

**CITY OF VERO BEACH, FLORIDA  
MAY 7, 2013 9:30 A.M.  
REGULAR CITY COUNCIL MINUTES  
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

**1. CALL TO ORDER**

**A. Roll Call**

Mayor Craig Fletcher, present; Vice Mayor Tracy Carroll, present; Councilmember Pilar Turner, present; Councilmember Jay Kramer, present and Councilmember Richard Winger, present **Also Present:** James O'Connor, City Manager; Wayne Coment, City Attorney and Tammy Vock, City Clerk

**B. Invocation**

Pastor Alan Neiman of Lakeside Fellowship Church gave the invocation.

**C. Pledge of Allegiance**

Mayor Fletcher led the City Council and the audience in the Pledge of Allegiance to the flag.

**2. PRELIMINARY MATTERS**

**A. Agenda Additions, Deletions, and Adoption**

Mrs. Tammy Vock, City Clerk, asked that item 7-F) be moved up on the agenda and heard under Resolutions as item 4-D). Also, item 5-B) be added to the agenda, which is an Ordinance abandoning a right-of-way in Edgewood Addition.

Mr. Winger suggested that item 7-E) and item 9A-1) be heard together as they pertain to the same topic.

Mr. Kramer made a motion to adopt the agenda as amended. Mrs. Carroll seconded the motion and it passed unanimously.

**B. Proclamations**

- 1. Historical Preservation Month**
- 2. National Police Officers Week – May 12-18, 2013**
- 3. National Safe Boating Week – May 18-24, 2013**

Mayor Fletcher read and presented the Proclamations.

**4. Certificate to Councilmember Pilar Turner for attending the Regional Summit on “Developing and Communicating Your City Budget”**

Mayor Fletcher presented Councilmember Turner with a certificate for attending the Regional Summit on “Developing and Communicating Your City Budget” that was offered by the Florida League of Cities.

Mrs. Turner appreciated the certificate and noted that she attended the seminar at no cost to the taxpayers.

**C. Public Comment**

**1. Mr. Peter Gorry, Chairman of the Finance Commission, to give an update on the last Finance Commission meeting.**

Mr. Peter Gorry, Chairman of the Finance Commission, commended staff on the document that they have prepared in preparation for Council’s Special Call meeting to discuss the budget. He said that the Finance Commission went through a lot of the specifics of the document (on file in the City Clerk’s office). He wanted to outline some issues that were addressed by the Finance Commission. He said that the question is what is the City of Vero Beach going to look like post sale. The City will shed 2/3<sup>rds</sup> of its assets. There is a \$5.6 million dollar transfer from the Electric Fund into the General Fund and an additional \$1.8 million dollars is transferred from the General Fund into the Electric Fund. The Finance Commission went through a number of items that will reduce that. He said that 80% of the General Fund is for salaries and benefits and 12% is for operations. Most of the operations are in the Public Works/Streets Department as opposed to the support operations of management. He briefly went over the documents that staff provided to the Finance Department, which will be the documents provided to the Council for their Special Call meeting next week. What staff did was divide its operations for every department into three categories. The first category is what is essentially required by law to run the municipality. The second category is value added for the City, but is not necessary and the third category is customer service and things that are not necessary, but nice to have. The Finance Commission made a motion to recommend the approach to improving the efficiencies and cost effectiveness and the ambiance of the City should be based on a rifle shot item by item, issue by issue, analysis as opposed to a broad across the board mandated reduction. There are areas that staff is proactive in and the City doesn’t have to wait for the sale in order to implement them. Mr. Gorry put on the doc cam concepts for consideration, which he briefly went through (please see attached).

**2. CAFR Presentation – Ross Cotherman**

Mr. Ross Cotherman, of Rehmann, was at today’s meeting to go over the Comprehensive Annual Financial Report (CAFR). He said that on page 13 was the opinion letter, which he said is the only thing that his firm controls with the entire CAFR. On page 9, is the Certificate of Achievement for Excellence in Financial Reporting from 2011, which is a

voluntary program that the City participates in and the City should be commended for participating in that program. On page 15, the management's discussion and analysis is discussed. Then on page 27, they go through the basic financial statements. On page 30, where it says the accompanying notes are an integral part of these basic financial statements it is because there was a change made for capital assets and a fiscal asset count was done this year. The results are that there are no missing assets. There was some assets that were disposed of that were not properly disclosed, but for the most part those assets had outlived their lives and should have been depreciated.

Mrs. Carroll commented when FPL came in two years ago and did their analysis of assets of the electric system she asked a number of questions because they looked at some very old items on the list, but they were assets. She asked Mr. Cotherman when they recently did the reanalysis is there less assets going to FPL for the City's utility side.

Ms. Cindy Lawson, Finance Director, explained that by using the fixed asset listing it comes from the City and the vast majority of those assets were completely depreciated, so there was about a \$160,000 difference. She had this conversation with FPL and they have seen the updated list.

Mayor Fletcher asked Mr. Cotherman to explain what a CAFR is.

Mr. Cotherman explained the meaning of CAFR and said that this is an annual audit required by law. It was also noted that the CAFR is on the City's website.

Mr. Cotherman continued by saying that in other post employee benefits (OPEB) the City engaged a new actuary this year and determined that prior year contribution rates were not being properly calculated so the liability on the books has increased.

Mrs. Turner asked Mr. Cotherman as a professional, would he recommend this.

Mr. Cotherman answered by saying that it was an acceptable method pay as you go concept. A lot of municipalities are still using this concept.

Mr. Jim O'Connor, City Manager, expressed that the City is working towards looking at other options to address this issue.

Ms. Lawson added that the City engaged the new actuary over the summer and they will be presenting this year's actuary at the end of the summer. Once there is a good number the actuary will help the City in moving from pay as you go to other options. She will be bringing these things to Council over the summer months.

Mr. Cotherman said that the statistical session provides a lot of statistical analysis, and on page 153, they cover the single audit act compliance. They have also issued a management letter, which is a standard letter that they make statements about certain issues. He said that there is nothing negative in the letter.

Mrs. Carroll commented that Mr. Gorry eluded in his presentation that 80% of funding is going towards salaries and benefits. She asked is that now or post sale.

Ms. Lawson explained that now and post sale will be the same.

Mr. O'Connor added that because the City is a service provider, this is normal.

Mrs. Carroll wondered when doing the benchmarking project if they look at whether the 80% number is right. Mrs. Turner said that she would look into that.

Mrs. Turner referred to page 57, where it discusses potential liability compensation absences and noted that the liability is not reported.

Mr. Cotherman explained that it is unfunded and reported on a government wide level.

Mrs. Turner went to page 75, where they had a drawing for business-type activities and there was nothing reported for the renewal and replacement for the water and sewer system. Ms. Lawson explained that the renewal and replacement funds are shown in the electric funds.

Mrs. Turner went to page 77 and read the second paragraph and had some concerns about the investment rate of return. Ms. Lawson explained that they are still recognizing the huge losses that occurred in 2008. Current pension plan 1.31% return for 2012 versus 7.75% assumed rate.

Mrs. Turner was concerned on page 87 where it noted that the City still has potential FEMA liability.

Ms. Lawson explained that the City still has some disputes on some documentation and contractual issues. She said that this could take another four years before it is closed. She said that the bulk of the dispute is for the electric and water and sewer funds. She feels confident that the City properly documented all that was requested by FEMA. She expressed that the Florida League of Cities did step up to the plate and funneled some insurance money.

Mrs. Turner noted that on page 88 it talked about the Federal Aviation Administration (FAA) Land Use Compliance Inspection, which the City has had no response on yet. She went over the page that covers the schedule of revenue, expenditures and changes in the Fund Balances (Budget and Actual – Infrastructure and Real Estate Improvements Fund for the year ended September 30, 2012). Ms. Lawson explained that this was due to the refinancing that the City did last summer. Then on page 124, under governmental activities it showed a loss, which was due to the OPEG liability.

Mr. Kramer referred to page 38, which was the statement of net assets. He was comparing this year from last year. Ms. Lawson explained that they changed the way that they did this from last year, but she would be glad to go back to the way that they

used to do it. She agreed that the other way has more clarity so she will put it back to the way that it used to be done.

Mrs. Carroll commented that when the sale to FPL is completed that there are entities, such as the Hospital, Piper, Indian River Mall, and the Sheriff's Department, who will benefit because of the decrease in their utility bills. There will be a lot of money going back into their community and that is why they need to continue going forward with the sale.

Ms. Lawson stated that she will be taking the CAFR before the Finance Commission for their review.

Mr. Cotherman thanked the Finance Department for providing them everything that they needed in order to complete the audit.

At this time, Council took a fifteen-minute break and the meeting reconvened at 11:00 a.m.

Mrs. Linda Hillman asked for an update on the Go-line bus situation.

Mr. O'Connor stated that they are on schedule. He said that both the City and the County have agreed to the lease terms and later on in the meeting the City Council will be considering approving the lease for the temporary location for the buses at the Airport until the permanent location has been built. He said that the County would be passing the same agreement at their meeting this morning.

Mrs. Hillman brought up Mr. Gorry's presentation and asked the Council to consider two things when looking at doing without something. She expressed how important it is for the visitors to this area to have recreation and that they don't consider making cuts to the Police Department. She expressed that these two entities are the reason that people love to come to this area.

Mrs. Carroll agreed with Mrs. Hillman's comments and added that she has always been a strong component of the Recreation Department.

Mr. Joseph Guffanti talked about septic tanks and the major effect that they have to the lagoon. He did not see the presentation that the scientist made at the County Commission meeting at the Lagoon Symposium. He assumed that the speaker was speculating or his work is incomplete. He referred to a newspaper article that has the Mayor quoted as saying that the septic tanks are a severe environmental problem. He said that may be true, but they don't know that for sure. He said that the information at best is incomplete. He knows that there will be further discussion on this item later on in the meeting and he suggested to Council that they don't get carried away until all of the information has been made available.

Mr. Brian Heady received an email from someone, which he read, that had to deal with the Florida Department of Law Enforcement (FDLE) that Council was going to have done concerning the OUC contract and how there was an about face decision made. The sender of the email felt that this was a terrible situation and Mr. Heady agreed. He mentioned the students in Boston who knew about the bombs and did not come forward and they were arrested, which was the right thing to do. He said at one City Council meeting the Mayor directed the City Attorney to prepare a letter to send to FDLE and then at the next Council meeting the whole thing was “thrown out the window.” Mayor Fletcher said that he met with the City Manager and the City Attorney and made the decision not to send the letter. Mr. Heady expressed that the City Manager and the City Attorney work for the City Council. He reviewed the tape of that Council meeting and the Mayor directed the City Attorney to prepare a letter to be sent to FDLE and then the next meeting they changed the will of the City Council. He does not understand how the Mayor would have authority to change the orders of the City Council. He asked if there was a meeting that took place out of the Sunshine in which this was determined. Mrs. Carroll said that she was not part of such a meeting.

Mr. Kramer told Mr. Heady that he should be asking if the Council received any telephone calls that changed their minds in doing this.

Mrs. Carroll told Mr. Heady that he has gone over this same topic for a number of meetings now. She has an open door policy and doesn't remember every phone call she takes or every person that she talks to. She said that the Council made the decision not to go forward with sending the letter. She requested to move forward and discuss the business items on today's agenda.

Mr. Heady then asked Mrs. Carroll the same question that he has asked her at past meetings about what she felt the \$20 million dollars in the FPL contract was for. Mrs. Carroll told Mr. Heady that she was not going to get into a debate with him.

Mayor Fletcher asked Mr. Heady to continue with his comments.

Mr. Heady still had some concerns as to how Council could change their direction on sending this letter without a vote.

Mrs. Carroll expressed that Mr. Heady makes the same exact comments over and over.

Mrs. Turner stated that the podium should not be used to disparage a City Councilmember.

Mr. Heady was sorry that Mrs. Carroll finds this accurate reporting defensive.

Mrs. Carroll referred to the City Charter and expressed what is allowed and not allowed to occur at their meetings. She said that the Mayor has the right to have someone removed from the Chambers.

Mr. Heady felt that the public had a right to know where the money is being spent (referring to the question that he was asking some of the Councilmembers).

Mr. Charlie Wilson stated that he was the person who brought this up (FDLE letter) and there was a reason. The reason is past history needs a conclusion. During his research of looking at the same documents that the Mayor looked at when making his decision to write or not write the letter there was some new information that came up and that was the Statutes of Limitation. He said that the overriding issue is selling the utility Plant and they need to go forward with that issue. The presentation he made at their last meeting provided basic information that the public needed to know. It is clear that laws have been broken, but also there is no chance of recovering from those laws that were broken. If there was a chance then he would not rest no matter what the cost. He asked did those involved get away with it and said frankly they did not. The public knows what happened and the half truths in many cases have been unveiled. There was one former City Council member that refused to cooperate with law enforcement and when that person comes before the Council and speaks at the podium, this Council will remember what he did. Now it is time for them to heal and come together and put this to an end and go forth with the sale to FPL.

#### **D. Adoption of Consent Agenda**

- 1. Regular City Council Minutes – April 16, 2013**
- 2. Utility Easement #2012-EG-0126 – Indian River County Habitat for Humanity, Inc. – 4315 and 4325 30<sup>th</sup> Avenue**
- 3. Final Payment Request from Timothy Rose Contracting, Inc., - Parking/Access Improvements – Building 78 – Bid No. 260-12/CSS; FDOT Project No. FP429255-1-94-01**
- 4. Bailment Agreement between the City of Vero Beach and Piper Aircraft, Inc.**
- 5. License Agreement #2013-LA-0209 – Jodah & Holly Bittle – Dock 3 Tarpon Drive**
- 6. Final Payment Request from Timothy Rose Contracting, Inc., - 43<sup>rd</sup> Avenue Stormwater Pump Station – Bid No. 180-12/JV/Contract No. 1574-C**

Mrs. Turner pulled item 2D-6) off of the consent agenda.

Mrs. Carroll made a motion to adopt the consent agenda as amended. Mr. Winger seconded the motion and it passed unanimously.

- 6. Final Payment Request from Timothy Rose Contracting, Inc., - 43<sup>rd</sup> Avenue Stormwater Pump Station – Bid No. 180-12/JV/Contract No. 1574-C**

Mrs. Turner commented that this item is a final payment for the 43<sup>rd</sup> Avenue stormwater pump station. She noticed in the backup material under opportunities it states that the

project will reduce the utility cost for purchase of potable water by \$255,000 annually. She asked that this be explained.

Mr. Rob Bolton, Water and Sewer Director, reported that in years past when they would have drought conditions and all the seasonal residents go back up north their flows at the Wastewater Plant drop off and then at the same time the demand for irrigation water goes up. The City would supplement this with potable water, both at a tank at Indian River Shores and a tank at the Wastewater Plant and in years past this has cost them \$250,000 or more. He said that there may be some conditions when they still will have to supplement in the Indian River Shores tank because the demand is so high.

Mrs. Carroll asked if it was truly \$250,000 or is that based on what the cost would be if the City was selling that exact water to a customer or is it the true cost of what it actually costs to pump it out.

Mr. Bolton explained how they did it was meter the water going into the tank. He said the true cost to produce that water was a little lower.

Mrs. Carroll asked if this would affect the Water Department's revenue going forward without this \$255,000 annually.

Mr. Bolton said that this would decrease revenues and make the water system less profitable. There will be a decrease in revenue, as well as expense.

Mr. Winger asked what percentage of water they take out of the relief canal.

Mr. Bolton was not sure, but would get those numbers.

Mrs. Carroll asked if a reduction in the potable water side caused an additional decrease in the need for chemicals, staff, etc.

Mr. Bolton said that it did and he would have to look into the costs.

Mrs. Turner made a motion to approve the Final Payment request from Timothy Rose Contracting, Inc. Mr. Kramer seconded the motion and it passed unanimously.

### **3. PUBLIC HEARINGS**

None

### **4. RESOLUTIONS FOR ADOPTION WITHOUT PUBLIC HEARING**

- A) **A Resolution authorizing the City of Vero Beach, Florida, to enter into a Supplemental Joint Participation Agreement with the State of Florida, Department of Transportation; to construct Operations Facility, Hangars**

**and Airport Security Improvements (FDOT #430768-1-94-01). – Requested by the Airport Director**

Mayor Fletcher read the Resolution by title only.

Mr. Eric Menger, Airport Director, reported that on October 5, 2010 the City Council approved the original Joint Participation Agreement (JPA) for this project, with the purpose of constructing a new Airport Operations Facility and two adjacent aircraft hangars. The original budget was \$2,400,000. On June 19, 2012, a Supplemental Joint Participation Agreement (SJPA) was accepted by City Council, which converted \$500,000 of the surplus funds from the JPA for the security fence project. On April 2, 2013, a second SJPA was accepted by City Council for an additional \$20,000 of FDOT funding. On April 8, 2013, FDOT notified the Airport that additional funding became available to expand the scope of the security fence project so that up to 90% of the entire Airport security fence, including gates and signage, can be replaced. Due to timely coordination with FDOT, the cost for the City will actually be less than originally planned. Although the overall project budget will need to be increased, the Airport share is actually decreased because of the 100% funding for a large portion of the project. With all three SJPAs approved, the final Airport share will be about \$344,000. There will be no appreciable increase to maintenance costs from this added expense, since the fence was in existence anyway, and it is required by FAA for security and wildlife exclusion. Maintenance costs should actually decrease for many years, since 90% of the fencing will be new. He recommended approval of the Resolution and acceptance of the SJPA #3 and to accept the grant money from FDOT.

Mr. Kramer made a motion to approve the Resolution. Mrs. Turner seconded the motion and it passed 5-0 with Mr. Winger voting yes, Mr. Kramer yes, Mrs. Turner yes, Mrs. Carroll yes, and Mayor Fletcher yes.

**B) A Resolution authorizing the City of Vero Beach, Florida, to enter into a Joint Participation Agreement with the State of Florida, Department of Transportation to complete access road improvements (FDOT #431038-1-94-01). – Requested by the Airport Director**

Mayor Fletcher read the Resolution by title only.

Mr. Menger reported that on September 18, 2012, Council approved the City-wide budget, in which the Airport requested a project entitled “Airport Access Improvements” for the 2013-2014 fiscal year. The project is to make improvements to Airport Drive (34<sup>th</sup> Avenue) and to construct a replacement bridge across the main relief canal to improve the southern entrance to the Airport. The project is proposed to be budgeted over two years and partially funded with three grants from FDOT. Local matching funds will be shared by the Airport and the Public Work’s Department. By using FDOT aviation dollars for the road and bridge repair, more funding will be available elsewhere for road projects outside the Airport boundaries in the City. He recommended approval of the Resolution and acceptance of the JPA.

Mrs. Carroll asked Mr. Menger to explain to Council how all of a sudden the State decides to offer the Airport money.

Mr. Menger explained that it is not all of a sudden. He said that the Airport makes these requests for different projects under their five-year capital plans and it is paid through aviation fuel sales.

Mr. Kramer made a motion to approve the Resolution. Mr. Winger seconded the motion and it passed 5-0 with Mr. Winger voting yes, Mr. Kramer yes, Mrs. Turner yes, Mrs. Carroll yes, and Mayor Fletcher yes.

**C) A Resolution authorizing the City of Vero Beach, Florida, to enter into a Joint Participation Agreement with the State of Florida, Department of Transportation to redevelop Commercial Park (FDOT #429702-1-94-01). – Requested by the Airport Director**

Mayor Fletcher read the Resolution by title only.

Mr. Menger reported that on September 18, 2012, Council approved the City-wide budget, in which the Airport requested a project entitled “Redevelop Core Commercial Park” for the 2013-2014 fiscal year. The project is to renovate and improve revenue producing commercial facilities in the central area of the Airport along the main access roads. The grant requires a 50% match and currently the Airport only has \$150,000 of match funds budgeted for this project and another \$250,000 will be needed for the full \$400,000 match. The Airport will try to find funds to fund this and if they can’t they will do a smaller project and turn back any additional funds.

Mrs. Carroll asked what is the time frame to accept or deny the grant money. Mr. Menger said that it would be in the middle of May. However they have a two year time period going forward.

Mrs. Carroll mentioned that she would be bringing an item up under her matters about the economic development at the Airport. She has concerns with some deficiencies that some properties at the Airport have and how long it takes a new tenant to correct those deficiencies. She said that the City needs to have an inventory done of all the properties at the Airport and what the deficiencies are on these properties. Later on in the meeting she will be talking about having a Task Force created to work on this matter.

Mrs. Carroll made a motion to approve the Resolution and move forward.

Mrs. Carroll asked if it was a possibility if a business comes into the Airport and wants to help the City fund the grant money could that be looked at. Mr. Menger said that is a possibility.

Mr. Menger brought up the Airport Master Plan and expressed funding for that project will need to come from Federal funds. He said that he will follow through with the grant process for the Airport Master Plan and see what kind of funding is available.

Mrs. Carroll asked if the Airport was required to craft a Master Plan without funding.

Mr. Menger said that a Master Plan was required by FAA and he anticipates that funding will be available in future years.

Mrs. Turner asked what is the present occupancy rate at the Airport. Mr. Menger said that they are between 70% and 80% occupied.

Mr. Winger seconded the motion.

Mayor Fletcher didn't recall ever having to take money out of City funds to pay for the Airport.

The Clerk polled the Council and the motion passed 5-0 with Mr. Winger voting yes, Mr. Kramer yes, Mrs. Turner yes, Mrs. Carroll yes, and Mayor Fletcher yes.

**D) A Resolution of the City Council of the City of Vero Beach, Florida, authorizing the City of Vero Beach to enter into a "Locally Funded Agreement" and a "Mast Arms and Upright Poles Maintenance Memorandum of Agreement" with the Florida Department of Transportation relating to Replacement Traffic Signal Structures to be installed at State Road A1A and 17<sup>th</sup> Street; Providing for an Effective Date.**

Mayor Fletcher read the Resolution by title only.

Mr. O'Connor reported that these traffic signals located at SR A1A and 17<sup>th</sup> Street were installed in the early 1990's. They were scheduled to be replaced in 2012 along with an intersection improvement project, which was designed to increase traffic capacity. The project was to be funded with traffic impact fees collected on the central and south barrier island. The funding source is no longer available and the intersection project is currently unfunded and unscheduled. In December 2010 the northwest mast arm assembly failed and was replaced. In January 2013 the City was successful in getting FDOT to agree to replace the signals. However, FDOT would not agree to the cost of painting the signals hunter green to match the other signals in the City and County. The project was included in the Public Work's Departments' five year CIP plan and without the painting agreement the poles and mast arms would have a galvanized treatment with no additional color. This request is just for the painting of the poles.

Mrs. Turner was happy to accelerate this project due to previous failure of a signal pole.

Mr. Winger asked about funding.

Mr. Monte Falls, Public Works Director, explained that the money used for this project comes from the gas tax money.

Mrs. Carroll commented that she did receive some calls from members in the community who were worrying that the County was progressing in adding a northbound turning lane, which the City feels is not necessary. She asked if the small flags displayed are there because of the location for construction of the lights. Mr. Falls told her that they were.

Mrs. Turner made a motion to approve the Resolution. Mrs. Carroll seconded the motion and it passed 5-0 with Mr. Winger voting yes, Mr. Kramer yes, Mrs. Turner yes, Mrs. Carroll yes, and Mayor Fletcher yes.

**5. FIRST READINGS BY TITLE FOR ORDINANCES AND RESOLUTIONS THAT REQUIRE A FUTURE PUBLIC HEARING**

- A) A Resolution of the City Council of the City of Vero Beach, Florida, determining that certain City-owned real property comprising of 0.13 acres located West of Barber Bridge Plaza Drive and South of the Merrill Barber Bridge is no longer needed by the City and authorizing the City Manager to offer said real property for sale; Providing for Conflict and Severability; and providing for an Effective Date. – Requested by the Public Work’s Director**

Mayor Fletcher read the Resolution by title only.

Mr. Falls mentioned that staff took the opportunity to look at City property that was no longer needed by the City. This property is located on the west side of Bridge Plaza Drive and south of the Merrill Barber Bridge. He recommended to Council that the property be declared surplus and then it can be made available for sale.

Mrs. Carroll asked if the size of the property was capable of having a business located on it.

Mr. Falls did not think so. He said that it really could only be used by the adjacent property owners.

Mrs. Turner made a motion to hold the public hearing on the Resolution on June 4, 2013. Mr. Kramer seconded the motion and it passed 5-0 with Mr. Winger voting yes, Mr. Kramer yes, Mrs. Turner yes, Mrs. Carroll yes, and Mayor Fletcher yes.

- B) An Ordinance of the City of Vero Beach, Florida, abandoning the West 5 feet of Lot 8, Block 1, Edgewood Addition; together with the West 5 feet of the East 90 feet of the West 200 feet of the South 140 feet of Block 48, Map of the Town of Indian River (Original Town); retaining an alley; Providing for Conflict and Severability; Providing for an Effective Date. – Requested by the Public Work’s Director**

Mr. O'Connor reported that Jetson's Appliance have asked that a portion of 12<sup>th</sup> Court adjacent to their building be abandoned. The City has received no objections from any City departments or utility providers. Staff recommends that Council approve the abandonment of the west 5 feet of 12<sup>th</sup> Court between 19<sup>th</sup> Place and 20<sup>th</sup> Street.

Mrs. Turner made a motion to set the public hearing to hear this Ordinance on May 21, 2013. Mr. Kramer seconded the motion and it passed 5-0 with Mr. Winger voting yes, Mr. Kramer yes, Mrs. Turner yes, Mrs. Carroll yes, and Mayor Fletcher yes.

## **6. CITY CLERK'S MATTERS**

### **A) Commission/Board Openings**

Mrs. Vock went over the different openings that the City has on their Commission and Boards.

Mrs. Carroll suggested that these openings be placed on the Chamber of Commerce's website.

Mrs. Vock also brought up the City Council meeting schedule for August. Council agreed to hold their Council meeting on August 20<sup>th</sup>.

## **7. CITY MANAGER'S MATTERS**

### **A) GoLine Bus Hub Lease**

Mr. O'Connor reported that the GoLine bus hub lease meets all of the terms that have been negotiated to allow Indian River County to move forward with construction of the GoLine Transit System bus hub with funding from a Federal Transit Administration Bus and Bus Facilities Livability Initiative. The area will be the City-owned parcel of land lying on the south side of 16<sup>th</sup> Street immediately west of the Florida East Coast railroad tracks.

Mrs. Turner questioned why the lease would be for 40 years.

Mrs. Carroll added with an additional 10 year renewal.

Mr. Wayne Coment, City Attorney, explained that the City leases are typically for 30 years. He said that this is what the County asked for and they have approved it. He mentioned that the leases that the City has with Riverside Theater and the Museum are for 50 years.

Mrs. Turner asked how much time has been given at the temporary location at the Airport.

Mr. O'Connor stated that the agreement allows for twenty-four months, which they feel is enough time to construct and move to the permanent location. He said as far as moving to the temporary location, there will not be much to do. He said that they will have to install some signs and show the bus drivers where the location will be. He has not been given a date as to when they will move to the temporary location.

Mrs. Turner wanted a commitment as to when they (Goline) were going to move to the temporary location and when they will vacate it.

Mr. Coment explained that the twenty-four month period is in the lease and the Council is committed to the signed lease.

Mrs. Turner reiterated the she wanted to know when the buses were going to be moved to the temporary location and when they were going to move the bus hub to the permanent location.

Mr. Falls reported that he received the site plan for the area this morning and will be reviewing it and sending his comments back to the County. The County is moving forward in getting the necessary plans to the City.

Mrs. Turner expressed that she wanted to see a commitment.

Mr. O'Connor restated that the contract has a twenty-four month clause in the lease for the temporary location and the Goline bus hub will have to be off site in twenty-four months.

Mrs. Carroll made a motion to approve the GoLine bus hub lease. Mr. Kramer seconded the motion and it passed unanimously.

**B) License Agreement between the City of Vero Beach and the Board of County Commissioners of Indian River County, Florida, for Temporary Use of Airport Property (Senior Resource Association Transit Hub)**

Mr. O'Connor reported that the temporary license agreement between the City and Indian River County for temporary use of property located at the Airport while the permanent site is under construction will be for twenty-four months.

Mrs. Carroll asked what improvements are needed.

Mr. Falls described the area where the temporary location will be located and said that there will need to be some shelters and fencing put there.

Mayor Fletcher questioned if the Planning and Zoning Board will need to authorize this.

Mr. Falls said that Mr. McGarry will need to look into that.

Mrs. Carroll commented that the surrounding areas on both sides of the bus hub are just empty fields.

Mr. Menger mentioned that he contacted all of the adjacent businesses in the area and most responses were neutral or positive in having the bus hub located in the area.

Mrs. Carroll was sure that Flight Safety was happy to see it in the area. She knows that they have been requesting a bus stop in that location for some time now.

Mr. Winger made a motion to approve the license agreement between the City of Vero Beach and the Board of County Commissioners of Indian River County, Florida, for temporary use of Airport Property (Senior Resource Association Transit Hub). Mrs. Carroll seconded the motion and it passed unanimously.

**C) Gomez and Son Fence, Inc., - Change Order #1 – Airport Security Fence Improvements – Bid #350-12/CSS – FDOT #420768-1-94-01**

Mr. O'Connor reported that this change order is for the fencing being done at the Airport.

Mrs. Carroll made a motion to approve the change order. Mrs. Turner seconded the motion and it passed unanimously.

**D) Grounds Maintenance Division – Mowing Services Contract**

Mr. Falls reported that staff would recommend awarding the mowing services contract to 365 Services dba Maintain Landscaping of Winter Park, Florida. The areas the company will be mowing include non-irrigated medians, rights-of-way and large open space. The award of this contract will have a savings of approximately \$63,500 on an annual basis and reduce the Grounds Maintenance staffing level by two positions.

Mrs. Carroll recalled that some time ago she discussed the City going to propane gas for their lawnmowers as a lot of landscapers have already done.

Mr. Falls stated that he looked into that, but said that there was not a way to retrofit the mowers that they already have.

At this time, Council took a lunch break and the meeting reconvened at 1:30 p.m.

**E) Request for Approval for Payment of Legal Fees – Edwards Wildman Palmer LLP**

**9A-1) Accountability of Transactional Attorney to the full Council and Public – Attorney to be present and present the next steps – Requested by Councilmember Richard Winger**

Mr. O'Connor referred to the memo that the City received from Mr. John G. Igoe, Transactional Attorney, requesting approval for payment of additional legal fees under the terms of the engagement letter. They are asking the City Council to approve the total amount due under the outstanding invoices, although payment of the 10% deferred amounts is contingent upon achieving the closing and to approve additional interim payments of up to \$200,000 for services rendered in April and to be rendered in subsequent months.

Mrs. Carroll asked Mr. O'Connor if he feels comfortable with the information that Mr. Igoe has provided in terms of the work done.

Mr. O'Connor answered yes. He said that he receives Mr. Igoe's invoices and they are expended in the effort of closing the FPL deal.

Mrs. Carroll made a motion to approve the request for payment of legal fees from Edwards Wildman Palmer LLP. Mayor Fletcher seconded the motion.

Mr. Winger wrote a letter to Mr. Igoe and Mr. Igoe has responded (on file in the City Clerk's office). The first question dealt with the time schedule to resolve, other than the ARP waiver and the tax issue, all FMPA issues, including an identification of those issues at least as they have been identified to date by FMPA or otherwise known to their attorneys. He asked is it reasonable to set June 30, 2013, as a target date to reach an agreement in principle, at least at the FMPA staff level, that resolves those issues. Mr. Igoe wrote back and said other than the ARP waiver and the tax issue, that June 30, 2013 is a reasonable target date for resolving with FMPA an agreed plan of action for obtaining FMPA and related FMPA approvals. The second question had to do with the IRS tax ruling. He asked on the assumption FMPA will not accept their bond counsel opinion, can the City receive within thirty days a reasoned opinion signed by a recognized bond attorney. Mr. Igoe stated that his firm remains willing to issue a tax opinion confirming the availability of the limited private use exemption for FPL under the contemplated PPA layoff for up to three years. FMPA has said that they want to file a request for a Private Letter Ruling from the IRS. However, the City and FPL have not yet agreed to a Private Letter Ruling and intend to discuss the topic when they meet with FMPA on May 28, 2013. The third question had to do with the time schedule for whoever is going to visit each City to get an ARP waiver. Mr. Igoe said that once they resolve some of the issues then the City will be in a position to schedule visits, if needed, to its fellow ARP and entitlement project participants.

Mr. Winger commented that he is anxious to complete this sale, which has cost their community \$2,000,000 a month in extra power costs for the 20 months this has been going on and will until the utility is sold. The Transactional Attorney was hired August 30, 2011, and since that time they have spent nearly \$1,200,000. He mentioned that he was told this month, February, March, and in April that the Transactional Attorneys "may" meet with FMPA, which still has not occurred. He said from his perspective they (Transactional Attorney) have been slow. He will accept June 30<sup>th</sup> for the target date for

resolving with FMPA an agreed plan of action for obtaining FMPA and related FMPA approvals.

Mayor Fletcher was happy to see that they have a target date.

Mr. O'Connor expressed with so many parties involved it is very difficult to get a firm date.

Mrs. Carroll agreed that unfortunately it is taking some time to work out this contract and they have someone on the City Council who is working against them.

Mayor Fletcher asked Mrs. Carroll not to attack other Councilmembers. He expressed what another Councilmember does is his or her business.

Mrs. Carroll commented that after hearing Mr. Winger's comments he would like to conclude this deal and this entire Council stands in voting for it as one body.

Mayor Fletcher stated that every Councilmember has a right to their opinion.

Mrs. Turner shared Mr. Winger's frustration in the time that it has taken to get this pulled together. She knows that there have been some staff changes and they need to continue to move forward.

Mr. Kramer expressed his disapproval for this request. He noted that they had a deadline to get out of the All Requirements Project and the Transactional Attorneys failed to do that and it has cost the City another year. Then the Transactional Attorney decided to argue that this was not a sale, but a disposal of a system, which fell flat on its face and the City paid for it. He said time and time again he has been shown and proven that the Transactional Attorneys come up with ideas and nothing ever happens. He remembers attending an FMPA meeting and having Lake Worth come up and apologize in person for a lawsuit that Lake Worth had brought up against FMPA. He said interestedly enough is that Rick Miller (Transactional Attorney) was responsible in part for the lawsuit. He felt that these Transactional Attorneys come up with all these crazy ideas and the City buys into them. As far as he can see, the Transactional Attorneys are not really negotiating. He said let's wait until June and see what happens. He anticipates if they wait three and a half years they will probably see what is really going to happen.

The motion passed 4-1 with Mr. Kramer voting no.

**F) Replacement of Traffic Signals at State Road A1A and 17<sup>th</sup> Street – Locally Funded Agreement and Maintenance Memorandum of Agreement**

This item was approved earlier in the meeting under Resolutions no public hearing required.

**G) Discussion regarding refinancing of Series 2008 Water & Sewer Refunding Note**

Mr. O'Connor explained that this matter did go before the Finance Commission and they agreed with staff's recommendation on the Water & Sewer bonds.

Ms. Lawson recalled that back in December 2010 the City Council approved two loans from the Florida Department of Environmental Protection State Revolving Fund (SRF) Loan Program. The first was Amendment #2 to SRF Loan WW310201, which provided funding in an amount up to \$2,544,444 for unfunded portions of the Deep Injection Well System construction project. The second was SRF Loan DW310221, which provided funding in an amount up to \$256,206 for work on the Field Services and Maintenance buildings at the Water Treatment Plant. Per the final project costs, the City borrowed \$1,651,367 under SRF Loan WW310201 and \$191,496 under SRF Loan DW310221, for a total of \$1,842,863. City staff and their Financial Advisor are preparing an RFP for the refinancing of the Series 2008 loan. On April 9, 2013 the Utility Commission reviewed the proposed refinancing and recommended to the Finance Commission that the entire \$1,843,000 be applied to pay down the principal. On April 25, 2013, the Finance Commission met and voted to endorse staff's recommendation that Council refinance the Series 2008 loan and apply the entire \$1,843,000 towards paying down the principal on the Series 2008 refinancing. She said that the City can pay down the loan at any time without a penalty. She is hoping to issue the RFP tomorrow with a target date of having everything back in by June 10<sup>th</sup>.

Mrs. Carroll made a motion to approve staff's recommendation that the Series 2008 loans be refinanced to achieve the lower interest rate and that the refinancing include the additional pay down of principal in the amount of \$1,843,000 as previously recommended by the Finance Commission and approved by the City Council in 2010. Mrs. Turner seconded the motion and it passed unanimously.

Still under City Manager's Matters, Mr. Winger had prepared a question, which he would like Mr. O'Connor's opinion on. He said that as you know in 1978 FPL withdrew its then application to acquire their utility operations in the face of strong opposition from the FERC staff and from the Department of Justice. In the 1978 case, the staff asserted that FPL dominates in sales to all classes of retail customers, and dominates as well the bulk power market. The staff witnesses apparently testified that FPL has continuously exercised monopoly power in the relevant markets in contravention of the Nation's antitrust laws. It was also stated that the acquisition of Vero Beach utility would have tended substantially to lessen competition. This viewpoint was apparently shared by the United States Department of Justice and this viewpoint was held even though as now the voters of the City had approved the transaction and the City's market share was slight. He asked Mr. O'Connor in his opinion, will the FERC result be different this time.

Mr. O'Connor stated that this is only an assumption because the FERC Board will have to make that ultimate decision. He said that based on the conversations that he has had with the FERC Commissioners and staff the philosophy has changed from what it was in

the 1970's. In the 1970's the City had a generation facility at a time when there was growing demand for electricity. In their particular economic situation today, the generation needs on the peninsula are less, so therefore it is already concentrated. He said one question that was asked when he visited some of the FERC Commissioners and staff was how frequent does their Plant turn on. The other question and concerns was trying to determine what the transmission needs would be and what implication that would have on the rates of not only the exiting FPL customers, but also the impact on the residents of the City of Vero Beach. At the meeting, they went over in detail the contract between FPL and the City of Vero Beach and one of the issues is that FPL has to provide the City of Vero Beach customers with the same rates as the customers system wide. Also, in the contract the City is asking for the generation to be taken down and it was pretty clear that their generation needs were somewhat questionable looking into the future. He said that the referendum numbers from the Commissioners standpoint is that obviously the customers want a change.

Mr. Winger agreed that the generation has changed, but he wanted to know what their Transactional Attorneys and FPL believed that the prospects of this are.

Mr. O'Connor commented that in attending this meeting and the people that attended it with him felt good and think that they answered FERC's questions. The purpose of going there in person was to find out what were the "red flags" and the items that needed to be addressed.

Mr. Winger said so bottom line is that FPL at least feels that there are high odds for FERC approving this.

Mr. O'Connor did not think that FPL would have made the submittal if they did not think that there was a high probability of it being passed.

Mr. Winger felt that this a potential road block here and hopefully it is one that can be overcome without taking forever (case in the 1970's took almost two years to solve). It is important for the public to understand that this also is an issue. He said perhaps not as large as the FMPA issue, but it certainly is an issue until it is resolved. He asked Mr. O'Connor if he would agree.

Mr. O'Connor said yes that all the third party approvals could be a major concern or problem that they have to overcome. He reiterated that is why it is hard to project a time period because they are dependent upon some of these other third parties to make decisions.

Mr. Kramer commented that perhaps they should not be asking their Transactional Attorneys to go over all that paperwork at \$500 an hour.

Mr. O'Connor stated that he would not be asking anyone to do anything unless Council instructs him to.

## **8. CITY ATTORNEY'S MATTERS**

None

## **9. CITY COUNCIL MATTERS**

### **A. Old Business**

- 1) Accountability of Transactional Attorney to the full Council and Public – Attorney to be present and present the next steps. – Requested by Councilmember Richard Winger**

This item was heard in conjunction with item 7-E).

### **B. New Business**

- 1) Nitrogen loading of Indian River Lagoon – Requested by Councilmember Pilar Turner**

Mrs. Turner wanted to take some time today to try to see if they could clear up establishing a base line for their total daily loads into the lagoon. She appreciated the memo that Council received from Mr. Bill Messersmith, Assistant City Engineer, in response to their outfalls. She said in reviewing the basin action plan, when it is saying their loads it is excluding the City of Vero Beach. She asked do they know what their total median load is.

Mr. O'Connor explained that they don't because they do not have the final calculations done, but are in the process of doing that. He said that they are using the formulas that the Department of Environmental Protection (DEP) has and it will take some time before they have the results of the calculations based on their outfalls. Mrs. Turner asked Mr. O'Connor if he had any idea on how much time that it would take. Mr. O'Connor hoped to have something in the next few months.

Mrs. Turner mentioned that the letter Council received outlines that since the City is no longer discharging into the lagoon, that they have credits. She asked how many credits do they have.

Mr. O'Connor explained that they receive credits when they find solutions to help the lagoon. He does not know how many credits that they have.

Mrs. Turner wanted to know the amount of credit that the City has. She assumed when Mr. O'Connor indicated that he was doing the study that it was the screen level pollutant model. Mr. O'Connor said that was correct.

Mr. Bolton came up to answer the question concerning credits. He said about 13,000 pounds of nitrogen used to be discharged out of the Waste Water Treatment Plant during

the wet weather events that occurred. On top of that was the brine discharge that was around 3,000 pounds of nitrogen and both of these discharges have stopped so the City can apply point source discharges.

Mrs. Carroll found it amusing that the City was responsible for discharges and then they stopped and now they have something marketable as opposed to the fact that the City should start out at a zero basis and if they are creating pollution into the lagoon then they are still doing something wrong.

Mr. O'Connor expressed that from a fairness standpoint those entities that have done nothing and the City is continuing to spend money then the City would not want to give our credits up.

Mr. Bolton added that if the credits had a value then they could do other stormwater projects to further the reductions into the lagoon.

Mayor Fletcher asked if they could get money from the Federal Government to put a sewer system in. Mr. Bolton commented that money is tight these days. Mayor Fletcher recalled that about ten years ago they did a study and looked at having sewers on the beach and there was a poor turnout from the residents. It would have cost about \$12,000 for their customers to hook up to sewer.

Mrs. Carroll asked Mayor Fletcher if he was referencing the request from the SRF loan.

Mayor Fletcher expressed that he feels that septic tanks are a point source of pollution and is something that needs to be addressed.

Mrs. Carroll recalled that she has asked Mr. Bolton to get the City a map that delineates where the homes are located that may be serving as point sources. Mayor Fletcher wanted Council to think about the possibility of reintroducing the sewer system. Mrs. Carroll was surprised with the amount of homes and streets on the barrier island that have septic tanks.

Mayor Fletcher added that there are large numbers of what he calls dumping sewer into the system.

Mrs. Turner stated that if the septic tanks are working and well maintained then she would take exception that this is a major problem. She said that the septic tank issue can be addressed in many ways.

Mrs. Carroll asked what is the life expectancy of a properly maintained septic tank system and is there any requirements from the City that if the septic tank is over that life expectancy that residents have to hook up to sewer.

Mr. O'Connor mentioned that they would have to have the sewer in order for someone to hook up to it.

Mr. Winger commented that the two big areas where septic tanks are located in the City are the Live Oak area and the area around Village Market. He said they don't know what the impact of those septic tanks are. He would suggest that an Ordinance be put into place that if someone that has a septic tank that fails that it has to be brought up to the 1982 State Code.

Mrs. Carroll suggested bringing it up to the most current State Code whatever that is.

Mr. O'Connor pointed out that the new Code has 75 feet from the water line and in some cases the property owner might have to buy another lot in order to put a septic tank on it. Also, there may be a property owner who has their septic tank in the back of their house and now they would have to move it on to the front of their property. They would need to have an appeals board in place if someone needed to go to them and deal with these things on a case by case basis. The appeals board in this City would be the Planning and Zoning Board.

Mayor Fletcher agreed that this needs to be addressed.

Mrs. Carroll suggested that another possibility is with new construction, the businesses or property owners would have to hook up to the sewer system. She said that maybe they could have a workshop and come up with some different ideas.

It was the consensus of Council to have staff work on something and bring it back to Council.

Mrs. Carroll would like to see no new home construction in the City that has the capability of hooking up to sewer be allowed to retrofit with a septic system.

Mrs. Turner asked if they knew how many FDOT outfalls that there are in the City.

Mr. Bill Messersmith, Assistant City Engineer, explained that most of them are outfalls that we (the City) share with FDOT. He knows of only two outfalls that are solely FDOT's.

Mrs. Turner asked again if this complicates the City in getting a total of what their daily loads are.

Mr. Messersmith explained that they were working on a model now where each individual catch basin has a land use associated with it.

Mrs. Turner asked if the City knows how effective the baffle boxes have been, as far as nitrogen removal.

Mr. Messersmith said at this time he doesn't know the cost effectiveness.

Mrs. Carroll asked Mr. Messersmith to explain to the public how a baffle box works.

Mr. Messersmith explained that when it rains everything that is on the hard surface and some soft surface, the stuff running off the hard surface will run into a gutter/catch basin and unless there is something to stop it from being washed out to the lagoon that is where it is going (straight to the lagoon). The baffle boxes are designed to stop all the floatable stuff and all of the stuff suspended in the water column and strain it out.

Mr. O'Connor answered Mrs. Turner's question by saying that a calculation can be done based on the design of the baffle boxes before they were installed and after they were installed and based on their maintenance criteria. The City keeps track of how much sediment that they remove.

Mrs. Turner agreed that the baffle boxes were doing some good, but she would like to see an actual measurement. She asked staff to review these areas and come up with where they are at this point and how effective are these baffle boxes are in reducing the amount of nitrogen.

Mrs. Carroll asked if the City has their own lab devices to test the nitrogen in the water. Mr. Bolton answered no.

Mr. Messersmith explained how they have been testing the nitrogen in the water.

Mrs. Carroll referred to the document that Council received on May 1<sup>st</sup> and attached to it was a map. She asked where the map came from. Mr. Messersmith told her that it was provided by ORCA.

Mrs. Turner asked with Council's concurrence that they get a better handle on their total loads and the effectiveness of the baffle boxes.

Mr. Falls added that one of the problems that the City has is that they don't have many centralized stormwater systems in their subdivisions, because of the age of many of their subdivisions.

## **2) Status of Water, Wastewater, and Reuse Optimization Implementation – Requested by Councilmember Pilar Turner**

Mrs. Turner referred to the Optimization Study for the Water and Wastewater Department that they received back in November 2011. She wanted to go through the recommendations of the study and find out where the City stood as far as making progress. Council received an optimization update provided by Mr. Bolton, but of course the main startling report in the study was that the staffing level was twice at what industry average is based upon a customer basis. She said that the City of this size should have around 47 employees. She did not think waiting until 2016 to have a reasonable number of employees in the Water and Sewer Department is acceptable.

Mr. O'Connor reported that there are currently 58 employees in that department.

Mrs. Turner stated that according to the CAFR as of November of last year, they were at 71 employees. After hearing the present employee level of 58 employees, she felt that they have made significant progress. She went back to the letter that they received from Mr. Bolton and in talking about automation of the Plant, he has said that the project has been suspended and he will discuss it at budget time. Mrs. Turner felt that in relocating the Wastewater Plant they need to be talking about strategy options of how they want to approach the Wastewater Treatment. She then asked why does it take three years for the dual certification.

Mr. O'Connor said because they are taking their operators and moving them from one Plant to the other.

Mr. Bolton added that each Plant operator has to be present at the Plant for a full year. He explained the rotation of the operators that is taking place. He said that at this point they are into the first year of the three year process.

Mrs. Turner then asked about the atlas maps being produced.

Mr. Bolton said that they started that project about a year ago. He said that they had some issues with the GIS equipment they were using and have now purchased a new piece of equipment and have been making great progress since that purchase. He will try to work up a schedule on how much longer this will take to get completed.

Mrs. Turner would like to see a commitment in getting it completed.

Mrs. Turner asked if the St. Lucie County bulk whole sale portable water is worth pursuing.

Mr. O'Connor said that at this point it is a dead issue because there is no growth.

Mrs. Turner commented that the reuse water for John's Island is fully automated as of June 2013. She asked what they (the City) can expect as dollar impact with that being fully automated.

Mr. Bolton said that they would be looking at a couple hundred thousand dollars, which will reflect in next year's budget.

Mrs. Turner asked for the status of the South Barrier Island.

Mr. O'Connor reported that he received a telephone call from the County Attorney who told him that they would wait until after the legislative session to continue discussions concerning the South Barrier Island. He said the legislation that was introduced did not go anywhere, so it looks like the County staff is talking internally and will be getting back to the City to discuss the South Barrier Island in the future.

Mr. Bolton commented that his department is trying to do their best to save money. He said that they are not following the Optimization Study exactly because they have found more ways to save money. He said that they are at the point where the study expected it would take twelve years to be at and they have done it in only two years.

**10. INDIVIDUAL COUNCILMEMBERS' MATTERS**

**A. Mayor Craig Fletcher's Matters**

- 1. Correspondence**
- 2. Committee Reports**
- 3. Comments**

None

**B. Vice Mayor Tracy Carroll's Matters**

- 1. Correspondence**
- 2. Committee Reports**
- 3. Comments**

Mrs. Carroll briefly went over the monthly newsletter that they received from the City Lifeguards (on file in the Clerk's office). She agreed with some comments that she has heard that she doesn't want to see any cuts made to City Lifeguards in the budget. She also mentioned that the Relay for Life event held at Riverside Park would be this Friday.

Mrs. Carroll reported that she attended the Mayor's Mean Business Summit and invited Mrs. Helene Caseltine, from the Chamber of Commerce, to attend the Summit with her. They met with Mayors and other individuals throughout the State who have put together economic programs. As she mentioned earlier that she was going to bring up some ideas that she has for the Airport because the Enterprise Zone is a part of that area. She said that they recently had a boat dealer move into the location. However, the boat dealer has experienced some delays because some buildings are not up to Code or move in capability, which could be the reason for occupancy at the Airport. She said that some cities have put together task forces in order to craft concepts for policies to facilitate bringing businesses to their Airport and throughout their city. She asked Council if she could work with the City Manager in putting together a Task Force that would work together with Airport staff to increase the occupancy rate at the Airport. Mrs. Turner agreed that this was a good idea.

Mrs. Carroll announced that she and the City Manager will be attending the "Playing to Win in Economic Development" meeting on May 13<sup>th</sup>.

**C. Councilmember Pilar Turner's Matters**

- 1. Correspondence**
- 2. Committee Reports**
- 3. Comments**

Mrs. Turner asked Mr. Winger if he would be going to the All Aboard Florida meeting to hear about the proposed 235 mile intercity passenger rail service between Miami and Orlando. Mr. Winger was not sure if he would be attending or not. Mrs. Carroll said that she planned to be at the meeting.

Mrs. Turner commended that the Tree and Beautification Commission for being awarded The Tree City USA designation again this year. She thanked the Vero Beach Art Club for donating funds to the Recreation Department to buy art supplies for summer projects. Mrs. Turner mentioned that United Way met their goal this year with great efforts made by the community. She attended the open house at Castle and celebrated Cinco de mayo at St. Francis Manor. Mrs. Turner reminded the public that on Friday night the Red Cross will be having their annual hurricane party at Sun Aviation and on Saturday night at the Heritage Center they will be hosting the annual Pioneer dinner.

**D. Councilmember Jay Kramer's Matters**

- 1. Correspondence**
- 2. Committee Reports**
- 3. Comments**

Mr. Kramer attended Celebrate the Arts hosted by the Cultural Council. He attended a conference at the Florida Institute of Technology. He swore in the new officers for the Irish American Club and the Italian American Association. He also attended Day of Prayer on the City Hall steps.

**E. Councilmember Dick Winger's Matters**

- 1. Correspondence**
- 2. Committee Reports**
- 3. Comments**

Mr. Winger reported that he attended the Arbor Day tree planting event, the Children's Art Festival, he has been sailing with the Youth Sailing Foundation, and he announced that he is running for another term on City Council.

**11. ADJOURNMENT**

Today's meeting adjourned at 2:45 p.m.

/tv