, it is for a program the churches receive.

Those voting in favor of the adoption of Resolution No. 09-41 were: Commissioners Alexander, Becht, Coke, Sessions, and Benton. Those opposed: None.

The next item on the Agenda was Mayor Benton discussion on appointment of a liaison to the Florida Municipal Power Agency (FMPA).

Mayor Benton said he met with the folks from FMPA about a month ago down in Palm Beach and they were concerned that nobody from Fort Pierce has attended their meetings. It would be nice to keep that open door policy and understand why utility rates are what they are. So they are looking for someone.

Commissioner Alexander asked didn't Commissioner Sessions volunteer to do something with FMPA? What was it in reference to?

Mayor Benton said it was this position. The problem is, that was 13 months ago and nobody from the City has been there representing the City in 13 months, so they are looking for somebody else who can fit it into their schedule. It is very important they have somebody representing this City with FMPA, that is where they get their power.

Commissioner Sessions said he hasn't attended any of those meetings, but he had an opportunity to listen to the meetings. He just refuses to be a part of an organization that continues to excessively increase their citizen's bills within the City of Fort Pierce. He hasn't been able to attend the meetings. But to be frank, he hasn't made a real hard effort to do so, because he doesn't want to be in a position where he rubber-stamps individuals that are giving them a power cost adjustment fee that he does not agree with. If it was an organization that had a voting voice or even an advisory position in the decision-making process, then he would be more prone. But that organization's agenda is not his personal agenda for serving the

citizens of the City of Fort Pierce. So that is why he hasn't participated up to this point. If there is anybody here that feels more comfortable doing so, then so be it. But he does not want to be a part of that. His agenda is different, he wants to try to lower some things and make it better, not rubber-stamp this organization's decisions.

Mayor Benton said for the record, now that FPUA doesn't have a power plant, they are sort of at FMPA's mercy. FMPA creates power. A combination of many public organizations and cities throughout the State of Florida get their power through this group. He guesses this is a way to understand why the rates are what they are. It is similar to gas prices, they have no input on what OPEC charges for a barrel of oil, which follows down to the gas pump. By attending these meetings, they can understand why. They can voice their opinion. Lately it has not been a very nice opinion because of issues with the way they operated their hedge funds; and it has changed several positions in their upper echelon. In fact, several people have left the organization in the last year. And the hedge funds they created and got them into will be over with in September. They hope the new administration puts things together a little bit better, or else. He has publicly threatened them with talking to Florida Power & Light himself. Also, it is understanding the way things work, because they are at FMPA's mercy.

Commissioner Alexander said he thought they had this handled. But he can understand where Commissioner Sessions is coming from. He will get on that wagon with him. They are asking for a monthly meeting in Orlando? So they are asking them to travel to Orlando once a month?

Mayor Benton said it is not mandatory. Mr. Thiess and Ms. Cully, usually the Chair of the FPUA, usually ride together to Orlando. It is not an all day meeting. He thinks they would like to see somebody from Fort Pierce attend, at least bi-monthly. So if anyone here can...

Commissioner Alexander asked who funds them going? The person they ask, is it going to be volunteer?

Mayor Benton said he is sure the mileage will be covered. Someone can ride with them or by themselves.

Commissioner Alexander said if they can get a report back once a month that every Commissioner could read, he could go along with that. If it is not a long meeting, why hasn't a report been done in 13 months? Who are they going to ask to travel to Orlando once a month six or twelve times a year? Anybody volunteer?

Mayor Benton said he can't go because he sits on the FPUA Board and there would be a conflict with the Sunshine Law.

Commissioner Coke said she is going to echo some of the same concerns. She doesn't mind giving her time if she feels like it will make a difference. If this is an advisory board where they sit and listen to what FMPA has to say, and FMPA may or may not

listen or take heed to anything the advisory board says, she has concerns about any of them taking time away from the business of running this City to spend a day a month up there where they will basically be ineffectual. So is there anything that a member who sits on this committee can actually do to bring about change? And can they get the Minutes of these meetings distributed to all of them? If they truly wanted the City to participate, it would be easier and she thinks all of them might be more willing to give of their time if they had some Minutes and saw exactly what they are doing at these meetings.

Mayor Benton said he will see that they get the Minutes. As a City Commission that basically owns the FPUA indirectly, their opinion does matter up there. They might not have a vote, but their voice will be loud and clear. At a U.A. meeting just recently, he really condemned FMPA for their hedge funding. But he also said they could talk Florida Power & Light. Vero Beach is talking to Orlando, which might cost Vero Beach in the future, although right now it might be a good deal. But with two nuclear power plants here, it sure got FMPA's attention. They called him the next day.

Commissioner Coke said she read the Minutes of the FPUA Board meeting where they signed into paying for all of their needs at the upswing rather than the downswing of the utility, and that is basically why it has been so costly with the Power Cost Adjustment and will continue to be for another few months. So she has concerns about, how bright are these people? If they are going to buy something and sign a contract, then buy low and sell high. They are buying high and selling higher still.

Mayor Benton said there is so much that he has learned in the last couple of years, but he won't go into that discussion tonight. But it also helps them understand the predicament they are in. Also, it gives them the opportunity to push that question - if things don't change with FMPA, what are their options? Hearing that from this City Commission, as they are hearing it from many other utilities and other commissioners from other cities that sit on that voicing their concerns. Gainesville and Tallahassee, they are part of this and they don't want to put these high prices on their constituents and ratepayers. But across the board, everybody has to. Several cities that haven't raised their rates are now in a predicament raising taxes, because they have used their general funds. The ones that have city commissions in charge have used their general fund to offset the power cost adjustment. If they were to do something like that, it would eliminate their ability to keep 10% in reserve. It is scary. It is good for the education. If somebody could attend every quarter, they could learn a whole lot.

Commissioner Coke said she would love to be privy to the Minutes of those meetings for a couple of months, to have some information to decide whether or not...

Commissioner Alexander asked do they have a DVD or something?

Commissioner Sessions said they will send audio/video. They

send it to him after each meeting. He can have his copy.

Commissioner Alexander asked is that something they can request, instead of Minutes?

Mayor Benton said he will see that everybody gets a copy. Then maybe they can get somebody to at least commit to go to a meeting every quarter. When he explained to them - and he wasn't nice - that he had 300 people come in front of him because of FMPA's mistakes, he is not happy. He has to make excuses while FMPA is sitting there enjoying life. So he made it real clear that the FPUA has options; and FMPA was not happy about it, because it creates a bonding problem for them. So it doesn't hurt, getting in their face. But after last year, it is very frustrating for him. And from now on, if somebody calls his office to complain about the rates, they will get the FMPA's head administrator's personal number to call, so it is going to go right to where this started. He will see that everybody gets a video of the meetings. It is not the City Commission's fault, they do what they can with what they have. But people need to know where it is coming from. And a change has to happen.

Commissioner Sessions said initially he was real gung-ho about it, because he thought he was going to make an impact. He was anxious and ready to go to Orlando and voice his opinion. But to go there and sit and just gain information to come back and explain to people why the rates are the way they are, that serves no purpose to him. He wants to be in a position where he can make a change.

Mayor Benton said even if he makes a change, he is going to have the same problem, because they have to pay so much for power.

The next item on the Agenda was Mayor Benton discussion regarding establishment of a **Citizens Budget Review Committee**.

Mayor Benton said they have had this discussion before and it hasn't happened yet, so he is going to ask one last time. There are a couple of people that like to give their opinion of the budget. He thinks what they need is a group of business people in the community, like the County has, to take a look at the budget to make recommendations and offer their opinions. He thinks they all agreed to this, but it just hasn't happened yet.

Commissioner Coke asked could they have the parameters of how the County set that up? How many people - are there two appointees per Commissioner? Do they meet quarterly? How much staff time is involved in it? The more input they get, the more minds and eyes that look at things, are definitely an asset. She thinks they need to define a structure for it.

Mayor Benton said he thinks they have seen it, but it has been a while. He thinks all of them were adamant that they wanted to see a setup like this. He thinks it would really help out in this challenged time they are in. Next year also will be a challenged time.

Commissioner Alexander asked seeing the County has a committee, could they find out if any of those are citizens of Fort Pierce

and maybe would want to help implement it? There may be some City folks on there.

Commissioner Coke said she has already had some people call and volunteer.

Commissioner Alexander said so has he.

Mayor Benton said there has been interest in it for a long time. They have had it on an agenda and talked about it. It is something they need to make a reality. No more talk. Action.

Commissioner Coke asked can they get a staff report back the first meeting in September on how the County has structured theirs?

City Manager Recor said yes.

Commissioner Becht said excellent, he likes the idea.

Commissioner Sessions said he does too. They can let some individuals outside the box in. There are a lot of people who are interested in participating.

Mayor Benton said it will help them do their job. Instead of hearing from just a few people, they need to hear from a group of people who can talk it out amongst themselves and then make recommendations going into the budget.

The next item on the Agenda was Submittal of Application for Appointment to the **Keep Fort Pierce Beautiful Advisory Board.**

City Clerk Steele said they have an application in front of them. There will be a Resolution for appointment at the next meeting.

The next item on the Agenda was Finance Director to present **Financial Report for Quarter Ending June 30, 2009.**

Mayor Benton said he thanks Ms. Johnson for working with Staff. It appears they have put together a balanced budget. He can't be at the Budget Workshop tomorrow, but he wanted to thank her because he knows it wasn't easy. Hopefully they can get through this as close to that budget as possible.

Ms. Gloria Johnson, Finance Director, said this is the 3rd Quarter report for the City of Fort Pierce. She will start with the General Fund. Their taxes are about \$1.5 million less than what they collected last year. That \$1.5 million is comprised of their current Ad Valorem, which they were light about \$1 million, and their Local Option Gas Tax, \$550,000 light. They picked up \$125,000 additional in their Telecommunications Tax. And the FPUA Utility Taxes are going to be light \$200,000. So that comprises the \$1.5 million light in their taxes. Under Licenses & Permits, their total last year was \$1.4 million. This year they have collected \$728,000, which is a difference of about \$850,000 - which is the Building Permits. Under Intergovernmental Revenues, they are showing about \$2.5 million

more than they collected last year. This is the grant monies they received from the Communities Trust Fund for the land they purchased. That is what the difference is. They actually received \$2.9 million from the State for the Rollins Property. Under Charges for Services, there were no substantial differences; however, they are already at 96% this quarter. For Total Fines & Forfeitures, those revenues are down. That is basically because they are not collecting as much on their fines as they did last year and the previous years. Miscellaneous Revenues, last year they had \$6.4 million and this year they have \$2.7 million. The difference from last year is they sold the land for Heathcote Botanical Gardens for \$3 million. Also they received grant funding deposits for \$200,000 on projects that were completed and they transferred that to revenue.

Commissioner Coke asked when they talk about \$3 million from selling property for Heathcote, that \$3 million is already earmarked for future work/upkeep on Heathcote, is it not?

Ms. Johnson said yes, it is.

Commissioner Coke said she did not want it to get confused with revenue they might want to spend.

Ms. Johnson said she will get to it. She has pulled that out, so they no longer will be looking at that number. But last year it was booked as revenue because they sold the land. That is what that \$6.4 million consists of. Interfund Transfers, last year was \$0. This is it is \$1,083,000. That includes the Health Claims transfer, the stop loss. They had extra funds left after they closed out their self-insured fund of \$592,000. The other monies are a transfer from FPRA for the Community Policing Grant.

Commissioner Alexander asked is she saying they have \$1,083,000 going into their General Fund?

Ms. Johnson said yes, those were Interfund Transfers that come from other funds. FPRA was \$491,000 and \$592,000 was from Health Claims fund.

Commissioner Alexander asked is that added to their General Fund to make it over the 10%?

Ms. Johnson said it is definitely helping them balance it. They actually budgeted \$962,000. They are going to receive \$500,000 more than what they actually budgeted for in that category.

Commissioner Alexander asked that is going towards balancing this budget?

Ms. Johnson said that is correct. And they are already using it. Next is Contributions from Enterprise Funds. This is annual contributions from the Utilities Authority, and the Solid Waste and Marina Funds. Last year the Marina contributed \$1.1 million approximately. This year the Marina is not contributing that. So that is the difference in the totals from last year to this year.

Commissioner Sessions asked even though the Marina is not contributing, they are in a better financial position than any of the Enterprise Funds to actually contribute, right?

Ms. Johnson said no. Even though the Marina has some reserves left, it is actually earmarked for the reconstruction.

Commissioner Becht said they need more than that.

Ms. Johnson said they do need more than they actually have currently.

City Manager Recor said they may very well need to identify how they are going to make up the \$1.1 million that the Marina contributed.

Ms. Johnson said actually it probably is going to be more than that, because she does not think it is going to complete this construction project.

Commissioner Sessions asked what about Solid Waste?

Commissioner Alexander said again they are asking Solid Waste to help fund?

Ms. Johnson said she will get to the reserves. Total General Fund, last year they collected 95.31%, but they had a lot of grant funding and transfer that they normally would not have. This year it is the same thing. But they are at Year Lapse 75% currently. Next is General Fund Expenditures. Personnel Services, the salaries are on target at 73.54%. That is because they have done some changes during the year to kind of balance it, to make sure that it is not over-budgeted. Operating Expenses, as one of the balancing tools they transferred \$725,000 out of the Departments to the Administrative Department to keep the expenses in line and make up the deficit of \$1.5 million. Capital Outlay is over budget due to Hibiscus Park. They didn't put in the budget the funding to take care of Hibiscus Park, there was some engineering costs, so that is why that line item is over.

City Manager Recor asked is she referring to the design for the Hibiscus Park improvements that resulted from the charrette?

Ms. Johnson said yes, the design phase.

City Manager Recor said he thought that was an expenditure from the previous fiscal year.

Ms. Johnson said it was, but it is a carryover, and they didn't carry it over in this year. So that is why that line item is over-expended.

Commissioner Coke said she doesn't want to be dense, but she is looking at Capital Outlay 2007-08, they budgeted \$1,052,000, and they only spent \$511,000. This year they adopted \$265,000 and spent \$349,000. Ms. Johnson is saying the \$80,000-something

difference there is design work for what - stormwater drainage?

Mr. Jack Andrews, City Engineer, said that was the preliminary engineering for the Hibiscus Park street layout, streetscape. And they looked at a possible MSBU that they are still continuing on...

Commissioner Coke asked so if and when money becomes available, they will be ready to go with that project?

Mr. Andrews said correct.

Commissioner Coke said so it might be a good project to submit parts for the stimulus money, since it will be shovel-ready.

Mr. Andrews said it is a possibility. There is, of course, all different criteria it has to meet for that.

Commissioner Coke said the number one criteria is shovel-ready. They have already expended these funds, the project is shovel-ready, so they can explore the possibility of submitting this project for the Hibiscus Park neighborhood for stimulus money.

Mr. Andrews said the design is not completed yet, it is an on-going project.

Commissioner Coke said but they spent the money. Ms. Johnson said the entire amount isn't spent currently. She doesn't know how far along they are with it.

Mr. Andrews said it is encumbered, but not spent yet. They have a contract, but the contract is not finished for another four months, he believes.

Commissioner Coke said then she really is dense. They spent \$349,129 to date, when they budgeted \$265,000. The design difference for the Hibiscus Park was...

Ms. Johnson said no. The reason why they are over in that line item is that they did not budget for Hibiscus Park. What they are paying for out of there currently is... She thinks they had police cars and some other things in this capital line item besides Hibiscus Park.

Commissioner Coke asked if Ms. Johnson is saying these other things were budgeted, can she give her the total design cost for the Hibiscus Park?

Ms. Johnson said she thinks the Purchase Order was for \$309,000.

Commissioner Coke asked they have expended \$85,000 of that? So what Ms. Johnson is saying is, rather than being over by \$80,000-something, they are actually going to be over \$230,000?

Ms. Johnson said she is not really sure exactly how much of the contract they have spent. What she is saying is, this is why that line item is over, they never budgeted for Hibiscus Park in there. She does not know what portion of this is Hibiscus Park,

the dollar amount.

Commissioner Becht said some of it will be next year too. Mr. Andrews said they have four more months on it. He doesn't know why it wasn't budgeted in the first place, but it wasn't. So they have expended \$85,000 of it in this fiscal year. And some of the \$350,000 will get spent in next fiscal year.

City Manager Recor said they had this discussion several months ago with the Fort Pierce Redevelopment Agency, where they had project that were budgeted for in the current fiscal year, but those were not completed, and then it carries over. But what happens if a project carries over into the next fiscal year, the funds don't necessarily carry over, the funds are zeroed out, but the expenditures are still charged. So the funds roll over into the fund balance.

Ms. Johnson said right. It was an oversight, they just didn't catch it that the project was not completed and they should have budgeted for it.

Commissioner Coke said she knows they had this discussion before and maybe she didn't grasp it fully. She thought they were going to, for accounting purposes, put everything back to a zero balance, whether in the City's budget or the FPRA's budget; and then they were going to reallocate that as a beginning balance so that they would not be showing an overage for a project that should have been completed and paid for last year. If they had \$200,000 left from last year, it would be zeroed out for the end of the year; and when they began this year's budget, they put that \$200,000 in as a beginning balance figure. So they would have a beginning balance plus what they budgeted less expenditures equals carryover for next year.

Ms. Johnson said that is correct. But this was just an oversight, they just missed this project.

Commissioner Becht asked unrelated to this 3rd Quarter Report, is Hibiscus Park - the balance of that - included in next year's budget?

Ms. Johnson said yes. Actually they are moving these projects out, putting them in a Special Projects Fund from now on, so that those will be paid for a little bit differently.

Commissioner Becht said but it will be captured next year, it won't be an oversight next year. Not will, it is captured right now in next year's budget.

Ms. Johnson said right.

Commissioner Alexander said he just wants to assure the residents in Hibiscus Park. They promised those residents, they are doing so much for the other part of the City, that the General Fund would be able to fund this project and make their community more beautiful. They were the ones that volunteered, the NEAT (Neighborhood Enforcement Action Team) Program. He does not understand how it was overlooked, because Code

Enforcement came in gung-ho. He is not criticizing anyone, he just wants to assure Hibiscus Park and the residents that live there that this project will be completed.

Ms. Johnson said yes, it will be completed. Under their Non-Operating Transfers for this year, it is \$7,326,511. The reason that number is so huge - this is what she was alluding to earlier - is that they pulled Heathcote out, that \$3 million, and put it in a Special Projects Fund so the money would only be used for that. They also transferred the \$2.9 million for the land grant to FPRA for the Rollins Property. That is why that number is that huge. Total General Fund Expenditures thus far is \$35,033,455, which is 87.28% of the budget. Next is their Projected Shortage or Overage. They do a projection for each quarter and this is where they are currently. In the 3rd Quarter, their Revenue Totals are up \$1.5 million, and that is basically due to the grant of \$2.9 million. If they did not have the grant, their revenues would be short \$1.5 million. The Expenditures Totals are reduced by \$1.5 million. The reduction is Salaries - \$400,000. That is an additional \$400,000 for the 3% Cost of Living. They are anticipating receiving \$48,600 from Dependent Health Coverage. That is a very conservative number. She is sure that number is going to be much more, but she just did not want to increase it until they actually know what it is. Stormwater Fees & Taxes were down \$100,000, so they gained \$100,000 from that. They transferred to FPRA the \$2.9 million. They got the grant money and then transferred it to FPRA. The \$1.3 million is Reduction Expenses & Vacant Positions. This was one of the main cost-savings issues they did to reduce the budget. Last quarter they were short \$1.5 million. In an effort to reduce the budget to recapture that \$1.5 million, they had a reduction in expenditures. They actually reduced the expenditures in all the Departments, they literally did a budget transfer to move those expenditures out, which totaled \$726,000. That was moved to the Administrative Department, so the Departments would not be able to spend the funds. And they took the vacant positions that were in all the divisions, the dollar value of that, moved it out of the Departments into the Administrative Department 6000 Account. So they actually did a budget adjustment transferring \$1.6 million to 6000 Account to help with the deficit. That is how they made up this \$1.5 million. The Furloughs was to generate an additional \$342,000 in savings.

Commissioner Sessions asked the actual furloughs or the projected furloughs? Have they actually saved that much with furloughs thus far?

Ms. Johnson said it has been a combination thus far. About \$100,000 hasn't materialized from the Teamsters Bargaining Unit. But they will realize from Non-Bargaining and the Police Union (Sergeants & Lieutenants), they did receive the funding from that.

Commissioner Sessions said so that is not a true figure, because they don't know where the Union is going with...

Commissioner Becht said this is in the projected phase of her

report.

Ms. Johnson said right, this is a projection. So this is how they made up the \$1.5 million deficit they had last quarter. Now they have a positive overage of \$83,612 projected. There is another liability out there which they will have to acknowledge and do something about; and that is, the VSIP (Voluntary Separation Incentive Program).

Commissioner Alexander asked this is something they have to take care of immediately, right?

Ms. Johnson said that is a liability in this year, correct. That figure is \$731,141. She thinks it has gone up about \$100,000 since she did this report, so now the projected revenue shortage is going to be about \$747,529 instead of \$647,529.

City Manager Recor said the deadline for employees to return their intent to participate in the VSIP is August 25th. So they expect there will be additional employees that will take advantage of that offer from the City.

Commissioner Coke said Ms. Johnson projected for the 3rd Quarter a savings of \$342,445 for Furloughs. Would that not also be a duplicated figure for the 4th Quarter?

Ms. Johnson said yes.

Commissioner Coke said so when they are looking at a shortfall of \$647,529, they can also anticipate a savings of \$342,445 from the Furloughs for the 4th Quarter.

Ms. Johnson said no. It will be a carryover, but it is already figured in that number.

Commissioner Coke said when they are looking at the Projected Revenue Shortage is \$647,529 after the Voluntary Separation is paid for, her point is that this Projected Revenue of \$83,612 reflects a savings in the 3rd Quarter for Furloughs. They will have a similar savings for the 4th Quarter. So in when they are looking at \$647,529 short, they are actually going to have a \$342,445 savings in the 4th Quarter for Furloughs that will be duplicated in the 4th Quarter that were in the 3rd Quarter. So their projected shortage there would be more along the line of \$300,000 rather than \$647,000?

Ms. Johnson said no. The \$342,445 is from now until the end of September.

Commissioner Coke asked then why is it in the 3rd Quarter?

Ms. Johnson said because this is what they are projecting they are going to save from the Furloughs. These are projections, she is projecting now what is going to be...

Commissioner Coke said then this is mislabeled. Because when she reads this, she is looking at a projected savings for the 3rd Quarter. In essence, what Ms. Johnson is telling her that

\$342,445 represents a savings for the 3rd and 4th Quarters?

Ms. Johnson said yes. This is just a projection. She is trying to display where they are going to be at September 30th. That is what this schedule does.

City Manager Recor said it is a year-to-date, essentially.

Ms. Johnson said right. It is like the 1st Quarter she is projecting where they are going to be at the end of the year. The 2nd Quarter she is projecting where they are going to be at the end of the year. This just shows the differences of how her projections...

City Manager Recor said he believes there is still a dollar amount to be captured from the furloughs. It will not be \$342,000, he believes it is in the neighborhood of... It is whatever percentage the Teamster Bargaining Unit's portion of that was. He believes it is just over \$100,000.

Ms. Johnson said but the \$342,445 includes that.

Commissioner Coke asked it includes not only the 3rd Quarter, but the 4th Quarter projected savings?

Ms. Johnson said right. This number will carry forward.

Commissioner Coke said fine, she understands that now. But she thinks it would be helpful to the general public looking at this if that last column was labeled "3rd & 4th Quarter Projections". Because when she looked at it, she thought it was projections of what they were going to save in the 3rd Quarter.

Commissioner Becht said he disagrees. If he is reading it correctly, when he looked at it he saw what Ms. Johnson had done is given her projection for the 1st Quarter, then gave her projection at the end of the 2nd Quarter. What they are seeing is, with the lack of leadership they had with the City Manager with the changes that he has made from the 1st Quarter to the 2nd Quarter to the 3rd Quarter...

Commissioner Coke said he is being sarcastic.

City Manager Recor said he knows.

Commissioner Becht said ...has resulted in a change at the end of the 3rd Quarter where they are getting on track with the budget, so it will be balanced for this year, because of the changes - as stark as some of those changes have been - so that they will finish the year with a balanced budget. He doesn't mean to be sarcastic, but that is the way he read it. He was pleased to see a black number at the end rather than a red number.

Commissioner Alexander asked when they speak of the reduction of expenses in the vacant positions, why don't they capture in that line for the 3rd Quarter the reduction of those 8 Police Officers?

Ms. Johnson said they are in the \$342,445, the Furlough line.

Commissioner Alexander asked how can they get in the Furlough when they were terminated?

Ms. Johnson said because the Union did not agree to the furlough, they reduced the staff to be equivalent to make up that difference.

Commissioner Alexander asked right now where they are at is, the 25 positions they have vacant plus the 8 police officers, and then they are capturing the VSIP, so all that is included in...? He is trying to find out right now how many vacant spots they have for City employees?

Ms. Johnson said she does not have that number in front of her now. She thinks tomorrow at the Budget Workshop they should have it.

Commissioner Alexander said he just wants that to be something they carry over. He just wanted to have some insight on those numbers.

Ms. Johnson said the Furlough, it is a dollar figure. There is only two months left in this fiscal year, so the salaries of those 8 police officers is what they did to recoup that difference. They are gone and that was what the salaries were for those police officers.

Commissioner Alexander asked is she telling him this Furlough amount here is 40 hours for each employee, what they gave up?

Ms. Johnson said yes, that is correct.

Commissioner Alexander asked 40 hours times each employee plus those 8 police officers only comes up to \$342,445?

Ms. Johnson said yes, that is right.

Commissioner Coke said that \$342,445 includes those police officers.

Commissioner Alexander said he was just trying to get a vision on where they are going with this.

Commissioner Becht said at the Budget Workshop tomorrow they will talk about the options they have for funding the VSIP shortfall. That shortfall hurts them this year, but it is something that helps them next year. So before anybody panics, the shortfall will be dealt with tomorrow with the various options they have for funding that.

Ms. Johnson said let her go to Financial Position - Resources & Uses - where they are as of June 30, 2009, the available cash. The current available cash balance is: General Fund - \$4.7 million; FPRA - \$10.6 million; the Marina - \$4.8 million; Solid Waste - \$3.7 million; Golf Course - (-\$55,000); Community Center

- \$6,000; and Sunrise Theatre - \$1,000. This is the first report on the Community Center. The 3rd Quarter revenues is \$100,852 and the expenditures were \$94,604, so it has a positive cash flow of \$6,248.

Commissioner Sessions asked how much of that \$94,604 was start-up, trying to get the Community Center running?

Ms. Johnson said the General Fund contributed \$55,000 out of the \$100,852. So the Community Center generated about \$45,000 in revenues.

Commissioner Sessions asked so they are doing pretty good there?

City Manager Recor said he would say the Community Center is doing remarkably well for having the keys literally turned over to the City on October 1, 2008, and the City never closed the doors once. Mr. Martzolf and the staff they transferred, using existing resources, are to be commended with what has been done there.

Commissioner Alexander asked how much of that expense is salary?

Ms. Johnson said she thinks it is close to \$40,000. The Sunrise Theatre has a positive cash flow of \$1,047.

Commissioner Coke said one thing that is very important to notice when they look at the Marina and say it has available cash of \$4.8 million, they are subtracting \$398,000 for depreciation. In Solid Waste, they are subtracting \$336,000 for depreciation. The Golf Course, they are subtracting \$112,800 for depreciation. The Sunrise Theatre, they are subtracting \$421,800 for depreciation. Although she understands the accounting procedure of depreciation, in all actuality that is not cash they are paying somebody.

Ms. Johnson said no. Actually the expenses for the Marina, that \$1,904,985, it includes depreciation. So what she is doing is just backing it out, so they can see the actual cash that is being generated.

Commissioner Alexander asked the Sunrise Theatre, she is giving him the overall 3rd Quarter as of year-to-date?

Ms. Johnson said 3rd Quarter, the Sunrise Theatre had revenues of \$3,083,179 and expenditures of \$3,415,263 and depreciation of \$421,873, so their net cash uses were \$2,993,390. So they have a current available cash balance of \$1,047. This is as of June 30th.

Commissioner Alexander asked how much was transferred?

Ms. Johnson said the transfer from FPRA is \$900,000.

Commissioner Becht said the observation he is going to make is, thank you very much. It was a little late, but it is extremely helpful particularly this year with getting a snapshot. He knows it is a moving target for Ms. Johnson and he appreciates

her efforts to get a snapshot.

Commissioner Sessions said he knows they are in a financial crisis right now. But with regards to Heathcote, they have \$3 million sitting there. If they can make this project one that is shovel-ready, then that is \$3 million they can use for something else. So he would hope staff would work hard toward making that happen, because he believes this project would qualify for that, and that would be \$3 million they could use somewhere else. Just a point of observation and perhaps something that staff would look into, to make it shovel-ready as quick as possible. The money has been spent as far as design is concerned.

Commissioner Alexander said he knows they have a lobbyist in Washington. Can they put it on their agenda?

City Manager Recor said Marlowe & Company, yes. The City pays them \$40,000 a year to represent their interests.

Commissioner Alexander asked can they expect some type of response back from Marlowe on this stimulus money?

City Manager Recor said that will be the very first place they turn to get attention in Washington.

Mayor Benton said Ms. Johnson did a good job. Cutting back has been hard, but he doesn't consider it a crisis, he just considers it a challenge. Government has been tasked with becoming more efficient. He thinks next year they are going to have that same challenge with this moving target until property values pick up.

Commissioner Becht said one point he would like to make clear is, they have for the Budget Workshop tomorrow a balanced budget for discussion. But there is a proposal for a balanced budget for the City of Fort Pierce that does not raise the millage rate. That is unlike their sister city to the south, Port St. Lucie; and he doesn't want to pick on them, because they have a different set of problems than Fort Pierce has. But they do have a proposed balanced budget. It is not a crisis, it is a challenge; and they will all rise to that challenge and it will be met.

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

Commissioner Sessions said he would like Item #13c (Audio Equipment for Sunrise Theatre) be removed for discussion.

Commissioner Coke said she would like Item #13e (Lien against 427 North 25th Street) be removed 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. Set date of August 17, 2009, for Public Hearing on

Application for Certificate of Public Convenience & Necessity submitted by Pedro Jimenez for one Taxicab (passenger van not exceeding 10 persons) at 1605 Florida Avenue.

b. Approve Alcohol Beverage Permit submitted by Mala Maharaf of Cargill, Inc. for Company Picnic in Jaycee Park on August 28, 2009.

d. Approve Subgrant Agreement Neighborhood Stabilization Program (NSP) between the City and the Florida Department of Community Affairs (DCA) for allocation of \$2,085,396 to address foreclosure and abandonment needs within Fort Pierce, contingent upon City Attorney approval as to form and correctness.

The next item considered as Item #13c, which had previously been removed from the Consent Agenda: Approve award of bid for Audio Equipment for the Sunrise Theatre to B&H Photo-Video Corporation in the amount of \$12,388.00. Bid No. 5931

Commissioner Sessions said he looked at this because the alternative of renting for \$10,000 is actually less than what the proposed fiscal impact is, the \$12,388. He is wondering why they are trying to change it if they are better off leaving it the way it is and continuing to spend \$10,000 per year as opposed to contracting it out for \$12,388.

Mr. Jon Ward, Director of Fort Pierce Redevelopment Agency, said what they are doing is actually buying this equipment for \$12,388, instead of renting it for \$10,000 a year. So it is a net savings on an on-going basis.

Commissioner Sessions asked so this is a one-time expense?

Mr. Ward said yes. It is a purchase as opposed to a lease.

Commissioner Alexander asked where was this last year or the year before? Did they not, since the opening of the Sunrise Theatre, re-do the sound system or some aspect of it? So why was this not captured then. They have been spending \$10,000 a year.

Mr. Ward said the perception on the part of the City when they opened that building was that it was complete and they owned everything they needed. That was not an accurate perception. There are any number of pieces of equipment they still need in that theatre. The best example would be the grand piano. This year they got a donation from the Sunrise Theatre Foundation in order to buy a grand piano. They have been renting a grand piano for about four years. They bought one this year. After this audio equipment is bought, they still won't have all the equipment they need.

Commissioner Alexander said don't misunderstand, he is not complaining, he is just asking a question. Did they not last year or the year before re-do the sound system?

Mr. Ward said yes, the made upgrades to it.

Commissioner Coke said they had this discussion at the Sunrise Theatre Advisory Board level. She thinks what happened, under the original management of the Sunrise Theatre they were told they needed A, B, & C, and a whole lot of things they did not actually need. When the new management of the theatre came in, they returned some items which they were able to return. And they had not been fiscally responsible - the original equipment they should have purchased right up front, they were leasing. When they looked at ushers - rather than using the wonderful volunteers they now have - they were paying people. So with experience, not only is the theatre growing, but they now have experienced management there that is bringing them to the level of professionalism. Last year they secured a donation for that grand piano, an anonymous donor gave them the money. So every year, if they bite bullet... This year it is going to cost them \$2,388 more to purchase this microphone system; but they won't ever have to spend \$10,000 a year again. As time goes on, they are finding more things they can spend smarter.

Commissioner Alexander said this is their third year, so they have spent \$30,000 for microphones they could have purchased for \$12,000.

Motion was made by Commissioner Coke, seconded by Commissioner Alexander, to approve award of bid for Audio Equipment for the Sunrise Theatre to B&H Photo-Video Corporation in the amount of \$12,388.00.

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

The next item considered as Item #13e, which had previously been removed from the Consent Agenda: Reduce lien in the amount of \$11,600 against 427 North 25th Street, owned by Leroy Watkins (Deceased) and John Watkins, c/o Olivia Watkins, to \$1,160, contingent upon payment within 9 months.

Commissioner Coke said she is a firm believer that people need to adhere to the rules and pay for mistakes and all. She never could believe the concept of an \$11,600 fine for failure to paint a home. They have people here that are active members of their community. Certainly that is the type of person she would always be encouraged to give a break to.

Motion was made by Commissioner Coke, seconded by Commissioner Alexander, to reduce the lien in the amount of \$11,600 against 427 North 25th Street, owned by Olivia Watkins, to \$160, contingent upon payment within six (6) months.

Mayor Benton asked can the City Attorney tell them if this is legal?

City Attorney Schwerer said this is a code enforcement lien. It is within their discretion to reduce.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Coke, Sessions, and Benton. Those opposed:

None.

City Manager Recor said their **Budget Workshop** tomorrow will be held in the 2nd Floor Conference Room here in City Hall. They will be meeting at 9:00 in the morning. As he mentioned to all of them today when he briefed them on the budget proposal, they are going to get right to business, they are going to start with the General Fund, work their way through the General Fund, then get into the FPRA, and then touch on their Enterprise Funds. They have a lot to accomplish in three hours. They do have an additional Budget Workshop scheduled August 12th. Several of them have expressed interest in attending the Governor and Cabinet Aide meeting on Tuesday, August 11th. So if they are indeed interested, please let his office know and they will make the travel arrangements so they can be in Tallahassee.

Commissioner Alexander asked is this Budget Workshop open to the public?

City Manager Recor said yes.

Commissioner Alexander said it is on the 2nd Floor Conference Room. How many people does that hold?

City Manager Recor said they will be in the 2nd Floor Conference Room. The City Commission will be seated at the table with appropriate staff. And there will be chairs in the Conference Room for members of the public. In the event there is overflow, Public Works has set up chairs in the lobby with a speaker. They are hoping the room will be large enough to accommodate all that are participating.

Commissioner Alexander asked it is going to be recorded?

City Manager Recor said yes.

Commissioner Alexander asked what is the capacity of that room?

City Manager Recor said he is not sure.

Commissioner Alexander said he is just trying to see how they are going to deter the public from coming to their workshop.

City Manager Recor said Plan B was, in the event that it got to extreme capacity, to move the meeting down to the Commission Chambers.

Commissioner Sessions said he thinks they better move right now towards Plan B. Because from the phone calls he is getting, they are going to have a surplus of people. It being in the morning instead of the evening may throw some people off. But he does not think the Conference Room is going to have the capacity to hold the people.

City Manager Recor said he and Mr. Hood will huddle before they leave to see...

Commissioner Alexander asked is there a cost associated with

this, the Chamber versus the 2nd Floor Conference Room?

City Manager Recor said no.

Commissioner Becht said it would be safer to just anticipate the overflow and move it to the Chambers, and not start late be moving down here.

City Manager Recor said that is what he is sensing. He and Mr. Hood will talk after this meeting, because Public Works has been tasked with setting up the 2nd Floor Conference Room. It sounds like that is not going to work. So they will have to be ready for Plan B.

Commissioner Sessions asked what happened to the Community Center?

City Manager Recor said he believes there was a schedule conflict, it was not available.

Commissioner Alexander said he has a point of concern with Mr. Recor. He has to apologize to him again publicly if someone misconstrued that he was fussing with him. They are too big of men to be fussing with each other. He is not going to be fussing with him. His question concerns the same thing as last time. They have a Budget Workshop tomorrow and Mr. Recor is going to be out of town on August 5th, 6th, and 7th?

City Manager Recor said yes.

Commissioner Alexander said so Mr. Recor won't have any response to what they do at the Budget Workshop tomorrow.

City Manager Recor said no. He will be here tomorrow afternoon. He will provide direction to Ms. Johnson and Ms. Satterlee. And then he will be in communication with them for the rest of the week. Unfortunately, if they will recall, this is a Budget Workshop they had rescheduled, after his travel commitments were already made. He will be prepared for August 12th.

Commissioner Alexander asked does that mean August 13th, 14th, and 15th he won't be out of the office?

City Manager Recor said no, he will be here then.

Commissioner Alexander said okay, he just didn't want to be left out there and...

City Manager Recor said he understands. This is a family vacation scheduled for the Keys.

Commissioner Becht said he and his wife had a chance to travel. When they came back to Fort Pierce, they are constantly amazed how pretty it is here. He saw the new view on the Jetty, which is wonderful. They are going to have a Budget Workshop tomorrow. It is his hope that they as a Commission can give clear direction to staff so the budget will be balanced the way they want it balanced. Staff has presented a balanced budget the way they think the Commission wants it. But what he would

like to do is have them focus as much as they can tomorrow to give clear direction so it is balanced, so it will eliminate some anxiety with the employees. There is some anxiety among the crew. If they can get focused tomorrow and be clear and work together, they can do that and eliminate the anxiety, which he thinks will be appreciated by everybody - employees and the public.

Commissioner Sessions said his item pertains to an issue the Mayor has brought up. The Mayor won't be here for the Budget Workshop tomorrow, so out of deference to him, he thinks they ought to address it now. There was discussion regarding discontinuing the **meetings being televised** and it probably would be brought up tomorrow. So he just wanted to get a consensus of the Commission. Is that something they need to set some direction on this evening while the Mayor is here? He has his own personal position. If they don't mind, can they discuss it now?

Commissioner Coke said yes. They all know she hates being on television. However, she does think that the benefit their community derives from being able to tune in and watch the Commission far outweighs the cost of it. Despite the fact that she doesn't like having her picture up here, she thinks it is a benefit to the community at large. She really would not be in favor of discontinuing the practice.

Commissioner Becht said he is not in favor of discontinuing it at all. What they have created, whether intentionally or by accident, is a transparency and involvement with the process that the public both enjoys and needs, and now demands. At times it might be a little bit like looking inside the sausage factory - they might not like what they see, but they do get to see what is happening. The other point is, this is a powerful medium where the Commissioners can actually get their message across without it getting diluted by any other medium. Right or wrong, the message they send from here is the message.

Commissioner Alexander said people constantly walk up to him to stop and speak, giving a pat on the shoulder. When he goes to the grocery store, people walk up to him and let him know they appreciate the City of Fort Pierce allowing them to be able to sit in the peace of their homes and look at it time and time again. To him, once is enough. But people sit and watch the City of Fort Pierce, keep Fort Pierce in their hearts. That is not hot air, he is just telling what the public is saying to him and he appreciates that.

Mayor Benton said he has heard it loud and clear. But as he stated, it was an option. The Commissioners being in a position at a time they are looking at laying off employees... He hopes the budget changes, once they do the separations, and they see next year's budget that they don't see that number, whether it be 77 employees. Let's get past the positions that haven't been filled over the years and get back to running government. But the heartache that it does create when people call him because they laid off police officers, he has to look at an option. Instead of laying off police officers, here is a way to save

\$150,000, which could mean two or three police officers on the street. But after his meeting with the Chief the other day, the Chief assured him by the end of next year with what they are doing that there will be more police officers on the street than there is now. So he feels confident they are going in the right direction. Change is hard for all of them to accept. For years they have sat here with a lot of revenue coming in and being able to run the City very easily. But now they are challenged. He thinks a year from now they are going to say they got through the year. They have a moving target with the numbers they get from the Property Appraiser and the Tax Collector. There is always budget amendments. If they find something that didn't work perfectly in this balanced budget, which he supports, then they can come back and fine-tune it a little bit. But give change a chance. Their sister city to the south has always been sitting well when it came to taxes. When he came on board, Fort Pierce's taxes were about five times higher than Port St. Lucie's. Now it appears they could be within they could be within one-tenth of a mill, which is a big deal for Fort Pierce, especially when it comes to attracting business. So please bear with them. But when people call and say their house wouldn't have been broken into if they had not laid off those police officers, then maybe they didn't need televised meetings. They have a City Charter that guides them on what they have to do and what services the City has to provide. Television is not one of them.

City Manager Recor said there still may be an opportunity to reduce the expenditure, realize a savings, and still televise the meetings. They have a very competent MIS staff and it was always contemplated they would be the backup and trained to run this equipment. So they can still talk about the potential reduction in the expenditure by bringing it on line and having their staff perform that responsibility.

Commissioner Sessions said certainly if they are going to do it themselves, he believes that would be the avenue to take. But he knows is brings about accountability and responsibility in having these meetings televised. He does think they need more accountability and this is a means of making sure they are accountable for their actions and the public actually sees what they do. People do watch these meetings. If anything, they probably would suggest cutting down the cost and not have the public in here as opposed to cutting off the television, and they can't do that because the law won't allow them to do that. He just wanted to get that issue out, because his phone has been ringing off the hook for the last week, so he wanted to put it to rest.

Commissioner Sessions said everybody he knows that is familiar with the **Federal Courthouse** understands and realizes that William Dannahower lived and breathed and probably will die for the Federal Courthouse. That man put a lot of work and effort into bringing that Federal Courthouse here. It was carried on by Eddie Enns and Bob Benton in terms of making it a reality. There has been a name proposed for the Federal Courthouse. He just felt he would be remiss if he didn't say something in regards to William Dannahower, naming that Federal Courthouse.

He does not know how they all feel about it. He knows there is a name out there. But when they look at all of the hard work and effort, William Dannahower is still doing it, making things happen. He thinks William Dannahower deserves to have that Federal Courthouse named after him.

Mayor Benton said about three years ago this Commission passed a resolution (Resolution No. 05-25) endorsing Judge Alto Lee Adams name to be put on that Federal Courthouse. So they already officially by resolution asked all their Senators and Congressmen that it be named after Judge Adams, who was a Supreme Court Justice in the State of Florida.

Commissioner Sessions said okay, he didn't know that. It was just an observation and he just wanted to bring it up.

Commissioner Coke said she was away last week in a beautiful beach town in Florida. But it was such a joy to come home to Fort Pierce and drive through and see how beautiful it is. They are making great strides. All that is very obvious, despite the fact that they are facing some budget challenges this year and probably will next year. Their taxable value went down less than the other entities around them. This means to her that they are doing something right. She is very proud to have worked on a daily basis with the citizens and staff and this Commission. She thinks they have moved forward as a group with the best interests of this City at heart. She is proud of where they have come in the time she has been honored to serve here and she is looking forward to a lot of the things they are going to be able to do in the future. It may not be next year, it might take a few years, but she is sure they will be back to doing wonderful things for their City again.

Mayor Benton said he thinks they have done an unbelievable job running this City with the support of some of the best employees. They were noted as the best run City in the State of Florida a few years ago. And he thinks the atmosphere in this community shows that to everyone.

Mayor Benton said he cannot make it tomorrow to the Budget Workshop as he will be on his way to Tallahassee. He will be meeting with the Cabinet Aides that work for the Governor and the Board of Trustees of the Internal Improvement Trust Fund. The following week, the Governor and the Board will be discussing and hopefully permitting the rebuilding of the City Marina, which is a \$20 million project. The majority of that will come from FEMA and from insurance money. It will be a job the City will oversee with contractors, that will be local people working on this for several years in this economy. So that is a big deal. Please keep them in their prayers. It is something that has never been done in the State of Florida and it has been four years in the works. It is a big deal, almost as big as the budget. He wishes he could be at the Budget Workshop. He does support the balanced budget. There are a couple of minor things, just a few thousand dollars, that he will put down on paper. As critical as he was of staff at the last Budget Workshop, he understands how hard it has been for staff to put together a budget like this. He does appreciate

the fact that it has been several years since they have looked at a balanced budget and this has been a challenged time. So to staff, good work.

There will be a Budget Workshop on Tuesday, August 4, 2009, beginning at 9:00 a.m. in the City Hall, 2nd Floor Conference Room (changed to City Commission Chambers), 100 North U.S. #1, Fort Pierce, Florida.

There will be a Budget Workshop on Wednesday, August 12, 2009, beginning at 2:00 p.m. (location to be determined).

There being no further business, the meeting was adjourned at 8:20 p.m.

Adjournment.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER

