

VERO BEACH RECREATION COMMISSION MINUTES

Tuesday, March 8, 2022 – 1:30 p.m.

City Hall, Council Chambers, Vero Beach, Florida

PRESENT: Chairman, Brooke Steinkamp; Vice Chairman, Christopher Woodruff Members: Rick Gillespie and Leonard Markir **Also Present:** Recreation Director, James O’Connell; Assistant City Attorney, Jenny Flanigan; and Senior Administrative Assistant, Rita Chartier

Unexcused Absence: Samuel Lapeyre

1. CALL TO ORDER

Mrs. Steinkamp called today’s meeting to order at 1:30 p.m. and the Senior Administrative Assistant performed the roll call.

2. APPROVAL OF MINUTES

A) January 11, 2022

Mr. Gillespie said he believes there was an error in the January minutes. He said he does not believe that Mr. Mr. Lapeyre and Mr. Woodruff were at that meeting, but the minutes reflect that they were present.

Mrs. Steinkamp made a motion to approve the minutes of the January 11, 2022 Recreation Commission meeting with the one (1) correction made. Mr. Markir seconded the motion and it passed unanimously.

3. PUBLIC COMMENT

Mr. Steve Newman, tennis player, stated their minutes had a batch of letters attached to them that came in after their last meeting, so he does not know why they were attached. Hopefully they all read them, because it is important that they did.

The Recreation Commission members replied that they had read them.

Mr. Newman said that they have several people here today to discuss why they are opposed to USTA Florida taking over the tennis courts at Riverside Park. He asked if they should speak now or at a later time.

Ms. Jenny Flanigan, Assistant City Attorney, stated the United States Tennis Association (USTA) is item 5-A) on the agenda, so she asked them to save their public comments for that time.

Mr. Newman said the Recreation Commission talked about youth sports in the past and that there was going to be a separate meeting to discuss this subject, but as far as he knows it never happened.

Mrs. Steinkamp replied that youth sports is listed as item 5–C) on today’s agenda.

4. NEW BUSINESS

None

5. OLD BUSINESS

A) Update on United States Tennis Association (USTA Florida) Discussions

Mr. James O'Connell, Recreation Director, stated that they discussed the USTA Florida proposal at the January Recreation Commission meeting and he was given direction by the Commission members to continue the negotiations with USTA Florida. He explained that he has met with USTA Florida since, but they don't have any sort of written agreement in place at this time. However, he has taken an additional step by asking City Council for their guidance on whether they should continue their negotiations with USTA Florida. It is on City Council's agenda for next Tuesday and he will wait for their outcome. He understands that it has generated some contention in the community, so that is why he has asked City Council to provide some guidance to the Recreation Department.

Mr. Gillespie asked what have been the sequence of events from two (2) months ago. Did USTA Florida put together a presentation and is he waiting on that before the City Council meeting.

Mr. O'Connell replied that the next step will be for City Council to provide guidance on whether to continue. The reason he brought this up to City Council is that he did not want to work on this for six (6) months or so without their initial backing. City Council has seen the Power Point presentation that was given to the Recreation Commission and he believes that USTA Florida representatives will be at the City Council meeting next week.

Mr. Gillespie asked if there is an additional detailed proposal that he has received from USTA Florida that they can look at.

Mr. O'Connell replied no, not at this time. They are at the point of discussing some of the nuts and bolts of what a contract would look like, but they don't have anything in writing or have agreed to anything in principle. He explained that as a Department Head, he thinks this is a good idea to pursue, but he does not want to spend a lot of time on this if City Council does not want him to move forward.

Mr. Markir asked if this means that the Recreation Commission is out of the loop now.

Mr. O'Connell explained that City Council looks to the Recreation Commission for advice. At their last meeting the Recreation Commission agreed to continue the negotiations, which he has done. When it comes to powerful decisions and whether this comes to pass, that will be City Council's decision.

Mrs. Steinkamp stated that it sounds like there will be a decision made without any advice from the Recreation Commission.

Mr. O'Connell said that they did discuss this for quite a while at their January meeting and they did provide advice.

Mrs. Steinkamp stated what they asked for was to see a proposal from USTA Florida and then they would make a decision on that.

Ms. Flanigan stated that is true. The Recreation Commission wanted a lot more details before they made a formal recommendation to City Council. The intent is to keep the Recreation Commission in the loop as they go to City Council for some general guidance. At that point City Council could ask for additional advice or recommendations from the Recreation Commission. It does not sound like it is the end of the road.

Mr. Markir asked if USTA Florida will be providing any additional information to City Council that the Recreation Commission has not seen.

Mr. O'Connell replied no, other than input from the community. He said City Council has not seen anything that has not been presented to the Recreation Commission.

Mr. Markir stated that the reason they were asking for more information is because they were not presented with enough information to make a recommendation.

Mr. Woodruff said it sounds like Mr. O'Connell is just going ask City Council for approval to use more staff time to gather more information in order to move forward then the Recreation Commission can make more decisions and recommendations.

Mr. O'Connell replied that is correct, he did not want to create the impression that he was leapfrogging the Recreation Commission and going straight to City Council. His intention is to get City Council's blessing to continue.

At this time, Mrs. Steinkamp opened the meeting for public comments.

A tennis player (name was inaudible) said she plays tennis at Riverside Park at 9:00 a.m. and every court is filled. After that, they have the mixed doubles and every court is filled again. She has been thinking about how this will affect the town of Vero Beach. She said Vero Beach is such a beautiful, quiet town and she is concerned about all the people who will come here and ruin the town. She said with more people here everything will go up in price.

Mrs. Carla Prendamano stated that she played team tennis in Palm Beach County as well as USTA tennis in Palm Beach County and at PGA National. She has nothing against USTA, but she played at private clubs. She chooses to play on the hard courts at Riverside Park because of the talent of one (1) of the instructors there. She said she spoke with the Mayor last Wednesday and he helped her and gave her guidance. Since last Thursday she has received 101 signatures on a petition that is against letting the public tennis court complex at Riverside Park be governed by the USTA. She said she and her husband love Indian River County and the people here, but no one has talked to the tennis players who play at Riverside Park about USTA and this has all been done clandestine in the dark of night. She and many of the other tennis players are retired and they do not want the fees to go up and they do not want to be restricted to using just two (2) courts. She has played with USTA for years, so she knows that their leagues need a lot of courts for practice and for competitions.

Mr. O'Connell explained that the fee structure is set by City Council and it would continue to be so under USTA Florida. USTA Florida has not suggested they would be taking away any of the current programs. However, they would be filling the empty afternoon hours and the morning programs would essentially be staying the same.

Mrs. Prendamano said she finds that hard to believe because USTA leagues need a lot of courts for practice and competition.

Mr. O'Connell explained that she might be confused about league play and what USTA Florida is proposing. League play will only be a very small part of what they are offering. Their proposal is more about youth clinics and other teaching opportunities, but it will still include the Round Robbins and the other programs the Recreation Department currently offers.

Mrs. Prendamano stated that she does not understand how this will benefit the current tennis players. She said the tennis players have been left out and no one has talked with the people who play tennis there. She is not saying something can't be worked out, but she is a little gun shy when people promise things but don't deliver, particularly their public officials.

Mrs. Steinkamp asked Mrs. Prendamano how she would feel about a partnership with USTA Florida for just tournaments.

Mrs. Prendamano replied that they would need to see something written out. She would assume there would be a meeting with as many of the tennis players as possible to look it over to get their input. She stated there are other facilities, private clubs, and courts in Indian River County that USTA can go to.

Mr. Markir asked assuming they are given permission to move forward and they get all their questions answered, how will the agreement be distributed to the public before it is approved.

Ms. Flanigan explained that the office of the City Attorney drafts and negotiates the City's agreements. After it is drafted they would present it to the Recreation Commission so they can provide formal advice to City Council. Those will also be open meetings with plenty of opportunity for public comments. After that it would go to City Council for their final approval.

Mr. Gillespie said since they do not have a detailed contract at this time and assuming City Council gives them the okay to proceed, he asked if it would make sense to have a meeting with the people who use the facility. That would allow the communities involvement so they could provide input to USTA Florida before they draft a proposal.

Mr. O'Connell replied that he could probably arrange that and he would ask the USTA Florida officials to participate in that meeting. He said during this process he has tried to get this information into the hands of many people. They have talked with people at Riverside Park, the Mardy Fish Foundation, the Treasure Coast Tennis Association, and they have kept City Council, the Riverside Park City staff, and the Recreation Commission all in the loop. If there is a need for more information to be distributed or more meetings set they can certainly do that.

Mr. Gillespie stated he is reacting to some of the comments in the letters from the public expressing their concerns about USTA Florida. It would be helpful to get their input before anything is

formally drawn up so that there is clarity in terms of the lessons that take place at 8:00 a.m., the Round Robbins at 8:00 and 8:30 a.m., etc.

Mrs. Prendamano said that if Mr. O'Connell wants to present them with a written proposal prior to the March 15th City Council meeting to circulate at Riverside Park they will gladly look at it. Otherwise, her petition is going to every City Councilmember before they vote. The tennis players want a written proposal from USTA that guarantees what they are going to do, because she does not trust their spoken words. She will continue to collect signatures for the petition and make copies for the City Council.

Mrs. Steinkamp explained that the Recreation Commission has not had any participation in any negotiations or discussions since their January meeting. They do not know anything more than anyone else.

Mr. Markir stated that they have City Councilmembers at the meeting today, so they are hearing what is being discussed.

Mr. Newman said he agrees with everything the tennis players have said so far. The tennis players have asked twice to have an Advisory Committee formed of tennis players so they can be involved in this process. He believes they should have been involved in this from the beginning. There are over 200 tennis players who use Riverside Park and he does not know of one (1) who supports this.

Mr. Markir asked Mr. Newman if they have a list of particular problems or complaints pertaining to USTA Florida.

Mr. Newman stated that it could end up costing more money. The USTA organizes leagues to play in, but people cannot play unless they join a league and that will cost more money. The USTA also sells tennis equipment, which could possibly put three (3) local tennis shops out of business. This could financially hurt the City of Vero Beach. He stated that tennis provides the best exercise. If USTA comes here he would not be surprised if a good number of people leave tennis and take on new sports that are not as beneficial to them. The tennis players like the City employees who work at Riverside Park and they would like to protect them, but there is no guarantee of that if the USTA takes it over. There is also a pro that teaches tennis lessons at Riverside Park and people love him. However, he is not a certified pro with the USTA, so they will not use him and that would be a great loss. He believes that there is nothing stopping the Recreation Commission from opposing this and he would encourage them to do so.

Mr. Philip Mercer, retired family Doctor, said he would like to congratulate each of the Recreation Commission members for their service. He stated that he came here in 1994 from Miami and has played tennis ever since. He said when faced with a situation like this and based on his experience, his first recommendation is to follow the money. Who is getting paid and how are they getting paid. He knows that the USTA is a so called "charitable organization", but how much is the administrator being paid.

Mr. Alain Mignolet, City resident and owner of Twin Oaks Tennis Club, said he would like to volunteer his help and answer questions since it is his line of work. He noted that he was also the Tennis Director for the City of North Miami Beach for 17 years. He explained that the Twin Oaks

Tennis Club is a clay court facility, which is different than the hard courts at Riverside Park. When his children were growing up he often visited Riverside Park and played tennis there and the staff was always wonderful and helpful. The discussion today centers around prices, what role that USTA could have, and the availability of court time. The afternoons are typically when tennis clubs are less busy. Typical playing times are from 8:00 a.m. to 11:30 a.m. and the dead time is from 12:00 p.m. to 4:00 p.m. The afternoons are filled by working people and children's programs. USTA leagues do exist and some clubs in this area participate, but you have to be a member of USTA to play. The fact that USTA would theoretically run the Riverside Park facility would not prevent other leagues from organizing and using the facility. They would just need to go through USTA to see what days and times are available.

Mrs. Steinkamp asked Mr. O'Connell if she is correct in saying that there will not be any City staff at the Riverside Park tennis facility if USTA Florida takes over.

Mr. O'Connell replied that there will be staff, but it will be USTA Florida employees. They would be the ones organizing all of the programs and the leagues.

Mr. Mignolet stated that the City has a nice Park and the fees are reasonable. He asked what are they trying to accomplish by signing up with USTA Florida. Are they trying to raise more money or down scale the number of employees. The tennis facility is low key, it serves the people, and the people who use it seem to be happy. They might be able to save some money by reducing salaries, but everything that USTA says they will bring, the City can do it on its own.

Mrs. Steinkamp asked Mr. Mignolet if USTA runs any programs or tournaments at his facility.

Mr. Mignolet said he used to run 14 USTA sanctioned tournaments many years ago. He currently does not run any tournaments, because times have changed. Tournaments are usually on the weekends and if they do not have a high point rating, people will not come from out of the area to play and they lose money.

Mrs. Steinkamp asked if the residents choose to become USTA members, they don't have to participate in the tournaments do they. Also, are there are local private clubs that run USTA tournaments.

Mr. Mignolet replied that there are clubs that run USTA sanctioned leagues, but USTA is open to everyone. The question is what is USTA Florida going to do for the tennis players. He thinks that the City has a good program already. He stated that Riverside Park attracts a certain type of player and Johns Island attracts a different type of player. He said they are welcome to call him at the Twin Oaks Tennis Club if they have more questions.

Mr. Newman thanked Mr. Mignolet for speaking and that he was very helpful. He agrees that there is nothing that USTA Florida can do at Riverside Park that the Recreation Department cannot do for itself. There are a lot of elderly people who play tennis at Riverside Park, but they will not fit the standards of USTA Florida, so they could easily lose them. He said protecting the employees should also be important to the City.

Mr. Markir replied that they are not to that point yet. They do not even know if City Council will recommend to Mr. O'Connell to move forward.

Mr. Newman stated that the Recreation Commission can make a recommendation not to move forward with their discussions with USTA.

Ms. Barbara McAllen said she is an active tennis player and has been here for one (1) year. She said one (1) point they have overlooked is that the Riverside Park tennis program, in its current form is a welcoming program for Vero Beach. The staff at the Riverside Park Tennis Complex are the welcoming ambassadors for Vero Beach and she does not believe that USTA will be as welcoming.

Mrs. Steinkamp asked if there has ever been a workshop regarding programing or adding programs at the Riverside Park Tennis facility.

Mr. O'Connell replied not since he has been with the City. He has met with the staff there and discussed things they have offered. He explained that they have offered USTA Leagues for over 20 years, but there has not been enough participation to form a team. They used to offer both adult and youth clinics but the numbers were not adequate. He explained that the Recreation Department does not have their own teaching pro at Riverside Park and that Mr. Ken MacDougall (spelling might not be correct), who currently teaches tennis at Riverside Park is not an employee, so they cannot run his program.

Mr. Newman said he knows the tennis instructor well and if the City was willing to pay him he would be willing to teach youth programs.

Mr. O'Connell explained that at this point City Council has not offered to increase their staff, so they offer what they can with what they have. Part of the reason for bringing this offer forward is that it would allow for additional programing without increasing City staff or costs.

Mr. Markir made motion to table this until Mr. O'Connell has the opportunity to get feedback from City Council.

Mr. Gillespie said they would like to see a more detailed proposal in writing before they can make a decision or recommendation.

Mr. O'Connell replied that if he is directed to continue moving forward after the City Council meeting and when they are at the point of where they have an actual proposal he will bring it to the Recreation Commission at that time.

Mr. Markir said he would like Mr. O'Connell to provide the Recreation Commission with updates as he goes along rather than having no information until the very end when a contract is drafted.

Mr. O'Connell said if they move further along he would keep the Recreation Commission updated and provide them with any details as he can.

Mr. Gillespie said if City Council does ask him to move forward it would be important to get input from those people who use the facility.

Mr. Woodruff stated that contracts are negotiable, so even if they receive a contract they don't necessarily have to accept everything. They can accept certain things but also make changes.

Mr. Markir made a motion to table the USTA Florida discussions until Mr. O’Connell receives confirmation form City Council that they should continue. Mr. Gillespie seconded the motion and it passed unanimously.

B) Proposed Questions to Evaluate Proposals for the use of Public Park Space

Mr. Markir explained that he originally made a proposal listing criteria for accepting proposals for the use of public Park space. He was given assistance by the City Attorney’s office to adjust the wording to be in the form of questions, which they all received a copy of (attached to the original minutes). He would like to request that the Recreation Commission accept it as a formal frame work when dealing with new proposals and requests for modifications or changes to public space.

Ms. Flanigan explained that after their last meeting she spoke with the City’s Planning Director, because there were some concerns regarding the City’s Comprehensive Plan. She said that any advice that they provide to City Council has to be consistent with the Comprehensive Plan. She gave a presentation on the section of the Comprehensive Plan that pertains to Recreation (attached to the original minutes). She explained that the Comprehensive Plan lays out specific policies regarding recreation and public/private organizations like the partnership they are talking about with USTA Florida. This would apply to any applicant requesting to use public Park space. They need to make sure that the criteria they are proposing to use to evaluate proposals does not conflict with the Comprehensive Plan.

Mr. Markir asked if they were presented with the Comprehensive Plan’s guidelines to show that the criteria they are proposing does not conflict with it. He said he does not believe it conflicts with the Comprehensive Plan.

Ms. Flanigan replied that she is not saying that it does not conflict. She is requesting the Commission to look at it to make sure they are in line, because anything that conflicts with the Comprehensive Plan would have to be rejected by City Council.

Mr. Markir stated that the list of five (5) criteria are formulated differently than the Comprehensive Plan and from a different perspective. The five (5) criteria they are talking about are the space, the residents, the users, the taxpayers, and the City of Vero Beach. They are asking anyone who wants to make adjustments, modifications or expansions to public spaces should be addressing these five (5) criteria when presenting a proposal that comes before the Recreation Commission. He is not sure how these two (2) things are the same.

Mrs. Steinkamp replied that she does not think they are different in orientation. She said it has been perceived that in the past, not as much detail had been put into lease agreements when they were drawn up. Their proposed criteria is to ensure that when those lease agreements are being made that the organization occupying public space is maintaining some type of accountability and transparency to the public. She does not see where anything is conflicting with the Comprehensive Plan, but their list would be more of a guideline to evaluate proposals and answer these questions for the public before lease agreements are made.

Mr. Gillespie stated that he does not see any conflicts with Comprehensive Plan language. Their proposed list is different, but he thinks it is easier to follow and it is just a list of criteria to be used as a guide.

Mr. Jason Jeffries, Planning and Development Director, explained that the City Comprehensive Plan has been mandated by the State of Florida since the 1970's and every city has to have a Comprehensive Plan. It is a set of policies adopted by City Council. The City Attorney provided them with a copy of some of the City's policies that relate to public private partnerships and providing recreational services. The City can certainly adopt more specific criteria, but it needs to be done in a way that is consistent with the Comprehensive Plan. He said that City staff could also be directed by City Council to amend the Comprehensive Plan.

Mr. Markir asked Mr. Jefferies if he sees any conflicts between the criteria list they want to adopt and the Comprehensive Plan.

Mr. Jeffries replied that he does not see any glaring conflicts, but it just needs to be put together in a way that is consistent with the current Comprehensive Plan policies. He said it sounds like they are suggesting to add more specific criteria to Policy 2.1 in terms of evaluating public private partnerships.

Mr. Markir replied that the words "coordinate the provision" in Policy 2.1 does not indicate positive or negative values. He explained that when the Recreation Commission finishes looking at something that came before them then they should be able refer the pros and cons to the City Council and have a list of reasons why they made their recommendation and how it relates to the physical space in the City.

Mr. Jeffries stated that with the physical space, there are also provisions in the Land Use Element and the City's Zoning Code that provide the criteria the City follows as far as any development of space in City Parks.

Mrs. Steinkamp said that they can probably agree that not all nonprofits are created equally. They all offer different services and they are not all going to generate the same return. She feels like they should focus on the exchange of services. She believes they can do a better job at hashing out the guidelines when partnering with nonprofits.

Mr. Markir said he agrees and the word "exchange" is why they need this criteria list. There is probably more than one (1) type of exchange for proposals that comes before them.

Mr. Markir made a motion to accept the criteria list as a framework when dealing with prospective projects that are brought before the Recreation Commission.

Mrs. Steinkamp replied that she thinks they can work on this a little more. They need to look through the policies of the Comprehensive Plan and submit any changes or recommendations to the City Clerk's office.

The motion died for lack of a second.

C) Workshop for Youth Sports

Mrs. Steinkamp asked if they want to set a date for a workshop on youth sports.

Mr. O'Connell said the handout he provided them with is a list of over two (2) dozen youth programs offered by the City and County (attached to the original minutes). He is not sure if the Recreation Commission is making a point that they do not offer enough or should they have other types of programs.

Mrs. Steinkamp replied that it has become kind of confusing on trying to assess the information, because it seems like every month there are new nonprofits or organizations that want to facilitate programs. The response from the City is always the same in that they do not have the staff or manpower to start City run programs.

Mr. O'Connell explained that at one (1) point the City and County had a unified Recreation Department, but for some reason they split. An aspect of that split is that the County, for the most part, is in charge of providing youth athletic programs such as soccer, football, baseball, etc. The City offers a number of other programs with City staff like gymnastics, Aerial Antics Circus, summer camps, etc. There are also other programs such as youth tennis clinics, little league baseball and others that are offered through partnerships with the City. His point is that in his experience he feels they offer a good amount of youth sports for a community of this size and he does not feel they have a problem in this regard.

Mrs. Steinkamp replied that the amount is not the issue, but more about where they can make improvements especially on getting younger children started with sports. Based on what they have heard from the public is that some of these programs can be expensive, especially when a family has several children. She thought they would discuss programs for the younger age groups where it is not such a serious thing.

Mr. O'Connell said he is not sure as a Department what they can offer or help with.

Mrs. Steinkamp said she thought the goal of the workshop would be to ask the Recreation Department staff what they would be willing to take on or at least ask them about it. It just seems like they cannot get to that point.

Mr. Markir asked Mr. O'Connell if he feels that his department and staff is fully occupied.

Mr. O'Connell replied yes. He said the only staff members that do programing are in the gymnastics area. To offer different athletic programs, they would either have to increase staff or enter into an agreement with someone who would want to rent a facility space and they are certainly open to that. The City has a summer sports camp, but it is for children ages six (6) and older. It sounds like they are looking for an introduction to sports for children age three (3) to five (5). They could offer that through a contractor and he would gladly talk with anyone who is interested. He explained that they have fields at Leisure Square which could be used for that type of programing, but he would need to find a contractor first.

Mrs. Steinkamp stated that she will reach out to Mrs. Patty Howard, Assistant Recreation Director, to see if she can post something on social media to attract a contractor.

Mr. O'Connell said he will do some more research as well.

Mr. Gillespie said it is in the best interest of the Recreation Commission, the Recreation Department, and the public to seek as much information as possible, so he would love to bring people together in some type of workshop. The list looks like they have a lot of programs, but maybe there are some gaps or things that are missing.

Ms. Flanigan replied that she will work with the Clerk's office to set a date that works before summer.

6. RECREATION DIRECTOR'S MATTERS

A) Recap of the 19th Annual Mother & Daughter Tea Party

Mr. O'Connell stated that the Mother & Daughter Tea Party was a big success. He did not actually attend, but they had a full house. As a Recreation Director, it is an event he likes to see because it brings in families from around the community.

B) Spring Break Cheer Camp

Mr. O'Connell said that registration is now open at Leisure Square for the spring break cheer camp.

C) 62nd Annual Easter Egg Hunt – April 9, 2022

Mr. O'Connell announced that the 62nd annual Easter egg hunt is next month on April 9th. If they want to see a bunch of kids having a great time, they need to attend. He had the honor of being the Master of Ceremonies last year and the kids wore him out. It will take place on the beach outside of Mulligan's Beach House. The Recreation Department does not put on a lot of their own events, but this is a really cool one (1) that they are proud of and everyone has a great time.

7. CHAIRMAN'S MATTERS

None

8. MEMBER'S MATTERS

None

9. NEXT MEETING DATE

A) April 12, 2022

The next meeting of the Recreation Commission is scheduled for April 12, 2022 at 1:30 p.m. in the City Hall, Council Chambers.

10. ADJOURNMENT

Today's meeting adjourned at 3:09 p.m.

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