

CITY OF FORT PIERCE

CITY COMMISSION AGENDA

Regular Meeting - Monday, July 7, 2014 - 6:30 p.m.

City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**
2. **OPENING PRAYER** - Dr. Michael Malone, First Baptist Church
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**
5. **APPROVAL OF MINUTES**
 - a. Approval of Minutes from the June 16, 2014 meeting.
6. **PROCLAMATIONS**
7. **LETTERS TO COMMISSION**
 - a. Letter of thanks from Heathcote Botanical Gardens for including them in the Great American Cleanup on May 17 and commending the Public Works Department staff for their assistance in trimming the trees along Savannah Road.
8. **COMMENTS FROM THE PUBLIC**

Any person who wishes to comment on any subject which is not under Public Hearings on the Agenda may be heard at this time. Please limit your comments to three (3) minutes or less, as directed by the Mayor, as this section of the Agenda is limited to thirty minutes. The City Commission will not be able to take any official actions under Comments from the Public. Speakers will address the Mayor, Commissioners, and the Public with respect. Inappropriate language will not be tolerated.

ANY PERSON SEEKING TO APPEAL ANY DECISION BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING IS ADVISED THAT A RECORD OF PROCEEDINGS IS REQUIRED IN ANY SUCH APPEAL AND THAT SUCH PERSON MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.
9. **CONSENT AGENDA**

- a. Reduce Code Enforcement Lien in the amount of \$92,430.00 against 1824 S 29th Street, owned by Federal National Mortgage Assoc. (Fannie Mae), c/o Farless Properties, contingent upon payment of \$2,000.00 within 60 days.
 - b. Approval to submit and accept the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, Comprehensive Anti-Gang Strategies and Programs Grant 2014-2015 in the amount of \$200,000.
 - c. Approval of increase to Blanket Purchase Order #140279 for additional funds in the amount of \$7,500 for Sunrise Theatre Scripps TC Newspapers advertisement.
 - d. Approval of Modification Number 4 to Subgrant Agreement Number 14HM-2Y-10-66-02-144 between the Division of Emergency Management and the City of Fort Pierce contingent upon approval by City Attorney as to form and correctness.
 - e. Approval of Travel for Mayor Hudson to attend the Florida League of Cities 88th Annual Conference in Hollywood, Florida on August 14-16, 2014 in the total amount of \$1,044.77.
 - f. Approval of Travel for Commissioner Alexander to attend the Florida League of Cities 88th Annual Conference on August 14-16, 2014 in Hollywood, Florida in the total amount of \$1,190.65.
 - g. Approval of a Lease Agreement between the Police Department and the Fort Pierce Housing Authority for the provision of a police substation at the Williams Center, located at 3104 Avenue J, at the cost of \$1 per year.
 - h. Approval of the appointment of Linda W. Cox, City Clerk, as the Florida Enterprise Zone coordinator.
 - i. Approval of an increase to Purchase Order #14-0706 with GFA International for continuation of plan review and inspections in the amount of \$80,000.00.
 - j. Request approval of interlocal agreement between the City of Fort Pierce, Fort Pierce Utilities Authority, and St. Lucie County for the North Second Street Improvements.
10. **PUBLIC HEARINGS**
- a. Approval of Conceptual Development Plan for Fresh Wind, Fresh Fire Church of God located at 401 N 25th Street.

- b. Ordinance No. 14-017 - Amending City Code Section 22-22, Allowed Uses; Eliminating the differentiation of public and private elementary, middle or high schools.
- c. Ordinance 14-018 - Right-of-way Abandonment - Boston Avenue Extension – East of South Indian River Drive

11. **MISCELLANEOUS REPORTS & REQUESTS**

- a. Update on 2014 Hurricane preparations for the City of Fort Pierce.
- b. Update on annexations, as requested by the City Commission.

12. **CITY COMMISSION**

- a. Designation of a delegate to vote on behalf of the City Commission at the Florida League of Cities Annual Conference.
- b. City representation by an elected official, Commissioner Alexander, on a Florida League of Cities legislative policy committee.
- c. Submittal of application for appointment to the Keep Fort Pierce Beautiful Advisory Board.
- d. Discussion led by Mayor Hudson regarding the review and approval of the City Attorney's invoices for legal services and disbursements.
- e. Discussion led by Commissioner Alexander regarding an update of the proposed vendor ordinance.
- f. Discussion led by Commissioner Alexander regarding the designation of Lincoln Park, Fort Pierce, St. Lucie County, as a "Common Good Community" by the Allegany Franciscan Ministries.
- g. Discussion led by Commissioner Sessions regarding an update of crime prevention activities.

13. **COMMENTS FROM THE CITY MANAGER**

- a. City Manager's Activity Report

14. **COMMENTS FROM THE COMMISSION**

15. **ADJOURNMENT**

City Commission Regular Meeting

Agenda Item # 5. a.

Meeting Date: 07/07/2014

Re: Minutes 06.16.2014

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Approval of Minutes from the June 16, 2014 meeting.

Attachments

Minutes 06.16.2014

MINUTES OF A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 6:30 P.M. ON MONDAY, JUNE 16, 2014.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:30 p.m.
2. **OPENING PRAYER** - Pastor Pinkie W. Hendley of New Life Christian Fellowship Church offered the opening prayer.
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**

Present: Mayor Linda Hudson; Commissioner Edward Becht; Commissioner Thomas Perona;
Commissioner Reginald Sessions

Absent: Commissioner Rufus Alexander

Staff Present: City Clerk Linda Cox
City Manager Robert Bradshaw
City Attorney Robert Schwerer

Commissioner Rufus Alexander arrived at 6:34 p.m.

5. **APPROVAL OF MINUTES**

- a. Approval of the Minutes from June 2, 2014 meeting.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve the Minutes of the Regular Meeting on June 2, 2014.

AYE: Mayor Linda Hudson, Commissioner Edward Becht, Commissioner Thomas Perona,
Commissioner Reginald Sessions

Passed

6. **PROCLAMATIONS**

- a. Mayor Hudson issued a Proclamation declaring June, 2014 as National Month of Fitness, Health and Sports. It was received by Trainer Vickk, Victor Rivera.
- b. Mayor Hudson issued a Proclamation recognizing Deputy Chief Gregory L. Kirk's retirement from the City of Fort Pierce Police Department. City Clerk, Linda Cox, read a letter of congratulations to Deputy Chief Kirk from Representative Larry Lee, Jr.

7. **LETTERS TO COMMISSION**

8. **COMMENTS FROM THE PUBLIC**

Mr. George Gibson, 1401 Reynolds Court
Mr. Roy Darby, 619 South 6th Street
Mr. Patrick Henry, 1123 Granada Street
Mr. Rick Reed
Rev. John Lee, 1204 Avenue K

Fort Pierce PAL Youth Leaders - Audria Moore, Dakota Lawrence, Tykieca Dekle,
Natasha Garwood

9. CONSENT AGENDA

- a. Waive interest, penalties, and administrative fees for Lot Clearing Lien in the amount of \$631.75 against 711 Avenue I, owned by Suzanne and Al Bernetti, contingent upon payment of \$307.50 within 60 days.
- b. Waive interest, penalties, and administrative fees for Lot Clearing Lien in the amount of \$372.25 against 521 N 10th Street, owned by Patricia Briggs and Bernice Harrell, contingent upon payment of \$53.69 within 60 days.
- c. Waive interest, penalties, and administrative fees for Lot Clearing Lien in the amount of \$8,557.86 against 612 1/2 N 9th Street, owned by Charles E. Chavis, contingent upon payment of \$1,419.41 within 60 days.
- d. Waive interest, penalties, and administrative fees for Lot Clearing Lien in the amount of \$143.26 against 609 N 21st Street, owned by Mary Coleman, contingent upon payment of \$30.00 within 60 days.
- e. Approval to submit and accept the U.S. Department of Housing and Urban Development, Emergency Safety and Security Grant 2014-2015 in the amount of \$250,000.
- f. Approval to submit and accept the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, National Forum on Youth Violence Grant 2014-2015 in the amount of \$20,000.
- g. Approval of request by BBE Investment Group to install an above ground LP tank at 680 Farmers Market Rd.
- h. Request award of the 31st Street sidewalk improvements construction contract to the lowest bidder, Lynch Paving and Construction Company, Inc. in an amount equal to \$228,278.00.
- i. Approval of an Interlocal Agreement between St. Lucie County and the City of Fort Pierce for one webcam at Jetty Park and one webcam at the City Marina at a cost of \$5,400 annually for the hosting fee for a 3 year term.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve the Consent Agenda in its entirety, items **9a - 9i**.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht,
Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

10. PUBLIC HEARINGS

11. MISCELLANEOUS REPORTS & REQUESTS

12. CITY COMMISSION

- a. Resolution 14-R20 Amending Rule 17 of the Rules of Procedures for Code Enforcement Proceedings

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve Resolution No. 14-R20.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

- b. Resolution No. 14-R21 appointing members to the Code Enforcement Board.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve Resolution No. 14-R21.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

Commissioner Alexander expressed concern on the light agenda. He stated that when the commission asks for things to be done and brought back to them it should be done in a timely fashion. This agenda could have addressed some of those issues.

13. COMMENTS FROM THE CITY MANAGER

- a. City Manager's Activity Report

Mr. Schwerer stated that under Florida Statute 286.011 he is required to make a public announcement that he would need to have an executive session, a shade meeting, with the Commission in reference to a pending lawsuit. The Treasure Coast Marina LC etal vs Ken Pruitt, Property Appraiser and the City of Fort Pierce and Fort Pierce Redevelopment Agency.

Mr. Bradshaw reminded the Commission of the budget workshop scheduled for June 30th and the second one on July 30th, if needed. He wanted to thank the budget team, the department heads as well as the elected officials; things are moving forward. The City has another tight budget year coming up and we are all pulling in the right direction to make it successful.

Mr. Jack Andrews responded to Mayor Hudson's inquiry on the activity report. He stated we will be able to have services at the Veteran's Park on Veteran's Day. The first phase of the project will be completed, the restroom addition and some of the exterior improvements. The remainder of the project will be complete by Veteran's Day 2015.

14. COMMENTS FROM THE COMMISSION

Commissioner Alexander was pleased to note that Jetty Park appeared to be busting at the seams, this is a good thing. People are visiting the park and returning. He asked if there were portable toilets that could be set down on a foundation that could be utilized, not just port-o-lets. This is an area that is very popular and needs to be addressed, especially for the summer months. He is discouraged by the killings of the young in Fort Pierce and worried there is not enough for kids to do. He knows PAL has their hands full but he does not think it is being taken serious enough. It is a serious concern and we need to do something as a whole as the City. He stated this is not just in one area, it is all the children throughout the city.

Commissioner Becht expressed concern that the ability of the City to do the things it needs to do is limited by the number and quality of people in place. Without enough people, deadlines

get missed and response times get lengthened. Commissioner Becht has requested to receive action minutes of their meetings, an email by Wednesday, of things that are supposed to happen and by what date. The Commission has got to follow through and make sure their items are on with an action and response time. Action minutes is a simple solution to connect staff and the Commission more.

Commissioner Sessions stated a picture is worth more than a thousand words in terms of crime in our city. If we can take an effort towards promoting tourism with an agreement and webcams then we can certainly take the same concept and put it on the streets of the City. A lack of witness participation makes it difficult to solve the crimes and the shootings in this area, if you have a picture you don't need a witness. Light up hotspots with cameras, they have helped larger cities to eradicate crime and adopt the same methods to eradicate crime that we use to promote tourism. He said it is time we step out of the box because we have a crisis here. Drastic times warrant drastic measures, we cannot continue to do business as usual.

Commissioner Perona inquired of an update on United for Animals. He also wanted to make sure the City is ready for the upcoming Hurricane Season. He asked if the City's action plan is in place and up to date. The community looks to us for leadership in those situations and we don't have a lot of lead time. We need to get that information out there. The more prepared we are, the safer we are, the more we survive it and the quicker we come back from it.

Mayor Hudson echoed Commissioner Alexander's frustration on the shootings and homicides. It is very frustrating when you know your police force is working to be very present in the community and are trying to prevent and suppress crime activity. She wonders about the good people that get lost in it all. When the World Changers came to Fort Pierce last week they helped to fix up houses in a community they were unfamiliar with. She commended them for the wonderful thing they did for the City. That kind of positive force helps and she is looking forward to them coming back next year. The Mayor also attended the Zion Daughter's of Distinction Ministry, there were eight troubled children, now graduates, that had completed a 10 week program and were starting to get their lives back on track. Richard and Teresa Farnell do this program on North 7th Street, she commended them on the work they do helping these children. She wanted to thank Weatherbee Elementary School for giving her the opportunity to speak at their graduation ceremony. And she just wanted to give a shout out to all of our good young people out there because we do have a lot of good, young people in our community. Thank you to our law enforcement for all that you are doing.

15. ADJOURNMENT

There being no further business, Mayor Hudson declared the meeting adjourned at 7:37 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER

City Commission Regular Meeting

Agenda Item # 7. a.

Meeting Date: 07/07/2014

Re: Heathcote Letter

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Letter of thanks from Heathcote Botanical Gardens for including them in the Great American Cleanup on May 17 and commending the Public Works Department staff for their assistance in trimming the trees along Savannah Road.

Attachments

Heathcote Letter



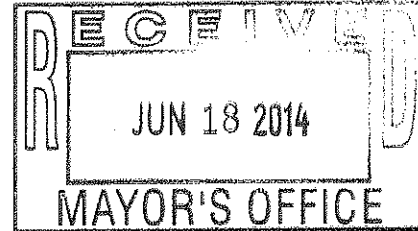
HEATHCOTE
Botanical Gardens

Tel: 772-464-4672
Fax: 772-489-2748
210 Savannah Road
Fort Pierce, FL 34982

www.heathcotebotanicalgardens.org
info@heathcotebotanicalgardens.org

June 6, 2014

Mayor Linda Hudson
City Hall
P.O. Box 1480
Fort Pierce, FL 34950



Dear Linda,

The staff and Board of Trustees at Heathcote Botanical Gardens would personally like to thank you for including Heathcote Botanical Gardens in the Great America Cleanup on May 17. The city of Fort Pierce's public works department employee's trimmed our oak trees along Savannah road. These trees were nearly extended out over Savannah road. We have limited staff and equipment to accomplish such a task and truly appreciate your help.

Heathcote Botanical Gardens, Inc. is a 501(c)(3) non-profit organization and a self-supporting organization. The Garden operates with income generated from admissions, events and program fees, memberships, gift shop revenues, facility rental fees, grants and private contributions. It is in kind donations, such as yours, that keep the Garden alive and growing.

The Garden's mission is to educate and to inspire. We are committed to providing educational and recreational opportunities for our communities, as well as serving as a resource of horticultural, botanical and ecological knowledge. Heathcote is truly a cultural plus for all the Treasure Coast.

Again, we appreciate your generous donation to the Gardens!

Sincerely,

Miriam Moore Charles
Director & Head Gardener

City Commission Regular Meeting

Agenda Item # 9. a.

Meeting Date: 07/07/2014

Re: Lien Reduction Request - 1824 S 29th Street, Ft. Pierce, FL

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

SUBJECT:

Reduce Code Enforcement Lien in the amount of \$92,430.00 against 1824 S 29th Street, owned by Federal National Mortgage Assoc. (Fannie Mae), c/o Farless Properties, contingent upon payment of \$2,000.00 within 60 days.

SUMMARY:

Staff and the Special Magistrate recommend that the City Commission reduce fines totaling \$92,430.00 against 1824 S. 29th Street, Ft. Pierce, FL to \$2,000.00 based upon the following:

1. Code violations were from 2011 under the previous owner Edgar A. Lewis, 3109 Sunrise Blvd., Ft. Pierce, FL
2. Once the property came into Fannie Mae's possession, the violations were brought into compliance.

RECOMMENDATION:

Staff and Special Magistrate recommend reducing the fines.

ALTERNATIVES:

1. Deny request.
2. Determine alternative amount.

RESPONSIBLE STAFF:

Colleen Greer, Code Enforcement Executive Secretary

COORDINATED WITH:

Margaret Arraiz, Code Compliance Manager

Fiscal Impact

Budgeted Y/N:

Fiscal Year: 2014

Account:

Amount: 2000.00

OTHER INFORMATION:

\$2000.00 to the general fund.

Attachments

Request for Reduction

Breakdown

Tax Card

Minutes



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR REDUCTION OF PENALTY

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: 1824 S 29th St, Fort Pierce 34950

Property Owner: Fannie Mae

Mailing Address: c/o Farless Properties LLC, P.O. Box 644379, Vero Beach FL 32964

Telephone #: 772-569-8919 Cell Phone #: 772-713-0701

E-Mail Address: gfarless@yahoo.com

Is the property in compliance? yes If no, please explain _____



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR A REDUCTION OR RESCINDMENT OF CODE ENFORCEMENT FINES / LIENS

Date:	March 18, 2014		
Property address:	1824 S 29th St		
Owner(s) of record:	Federal National Mortgage Assoc		
Mailing address:	c/o Farless Properties, P.O. Box 644379, Vero Beach 32964		
Property tax ID #:	2417-803-0021-000-4		
Original purchase date:	12/19/13	Original purchase price:	certificate of title
Other Information:	<input type="checkbox"/> Inherited Property	<input type="checkbox"/> Purchased at Tax Sale	<input type="checkbox"/> Adjoining Property Owner
Property is used for:	<input checked="" type="checkbox"/> Single Family	<input type="checkbox"/> Multi-family	<input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant Lot
Name of person requesting reduction:	Brent Fadden	Relationship to owner(s):	Listing Agent
Telephone #:	772-569-8919	Mobile phone #:	772-713-0701
E-mail:	gfarless@yahoo.com	Preferred contact method:	email
What are owner(s) intentions for property:	list property for sale		
Amount of Fine:	\$92,430	Date Fine Initiated:	May 9, 2011
Are there current code violations?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Explain: (please attached notice)	
Is a lien filed against the property?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	If yes, what is the lien amount?	
Is property listed for sale?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	If yes, what is listing price?	
Is property under contract for sale?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	If yes, what is the sale price?	

AMOUNT OF FINE / LIEN \$ 92,430

DOLLAR AMOUNT REQUESTING TO BE WAIVED \$ 92,000

DOLLAR AMOUNT I AGREE TO PAY \$ 430

If the city waives any fees, interest, penalties, fine or lien amount, the undersigned does hereby agree to pay the remainder within sixty (60) days from the date of the Board, Magistrate or Commission's decision unless an alternate time frame is specified in the motion.

Brent Fadden
(Signature of Owner or Representative)

Brent Fadden
(Printed Name)



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, **Brent Fadden**, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

Code violation case # 10-1684 for property address 1824 S 29th St in Fort Pierce was from 2011 under the previous owners. This property came into Fannie Mae's possession in October 2013, at that time a lien search was completed and violations were immediately brought into compliance. We are requesting a reduction and/or waiver of fees accumulated due to Fannie Mae's prompt action to rectify the outstanding violation

Date: 5/13/14

Signed: *[Signature]*
Print Name: Brent Fadden

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority BRENT FADDEN who acknowledged before me that the information contained herein is true and correct. He / She is not personally known to me and has produced Florida Drivers License as identification.

SWORN TO AND SUBSCRIBED before me this 13 day of May 2014.

NOTARY PUBLIC STATE OF FLORIDA
Gary Farless
Commission # EE010329
Expires: JULY 19, 2014
BONDED THROUGH ATLANTIC BONDING CO., INC.

Notary Public, State of Florida

MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Assistant to Special Magistrate

SUBJECT: CODE ENFORCEMENT LIEN REDUCTION
1824 S 29th Street, Fort Pierce, FL

DATE: July 7, 2014

The following is a breakdown of the above property:

	Costs (General Fund)	Recording Fees	Administrative Fees
CASE # 10-1684	\$92,400.00	\$30.00	\$0.00
TOTAL	\$92,400.00	\$30.00	\$0.00

CAN BE WAIVED (ALL COSTS)

\$92,430.00

PROPERTY RECORD CARD

Federal National Mortgage Assoc Record: 1 of 1 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 1824 S 29th St ParcelID: 2417-803-0021-000-4
 Sec/Town/Range: 17 :35S :40E Account #: 27146
 Map ID: 24/17S Use Type: SF Res
 Zoning: R3 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: Federal National Mortgage Assoc
 Address: PO Box 650043
 Dallas TX 75265-0043

Legal Description

SUNRISE TERRACE BLK 1 LOTS 21 AND 23 (OR 3589-1062)

Sales Information

Date	Price	Code	Deed
12/19/2013	0	0112	CT
12/14/2007	0	01	QC
2/9/2001	39600	00	WD
7/26/2000	0	01	PB
1/1/1900	0		

Assessment 2013	
2013 Final:	25100
Assessed:	25100
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	641.54

Total Land and Building	
Land Value:	8200 Acres: 0.33
Building Value:	16900
Finished Area:	1347 SqFt

BUILDING INFORMATION



Exterior Features

View: - RoofCover: SA - Asph Shingle RoofStruct: GA - Gable
 ExtType: HD - HD YearBlt: 1940 Frame: -
 Grade: D - D EffYrBlt: 1970 PrimeWall: SB - Abs Shingle
 StoryHght: 0010 - 1 Story No.Units: 1 SecWall: -

Interior Features

BedRooms: 3 Electric: MX - MAXIMUM PrmIntWall: WP - Plaster
 FullBath: 2 HeatType: FHA - FrdHotAir AvgHt/Ft: STD
 1/2Bath: 0 HeatFuel: ELEC - Electric Prm.Flors: CU - Carpet
 %A/C: 100 %Heated: 100 %Sprinkled: 0

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.
SDSF - SITE DEV S-F	Y	1	1	AV	AV	2001
FEN4 - CHAINLINK 4'	Y	1	480	AV	AV	1970

Land Information

Type	Measure	Depth
BI -Front Ft	102	140

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

window displaying that he is open would let people know. He could go to the City Commission and seek their help in changing the ordinance.

Special Magistrate Blandino found that a violation existed but has been cured as of the date of this hearing. The violators shall be warned that if these violations reoccur, pursuant to FL Statute 162.09, the Code Officer may notify the Special Magistrate and request that a fine be entered.

The next item on the agenda is a **Request for Lien Reduction.**

Item 6B-16 is case #10-1684, 1824 S 29th Street, Ft. Pierce, FL. The property was owned by Edgar A. Lewis, 3109 Sunrise Blvd., Ft. Pierce, FL 34982. The current owner is Federal National Mortgage Assoc., (Fannie Mae), c/o Farless Properties, P. O. Box 644379, Vero Beach, FL 32964. The code section(s) in violation was 5-368 (6) fence maintenance.

Margaret Arraiz presented the Facts of the Case and explained that the case was initiated on December 16, 2010. The case came before the Special Magistrate on April 6, 2011 who gave the property owner 30 days to comply or a fine of \$200.00 per day would be assessed. An inspection was made on May 9, 2011; the property was not in compliance and the fine began. A lien was recorded on August 17, 2011. Another inspection was made on November 18, 2013; the property was now in compliance and the fines stopped. The total amount of the lien is \$92,430.00 which includes \$30.00 in recording fees. On May 14, 2014 Staff received a lien reduction request from Brent Fadden, Farless Properties, LLC to reduce fines to \$430.00. Ms. Arraiz met with Mr. Fadden and Mr. Gary Farless prior to the hearing and they have agreed to pay \$2,000.00 to cover administrative costs to the City. Photos were presented and marked as Exhibit 1.

Special Magistrate Blandino reviewed the 7 criteria required by Rule 17 and recommended the City Commission reduce the lien to \$2,000.00 payable in 60 days. If not paid within that time the lien will revert back to the original amount. The City Commission meeting will be July 7.

The next items on the agenda **New Violation Cases Where No One is Present.**

Item 5A-04 is case #14-0404, 305 Granada Street, Ft. Pierce, FL. The property owner is Diane R. Schillen, 305 Granada Street, Ft. Pierce, FL 34949. The code section violation(s) are 22-187 (13) (a) (b) landscape maintenance and 16-46, 16-47, 16-48 (8) nuisance-stagnant water.

Officer Isaac Saucedo presented the Facts of the Case. The case was initiated February 26, 2014. The City requests that the violator be given 10 days to comply or a fine of \$250.00 per day. Photos were presented and marked as Exhibit 1.

Item 5A-06 is case #14-0416, 2022 Golfview Court, Ft. Pierce, FL. The property owner is Amber L. & William C. Cannon, Jr., 2022 Golfview Court, Ft. Pierce, FL 34950. The code violation(s) are 22-187 (13) (a) (b) landscape maintenance.

Officer Saucedo presented the Facts of the Case. The case was initiated on February, 28, 2014. The City is requesting the violator be given 10 days to comply or a fine of \$250.00 per day. Photos were presented and marked as Exhibit 1.

The next items on the agenda are **Cases for Review & Determination Where No One Present.**

Item 5A-07 is case #14-0584, 603 Orange Avenue, Ft. Pierce, FL. The property owner is Vincent A. Lloyd (TR), P. O. Box 4382, Ft. Pierce, FL 34948. The code violation(s) are 22-308 (b) sidewalk guidelines.

Item 5A-13 is case #14-0726, 2706 Avenue D, Ft. Pierce, FL. The property owner is Jack Arias, 1201 S Ocean Dr., #2006, S Hollywood, FL 33019. The code violation(s) are 16-46, 16-47, 16-48 (1) (5) outside storage, 5-368 (4) property maintenance, 8.5-42, 22-3 single-family occupancy, 5-368 (6) fence maintenance.

Special Magistrate Blandino found that a violation existed but has been cured as of the date of this hearing. The violators shall be warned that if these violations reoccur, pursuant to FL Statute 162.09, the Code Officer may notify the Special Magistrate and request that a fine be entered.

The next items on the agenda are a continuation of **New Violation Cases with No One Present.**

Item 5A-09 is case #14-0604, 3500 Juan Ortiz Circle, Ft. Pierce, FL. The property owner is William D. Toomer, (EST), 3500 Juan Ortiz Circle, Ft. Pierce, FL 34950. The code violation(s) are 16-46, 16-47, 16-48 (7) nuisance as a condition, 16-46, 16-47-16-48 (8) nuisance-stagnant water, 5-370 exterior property and

City Commission Regular Meeting

Agenda Item # 9. b.

Meeting Date: 07/07/2014

Re: The U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, Comprehensive Anti-Gang Strategies and Programs Grant 2014-2015

Submitted For: Sean Baldwin, Chief of Police, Police Department

SUBJECT:

Approval to submit and accept the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, Comprehensive Anti-Gang Strategies and Programs Grant 2014-2015 in the amount of \$200,000.

SUMMARY:

The Police Department requests approval to submit and accept the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, Comprehensive Anti-Gang Strategies and Programs Grant 2014-2015 in the amount of \$200,000. There is no local match requirement.

The program supports the implementation of comprehensive community-based anti-gang strategies and strengthens coordination of existing resources and activities that support multiple complementary, evidence-based programs to reduce gang activity in targeted communities. Awards will support coordination of community-based anti-gang activities consistent with all strategies outlined in the Comprehensive Gang Model including prevention, intervention and enforcement.

Grant funds will be used to hire a full-time project director to oversee implementation of the Office of Juvenile Justice and Delinquency Prevention's Comprehensive Gang Model in Fort Pierce - a multidisciplinary approach that has proven to be effective in reducing gang activity. In addition, grant funds will be used to conduct a comprehensive gang problem assessment during the first 6 months of the grant by working with a research partner.

RECOMMENDATION:

Approve the request.

ALTERNATIVES:

None.

RESPONSIBLE STAFF:

Deputy Chief Frank J. Amandro, Support Services Bureau.

COORDINATED WITH:

Jackie Esposito, Program and Grant Coordinator.
Stephanie Smith, Fiscal Manager.
Lt. Christopher Bender, Support Services Bureau.

Fiscal Impact

Budgeted Y/N: N
Fiscal Year: 2015
Account: 101.3005.521.3190
Amount: \$200,000

FISCAL IMPACT:

The Comprehensive Anti-Gang Strategies and Programs Grant is 100% funded by the U.S. Department of Justice. There is no local match requirement.

Attachments

[Grant Overview](#)



The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Office of Juvenile Justice and Delinquency Prevention is seeking applications for FY 2014 Comprehensive AntiGang Strategies and Programs. This program furthers the Department's mission by supporting evidence-based strategies in communities that coordinate prevention, intervention, enforcement, and reentry programs to reduce and control gang-related crime and violence.

OJJDP FY 2014 Comprehensive Antigang Strategies and Programs

Eligibility

Eligible applicants are limited to states (including territories), units of local government (including federally recognized tribal governments, as determined by the Secretary of the Interior), and nonprofit organizations (including tribal nonprofit organizations). (See Eligibility, page 4.)

OJJDP welcomes applications that involve two or more entities; however, one eligible entity must be the applicant and the others must be proposed as subrecipients. The applicant must be the entity with primary responsibility for conducting and leading the program.

OJJDP may elect to make awards for applications submitted under this solicitation in future fiscal years, dependent on the merit of the applications and on the availability of appropriations.

Deadline

Applicants must register with Grants.gov prior to submitting an application. (See "How To Apply," page 22.) All applications are due by 11:59 p.m. eastern time on July 14, 2014. (See "Deadlines: Registration and Application," page 4.)

All applicants are encouraged to read this [Important Notice: Applying for Grants in Grants.gov](#).

Contact Information

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726 or 606-545-5035, or via e-mail to support@grants.gov. Hotline hours of operation are 24 hours a day, 7 days a week, except federal holidays.

Applicants who experience unforeseen Grants.gov technical issues beyond their control that prevent them from submitting their applications by the deadline must e-mail JJC@telesishq.com

within 24 hours after the application deadline and request approval to submit their application.

For assistance with any other requirements of this solicitation, contact the Justice Information Center (JIC) at 1-877-927-5657, via e-mail to JIC@telesishq.com, or by [live Web chat](#). JIC hours of operation are 8:30 a.m. to 5:00 p.m. eastern time, Monday through Friday, and 8:30 a.m. to 8:00 p.m. eastern time on the solicitation close date.

Grants.gov number assigned to this announcement: OJJDP-2014-3942

Release date: May 29, 2014

Contents

Overview	4
Deadlines: Registration and Application	4
Eligibility	4
Program-Specific Information	4
Performance Measures	10
Project Evaluations	11
What an Application Is Expected To Include	12
1. Information to Complete the Application for Federal Assistance (SF-424)	12
2. Project Abstract	12
3. Program Narrative	13
4. Budget Detail Worksheet and Budget Narrative	16
5. Indirect Cost Rate Agreement (if applicable)	17
6. Tribal Authorizing Resolution (if applicable)	17
7. Applicant Disclosure of High Risk Status	17
8. Additional Attachments	18
9. Accounting System and Financial Capability Questionnaire	19
Selection Criteria	20
Review Process	20
Additional Requirements	20
How To Apply	22
Provide Feedback to OJP	24
Application Checklist	26

OJJDP FY 2014 Comprehensive Antigang Strategies and Programs (CFDA #16.544)

Overview

Youth gangs continue to have a significant adverse impact on youth, families, and communities across America. A growing number of communities have adopted OJJDP's Comprehensive Gang Model, a multistrategy, multidisciplinary approach that has proven to be effective in reducing gang activity. The fiscal year 2014 Comprehensive Antigang Strategies and Programs solicitation provides funding for localities to enhance coordination of federal, state, and local resources in support of community partnerships implementing the following antigang programs: primary prevention, secondary prevention, gang intervention, and targeted gang enforcement. This program is authorized pursuant to paragraph (3)(B) under the Juvenile Justice heading in the Department of Justice Appropriations Act, 2014, P.L. 113-76; 128 Stat. 5, 64.

Deadlines: Registration and Application

Applicants must register with Grants.gov prior to submitting an application. OJP encourages applicants to **register several weeks before** the application submission deadline. In addition, OJP urges applicants to **submit applications 72 hours** prior to the application due date. The deadline to apply for funding under this announcement is 11:59 p.m. eastern time on July 14, 2014. See "How To Apply" on page 22 for details.

Eligibility

Eligible applicants are limited to states (including territories), units of local government (including federally recognized tribal governments, as determined by the Secretary of the Interior), and nonprofit organizations (including tribal nonprofit organizations).

OJJDP welcomes applications that involve two or more entities; however, one eligible entity must be the applicant and the others must be proposed as subrecipients. The applicant must be the entity with primary responsibility for conducting and leading the program.

Applicants must have signed letters of support for the community-based antigang strategy from, at a minimum, the mayor, chief of police, and local school superintendent in the jurisdiction in which the program will be based.

OJJDP may elect to make awards for applications submitted under this solicitation in future fiscal years, dependent on the merit of the applications and on the availability of appropriations.

Program-Specific Information

Purpose

Community-based gang prevention, intervention, and suppression should involve multiple organizations and programs working in partnership to deliver complementary services to a

specific population in a targeted area. The Comprehensive Community-Based Antigang Strategies program provides communities with funds to (1) hire a multistrategy gang coordinator who will enhance the coordination of existing community-based antigang programs and strategies that are closely aligned with local law enforcement efforts and (2) implement or enhance existing evidence-based gang prevention, intervention, and suppression programs.

Goals, Objectives, and Deliverables

The program supports the implementation of comprehensive community-based antigang strategies and strengthens coordination of existing resources and activities that support multiple complementary, evidence-based programs to reduce gang activity in targeted communities. Successful applicants should agree to hire or designate a full-time director/coordinator for the duration of the assessment process and implementation of the program. The director is a leadership position and reports directly to the steering committee/policy group. The director should have strong supervision, budget preparation, strategic planning, and personnel management skills; ability to network effectively with a variety of organizations, including government agencies, law enforcement agencies, schools, social service agencies, courts/probation/corrections, and grassroots organizations; have a basic understanding of gang intervention, suppression, and prevention strategies and gang involvement. (If a project director has been selected, provide a resume.)

Awards will support coordination of community-based antigang initiatives that involve law enforcement as an essential partner. Other partners should include schools, social services, faith- and community-based organizations, and businesses. Successful applicants will demonstrate that they are implementing community-based anti-gang activities consistent with all of the anti-gang strategies (i.e. The Comprehensive Gang Model) and programs described below using existing funding (see Readiness to Collaborate, Plan and Implement the Model below). An effective antigang strategy should be based upon a thorough assessment of the gang problem (see below). The response must be a comprehensive, long-term strategic approach that contains the spread of gang activity; protects those youth who are most susceptible; and mitigates those risk factors that foster gang activity.

The four-pronged approach of an effective antigang strategy should include targeted enforcement of the most serious and chronic offenders, intervening with those youth who are already gang involved, preventing those youth who have been identified as being at high risk of entering a gang, and targeting the entire population in high-crime, high-risk areas through the implementation of programs that address risk and protective factors.

Award recipients will provide semiannual progress reports that compare the status of existing partnerships and resource coordination with the baseline at the start of the project.

Readiness to collaborate, plan, and implement the model. The following are key components of an organization that is ready to implement the antigang model:

- political leadership of the community and agencies who will collaborate in the proposed project should have publicly acknowledged that a gang problem exists in the community/target area.
- applicant agency is a state agency, unit of local government (law enforcement, school district, criminal justice agency, mayor's office, etc.) or a not-for-profit with a demonstrated track record for managing initiatives involving multiple collaborating organizations.

- a group of policy makers and leaders composed of law enforcement, criminal/juvenile justice, education, social services, and governmental entities has been or will be convened. They intend to form an oversight mechanism (steering committee/task force/advisory council) to formulate strategies, allocate resources, and monitor progress. Members of this group should have the authority to commit their agency to provide data for the assessment and participate in a joint planning process to address local gang problems.

Gang problem assessment. Prior to planning or commencing any gang-related programming, a communitywide assessment should be conducted. The assessment process helps projects determine types and levels of gang activity, gang crime patterns, community perceptions, and service gaps. The assessment also assists the steering committee members in identifying target populations to be served and making the best use of available resources.

Applicants selected to receive a grant may conduct a more comprehensive gang problem assessment. The following agencies should have committed in writing to the steering committee to participate in conducting a comprehensive gang assessment, providing relevant data, and producing an assessment that the steering committee will use for planning purposes:

- primary local law enforcement agencies
- local school district(s)
- juvenile and/or adult probation and parole
- city or county social services and/or local providers
- city/county leaders
- outreach agency, if available

An assessment is the foundation for planning and implementing a successful comprehensive antigang strategy. Conducting an assessment can take from 6 to 12 months, including planning for data collection, collecting and analyzing data, and preparing the assessment report. (Applicants should provide a timeline for this phase.)

OJJDP recommends that applicants use a research partner to assist with the assessment and measurement of progress. Applicants should provide information on the role envisioned for the research partner in collecting, analyzing, and reporting data (provide the resume of the identified research partner or a job description if the research partner is not identified).

The Comprehensive Gang Model. The core strategies of this comprehensive approach to addressing community gang problems includes the following:

- **community mobilization.** Involvement of local citizens, including former gang-involved youth, community groups, agencies, and coordination of programs and staff functions within and across agencies.
- **opportunities provision.** Development of a variety of specific education, training, and employment programs targeting gang-involved youth.

- **social intervention.** Involving youth-serving agencies, schools, grassroots groups, faith-based organizations, police, and other juvenile/criminal justice organizations in “reaching out” to gang-involved youth and their families and linking them with needed services.
- **suppression.** Formal and informal social control procedures, including close supervision and monitoring of gang-involved youth by agencies of the juvenile/criminal justice system and also by community-based agencies, schools, and grassroots groups.
- **organizational change and development.** Development and implementation of policies and procedures that result in the most effective use of available and potential resources within and across agencies to better address the gang problem.

Antigang programs. Gang activity is a complex social phenomenon that varies by age, degree of gang involvement, and severity of offending. Risk factors associated with the probability that a young person will join a gang run across family, school, peer, and community lines. Accordingly, no single program or strategy operating independently is likely to have a lasting effect in reducing gang activity. Comprehensive antigang strategies, however, coordinate multiple approaches in recognition that each strategy plays a role toward a coordinated effort. As previously noted, communities have adopted a broad range of programs to combat gang activity, many of which may be categorized as follows:

- **primary prevention** includes activities to reduce risk factors or increase protective factors among the entire population of youth and families in communities with significant levels of gang activity.
- **secondary prevention** includes programs and services to decrease the likelihood of joining a gang among youth who have already displayed early signs of problem behavior or who are exposed to multiple known risk factors for gang activity. These services typically include some form of individual risk assessment and often focus on youth 7 to 14 years old and their families. Younger siblings and family members of gang-involved youth are particularly suitable for these services.
- **intervention** with high-risk or gang-involved youth includes community-based programs that balance the delivery of services and educational and employment opportunities with supervision and accountability. Intervention services typically involve outreach to youth and families, individual risk/needs assessments, case management, service referrals, coordinated service delivery, and supervision.
- **targeted gang enforcement** includes community-oriented and problem-oriented policing strategies with an emphasis on gangs and collaborative enforcement strategies involving probation and prosecution to target high-rate gang offenders, gang leaders, and serious violent offenders.

Evidence-Based Programs or Practices

OJP strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to:

- improving the quantity and quality of evidence OJP generates;

- integrating evidence into program, practice, and policy decisions within OJP and the field; and
- improving the translation of evidence into practice.

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based. OJP's [CrimeSolutions.gov](http://www.crimesolutions.gov) Web site and OJJDP's [Model Programs Guide](http://www.ojjdp.gov/ModelProgramsGuide) Web site are two resources that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services. The National Gang Center's [Strategic Planning Tool](http://www.nationalgangcenter.gov/StrategicPlanningTool) lists evidence-based programs, as well.

Additional Resources

OJJDP encourages applicants to review the recommendations from the Attorney General's National Task Force on Children Exposed to Violence, www.justice.gov/defendingchildhood/cev-rpt-full.pdf, and the recommendations of the National Research Council's *Reforming Juvenile Justice: A Developmental Approach*, www.nap.edu/catalog.php?record_id=14685 and consider incorporating the recommendations into their applications, where applicable.

Amount and Length of Awards

OJJDP expects to make as many as three awards of as much as \$200,000 for a 24-month project period.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.

OJJDP will enter into a cooperative agreement with the successful applicant. In furtherance of the goals and objectives described above, OJJDP's role will include the following tasks:

- reviewing and approving major work plans, including changes to such plans, and key decisions pertaining to project operations.
- reviewing and approving major project-generated documents and materials used in the provision of project services.
- providing guidance in significant project planning meetings and participating in project sponsored training events or conferences.

City Commission Regular Meeting

Agenda Item # 9. c.

Meeting Date: 07/07/2014

Re: Request Approval to Increase P.O. #140279 Scripps Treasure Coast Newspapers for the Sunrise Theatre to \$7500

Submitted For: John Wilkes, Executive Director, Sunrise Theatre

SUBJECT:

Approval of increase to Blanket Purchase Order #140279 for additional funds in the amount of \$7,500 for Sunrise Theatre Scripps TC Newspapers advertisement.

SUMMARY:

The City Commission approved a blanket purchase order for the Sunrise Theatre for FY 2013 -14 in the amount of \$130,000 for Scripps TC Newspapers advertisements. Per the Procurement Department, we are requesting an increase of \$7,500 to the existing blanket purchase order for the payment of outstanding advertising bills of \$16,269.75.

RECOMMENDATION:

Approve Purchase Order #140279 increase by \$7,500.

ALTERNATIVES:

Do not approve.

RESPONSIBLE STAFF:

John Wilkes, Executive Director, Sunrise Theatre
Charlene Neuman, Finance-Sunrise Theatre

COORDINATED WITH:

Gloria Johnson, Finance Director
Tony Barnes, Procurement Director

Fiscal Impact

Budgeted Y/N: Y

Fiscal Year: 2014

Account:

Amount: 7,500.00

OTHER INFORMATION:

Funds are available in 2014 Budget.

Attachments

Sunrise Scripps Bills



Scripps Treasure Coast Newspapers

The Stuart News • St. Lucie News Tribune
Indian River Press Journal
Jupiter Courier Newsweekly • TCPalm.com
Vero Beach Newsweekly

ADVERTISING INVOICE and STATEMENT

1 BILLING PERIOD 03/01/14 - 03/31/14		2 ADVERTISER/CLIENT NAME SUNRISE THEATRE	
23 TOTAL AMOUNT DUE 33,856.16		3 TERMS OF PAYMENT NET DUE END OF MONTH	
21 CURRENT NET AMOUNT DUE 16,269.75	22 30 DAYS 17,586.41	60 DAYS .00	OVER 90 DAYS .00

24 INVOICE NUMBER 1957424	4 PAGE # 1	5 BILLING DATE 03/31/14	6 BILLED ACCOUNT NUMBER 10031414	7 ADVERTISER/CLIENT NUMBER
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8 BILLED ACCOUNT NAME AND ADDRESS

SUNRISE THEATRE
117 S 2nd ST
FT PIERCE FL 34950

RECEIVED

APR 03 2014

SUNRISE THEATRE

010195742400033856165

9 REMITTANCE ADDRESS

SCRIPPS-TREASURE COAST
PO BOX 630807
CINCINNATI, OH 45263-0807

APPROVED
4/18/2014

see attached for

PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

PO # 146279

Charge to Shows

10 DATE	11 NEWSPAPER REFERENCE	12 DESCRIPTION - OTHER COMMENTS / CHARGES	15 SAU SIZE BILLED UNITS	17 TIMES RUN RATE	19 GROSS AMOUNT	20 NET AMOUNT
02/28		BALANCE FORWARD				90,161.61
03/12	247585	069006				-48,685.80
03/14		ADJw/o f/c				-271.99
03/14		ADJw/o f/c				-276.58
03/26	247756	687001				-23,340.83
03/02	2961238 RETAIL DISPLAY	Shows WTCP/FULL 3 COLOR PCI	6x6.5I 39I	1	2,429.70	3,158.61
					728.91	
03/05	2902312	44/vbnw YNEW/YNIC	3x5I 15I	1	135.33	135.33
03/06	2902390	44/tbd COUR/FULL	2x5I 10I	18.70	187.00	187.00
03/07	2963439 RETAIL DISPLAY	Shows WTCP/FULL 3 COLOR PCI 100% CHAR DISC	4x6I 24I	1	1,278.00	.00
					383.40	
					-1,661.40	
03/09	2963440 RETAIL DISPLAY	Shows WTCP/FULL 3 COLOR PCI	4x6I 24I	1	1,495.20	1,943.76
					448.56	
03/12	2902314	44/vbnw YNEW/YNIC	3x5I 15I	1	135.33	135.33
03/13	2902392	44/tbd COUR/FULL	2x5I 10I	18.70	187.00	187.00
03/14	2966705 RETAIL DISPLAY	Shows WTCP/FULL 3 Colors Retail 100% CHAR DISC	3x5I 15I	1	798.75	.00
					239.63	
					-1,038.38	

RECEIVED
APR 14 2013
FINANCE DEPARTMENT

STATEMENT OF ACCOUNT AGING OF PAST DUE AMOUNTS. A SERVICE CHARGE OF 1 1/2% PER MONTH WILL BE ADDED TO PAST DUE BALANCES.

21 CURRENT NET AMOUNT DUE	22 30 DAYS	60 DAYS	OVER 90 DAYS	*UNAPPLIED AMOUNT	23 TOTAL AMOUNT DUE
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Scripps Treasure Coast
Newspapers

772-223-9191 • FAX 772-600-1474
Toll Free 1-877-560-9191
TCNaccounting@scripps.com

REMITTANCE ADDRESS:
Scripps-Treasure Coast
PO Box 630807
Cincinnati, OH 45263-0807

24 INVOICE NUMBER	25 BILLING PERIOD	6 BILLED ACCOUNT NUMBER	7 ADVERTISER/CLIENT NUMBER	2 ADVERTISER/CLIENT NAME
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*Unapplied amounts are included in total amount due

FED ID# 31-0934851

Billing Code Legend on reverse side

The Stuart News • St. Lucie News Tribune
 Indian River Press Journal
 Jupiter Courier Newsweekly • TCPalm.com
 Vero Beach Newsweekly

1 BILLING PERIOD 03/01/14 - 03/31/14		2 ADVERTISER/CLIENT NAME SUNRISE THEATRE	
23 TOTAL AMOUNT DUE 33,856.16	*UNAPPLIED AMOUNT	3 TERMS OF PAYMENT NET DUE END OF MONTH	
21 CURRENT NET AMOUNT DUE 16,269.75	22 30 DAYS 17,586.41	60 DAYS .00	OVER 90 DAYS .00

24 INVOICE NUMBER 1957424	4 PAGE # 3	5 BILLING DATE 03/31/14	6 BILLED ACCOUNT NUMBER 10031414	7 ADVERTISER/CLIENT NUMBER
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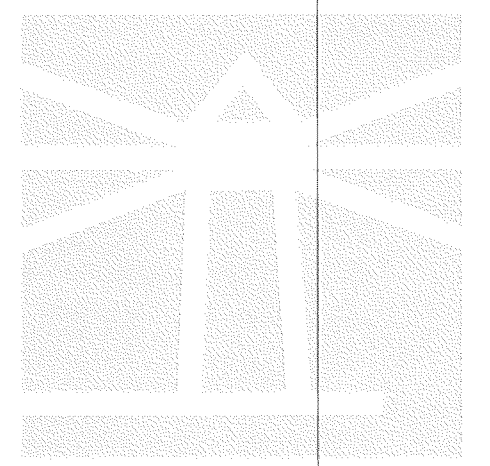
8 BILLED ACCOUNT NAME AND ADDRESS	9 REMITTANCE ADDRESS
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SUNRISE THEATRE
 117 S 2nd ST
 FT PIERCE FL 34950

SCRIPPS-TREASURE COAST
 PO BOX 630807
 CINCINNATI, OH 45263-0807

010195742400033856165

PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

10 DATE	11 NEWSPAPER REFERENCE	12 DESCRIPTION - OTHER COMMENTS / CHARGES	15 SAU SIZE 16 BILLED UNITS	17 TIMES RUN 18 RATE	19 GROSS AMOUNT	20 NET AMOUNT
 <p>Please contact Accounting with questions regarding payments or billing errors.</p> <p>PLEASE REMIT PAYMENT IN ENCLOSED ENVELOPE THANK YOU FOR ADVERTISING</p>						

STATEMENT OF ACCOUNT AGING OF PAST DUE AMOUNTS. A SERVICE CHARGE OF 1 1/2% PER MONTH WILL BE ADDED TO PAST DUE BALANCES.

21 CURRENT NET AMOUNT DUE 16,269.75	22 30 DAYS 17,586.41	60 DAYS .00	OVER 90 DAYS .00	*UNAPPLIED AMOUNT	23 TOTAL AMOUNT DUE 33,856.16
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24 INVOICE NUMBER 1957424		25 BILLING PERIOD 03/01/14 - 03/31/14	6 BILLED ACCOUNT NUMBER 10031414		7 ADVERTISER/CLIENT NUMBER	2 ADVERTISER/CLIENT NAME SUNRISE THEATRE
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*Unapplied amounts are included in total amount due

FED ID# 31-0934851

Billing Code Legend on reverse side

The Stuart News • St. Lucie News Tribune
 Indian River Press Journal
 Jupiter Courier Newsweekly • TCPalm.com
 Vero Beach Newsweekly

1	BILLING PERIOD	2	ADVERTISER/CLIENT NAME
	05/01/14 - 05/31/14		SUNRISE THEATRE
23	TOTAL AMOUNT DUE	3	TERMS OF PAYMENT
	18,171.78		NET DUE END OF MONTH
21	CURRENT NET AMOUNT DUE	22	30 DAYS
	304.00		60 DAYS
			OVER 90 DAYS

24	INVOICE NUMBER	4	PAGE #	5	BILLING DATE	6	BILLED ACCOUNT NUMBER	7	ADVERTISER/CLIENT NUMBER	8	TOTAL AMOUNT DUE
	1963372		1		05/31/14		10031414		15,104.28		.00

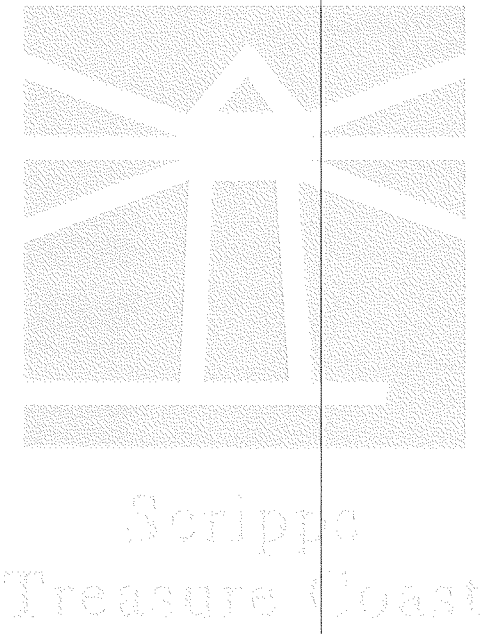
8	BILLED ACCOUNT NAME AND ADDRESS	9	REMITTANCE ADDRESS
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SUNRISE THEATRE
 117 S 2nd ST
 FT PIERCE FL 34950

SCRIPPS-TREASURE COAST
 PO BOX 630807
 CINCINNATI, OH 45263-0807

010196337200018171781

PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

10	DATE	11	NEWSPAPER REFERENCE	12	DESCRIPTION - OTHER COMMENTS / CHARGES	15	SAU SIZE	17	TIMES RUN	19	GROSS AMOUNT	20	NET AMOUNT
				13		16	BILLED UNITS	18	RATE				
	04/30		1963372		BALANCE FORWARD								17,867.78
	05/16				ADJ ck247756 to11503685								304.00
													
Please contact Accounting with questions regarding payments or billing errors. YOUR ACCOUNT IS PAST DUE. PLEASE REMIT IMMEDIATELY IN THE ENCLOSED ENVELOPE.													

STATEMENT OF ACCOUNT AGING OF PAST DUE AMOUNTS. A SERVICE CHARGE OF 1 1/2% PER MONTH WILL BE ADDED TO PAST DUE BALANCES.

21	CURRENT NET AMOUNT DUE	22	30 DAYS	60 DAYS	OVER 90 DAYS	*UNAPPLIED AMOUNT	23	TOTAL AMOUNT DUE
	304.00		2,763.50	15,104.28	.00			18,171.78

Scripps Treasure Coast Newspapers

772-223-9191 • FAX 772-600-1474
 Toll Free 1-877-560-9191
 TCNaccounting@scripps.com

REMITTANCE ADDRESS:
 Scripps-Treasure Coast
 PO Box 630807
 Cincinnati, OH 45263-0807

24	INVOICE NUMBER	25	BILLING PERIOD	6	BILLED ACCOUNT NUMBER	7	ADVERTISER/CLIENT NUMBER	2	ADVERTISER/CLIENT NAME
	1963372		05/01/14 - 05/31/14		10031414				SUNRISE THEATRE

*Unapplied amounts are included in total amount due

FED ID# 31-0934851

Billing Code Legend on reverse side

10	DATE	11	NEWSPAPER REFERENCE	12	DESCRIPTION - OTHER COMMENTS / CHARGES	15	SAU SIZE BILLED UNITS	17	TIMES RUN RATE	19	GROSS AMOUNT	20	NET AMOUNT
03/16	2966705	RETAIL DISPLAY	Shows WTCP/FULL 3 Colors Retail		3x5I 15I		1		934.50		1,214.85		
03/20	2902393		44/tbd COUR/FULL		2x5I 10I		1 18.70		187.00		187.00		
03/21	2968685	RETAIL DISPLAY	Shows WTCP/FULL 3 COLOR PCI 100% CHAR DISC		6x6.5I 39I		1		2,076.75		.00		
03/23	2968685	RETAIL DISPLAY	Shows WTCP/FULL 3 COLOR PCI		6x6.5I 39I		1		2,429.70		3,158.61		
03/27	2902394		44/tbd COUR/FULL		2x5I 10I		1 18.70		187.00		187.00		
03/28	2971838	RETAIL DISPLAY	SHOWS WTCP/FULL 3 COLOR PCI 100% CHAR DISC		3x5I 15I		1		798.75		.00		
03/30	2971839	RETAIL DISPLAY	SHOWS WTCP/FULL 3 COLOR PCI		3x5I 15I		1		934.50		1,214.85		
03/31	2958076		44- TREASURE COAST		0x0I				280.35		1,758.53		
03/31	2958079		44- GEO		0x0I				1,758.53		1,758.53		
03/31	2958659		44-SEMLOCAD		each				2,051.88		2,051.88		
03/31			WTCP/FULL						750.00		750.00		

STATEMENT OF ACCOUNT AGING OF PAST DUE AMOUNTS. A SERVICE CHARGE OF 1 1/2% PER MONTH WILL BE ADDED TO PAST DUE BALANCES.

21	CURRENT NET AMOUNT DUE	22	30 DAYS	60 DAYS	OVER 90 DAYS	*UNAPPLIED AMOUNT	23	TOTAL AMOUNT DUE



772-223-9191 • FAX 772-600-1474
Toll Free 1-877-560-9191
TCNaccounting@scripps.com

REMITTANCE ADDRESS:
Scripps-Treasure Coast
PO Box 630807
Cincinnati, OH 45263-0807

24	INVOICE NUMBER	25	BILLING PERIOD	6	BILLED ACCOUNT NUMBER	7	ADVERTISER/CLIENT NUMBER	2	ADVERTISER/CLIENT NAME
	1								

*Unapplied amounts are included in total amount due

FED ID# 31-0934851

Billing Code Legend on reverse side

City Commission Regular Meeting

Agenda Item # 9. d.

Meeting Date: 07/07/2014

Re: Modification Number 4 to Subgrant Agreement Number 14HM-2Y-10-66-02-144

Submitted For: Linda Whalen, Program Analyst, Urban Redevelopment

SUBJECT:

Approval of Modification Number 4 to Subgrant Agreement Number 14HM-2Y-10-66-02-144 between the Division of Emergency Management and the City of Fort Pierce contingent upon approval by City Attorney as to form and correctness.

SUMMARY:

Modification Number 4 extends the Period of Performance ending date from August 1, 2014 to February 1, 2015. The reason for this time extension is due to the back order of parts for the two generators. Generator installation is scheduled to begin the first week of September 2014.

RECOMMENDATION:

Recommend approval, contingent upon City Attorney's approval as to form and correctness.

ALTERNATIVES:

None.

RESPONSIBLE STAFF:

Nick Mimms, Deputy City Manager
Linda Whalen, Project Administrator

COORDINATED WITH:

City Attorney's Office and Purchasing Department

Fiscal Impact

Budgeted Y/N: NA

Fiscal Year: NA

Account: NA

Amount: NA

FISCAL IMPACT:

100% of the approved project cost of \$3,843,233 is covered by federal HMGP funds. No City funds involved.

Attachments

Modification #4

Contract Number: 14HM-2Y-10-66-03-144

Project Number: 1561-164-R

**MODIFICATION TO SUBGRANT AGREEMENT BETWEEN
THE DIVISION OF EMERGENCY MANAGEMENT AND
CITY OF FORT PIERCE**

This Modification Number Four made and entered into by and between the State of Florida, Division of Emergency Management ("the Division"), and the City of Fort Pierce ("the Recipient") to modify Contract Number 14HM-2Y-10-66-03-144, dated August 1, 2013, ("the Agreement").

WHEREAS, the Division and the Recipient have entered into the Agreement, pursuant to which the Division has provided a subgrant to the Recipient under the Hazard Mitigation Grant Program of \$3,874,943.00, in Federal Funds; and

WHEREAS, the Division and the Recipient desire to modify the Agreement; and

WHEREAS, the Agreement will expire on August 1, 2014; and

WHEREAS, the Division and the Recipient desire to extend the terms of the Agreement.

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

1. Paragraph 3 of the Agreement is hereby amended to read as follows:

(3) PERIOD OF PERFORMANCE

This Agreement shall begin August 1, 2013, and shall end February 1, 2015, unless terminated earlier in accordance with the provisions of paragraph (12) of this Agreement.

2. The Budget and Scope of Work, Attachment A to the Agreement, are hereby modified as set forth in 4th Revised Attachment A to this Modification, a copy of which is attached hereto and incorporated herein by reference.
3. All provisions of the Agreement being modified and any attachments in conflict with this Modification shall be and are hereby changed to conform with this Modification, effective on the date of execution of this Modification by both parties.
4. All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.

5. Quarterly Reports are due to the Division no later than 15 days after the end of each quarter of the program year and shall be sent each quarter until submission of the administrative close-out report. The ending dates for each quarter of the program year are March 31, June 30, September 30 and December 31.

IN WITNESS WHEREOF, the parties hereto have executed this Modification as of the dates set out below.

RECIPIENT: CITY OF FORT PIERCE

By: _____

Name and Title: _____

Date: _____

**STATE OF FLORIDA
DIVISION OF EMERGENCY MANAGEMENT**

By: _____

Name and Title: Bryan W. Koon, Director

Date: _____

Attachment A (4th Revision)

Budget and Scope of Work

Scope of Work

As a Hazard Mitigation Grant Program Project, the Recipient, City of Fort Pierce will expand the Scope of Work of this proposed wind retrofit project to retrofit the following four (4) buildings by procuring and installing impact resistant glass on all exterior windows and doors of the buildings. In addition, 230-kW fixed stand alone generator will be procured and installed at the Police Headquarters building.

A 450-kW fixed stand alone generator will be procured and installed at the City Hall building located at 100 North U.S 1, Fort Pierce, Florida 34954.

The four (4) buildings and their locations are:

1. Police Headquarters; located at 920 South US 1, Ft. Pierce, Florida 34954
2. St. Anastasia School; located at 110 North 10th Street, Ft Pierce, Florida 34954
3. River Walk Center; located at 600 North Indian River Drive, Ft Pierce, Florida 34954
4. Public Works Compound; located at 52 Savanna Road, Ft Pierce, Florida 34954

As part of the scope of work expansion, all activities will be completed in accordance with the current Florida Building Code. All installations and components that will be used for the wind retrofit project will meet and carry Florida Building Code specifications and wind impact standards of the local codes.

The above structures serve as or support the EOC and other essential government functions during an event and/or have significant historic value. If deemed necessary, wind protection will be provided on any other openings such as skylights, vents, louvers and exhaust fans. Completion of the project will protect the buildings and their contents from potential storm damage.

The Recipient will be responsible for all fuel and other maintenance costs associated with the generators. The generator installations will provide back-up power generation for the structures to assure essential governmental functions including security and communication capacity during and after events.

The Recipient will provide two sets of "As-Built" construction documents for each generator and associated equipment certified by the applicable design professional(s) of record upon project completion.

Glazing in buildings shall be impact resistant or protected with an impact resistant covering meeting the requirements of SSTD 12, ASTM E 1886 and ASTM E 1996, ANSI/DASMA 115 (for garage doors and rolling doors) or Miami-Dade TAS 201, 202 and 203 or AAMA 506 referenced therein as follows:

- a) Glazed openings located within 30 feet (9.1 m) of grade shall meet the requirements of the Large Missile Test.*
- b) Glazed openings located more than 30 feet (9.1 m) above grade shall meet the provisions of the Small Missile Test.*
- c) Louvers protecting intake and exhaust ventilation ducts not assumed to be open that are located within 30 feet (9144 mm) of grade shall meet requirements of the Large Missile Test.*

Impact-resistant coverings shall be tested at 1.5 times the design pressure (positive or negative) expressed in pounds per square feet as determined by the Florida Building Code,

Building Section 1609 for which the specimen is to be tested.

The local municipal or county building department will inspect and certify all installations according to the manufactures' specifications.

The Police Station structure being mitigation is located in a Special Flood Hazard Area (SFHA). The Title Holder must adhere to the following restrictions:

- The Title Holder must insure all structures that will not be demolished or relocated out of the SFHA to an amount at least equal to the project cost or to the maximum limit of coverage made available with respect to particular property, whichever is less, through the National Flood Insurance Program (NFIP), as authorized by 42 U.S.C. §4011 et seq., as long as the Title Holder title to the property as required by 42 U.S.C. §4012a.
- The Title Holder must maintain all structures on the property in accordance with Flood Plain Management criteria set forth in Title 44 of the Code of Federal Regulations (CFR) Part 60.3 and City/County Ordinance as long as the Title Holder holds title to the property.
- The Title Holder must notify subsequent purchasers that SFHA conditions are attached to the property. This will be accomplished by the Title Holder ensuring that the City/County will legally record with the county or appropriate jurisdiction's land records a notice that includes the name of the current Title Holder (including book/page reference to record of current title, if readily available), a legal description of the property, and a declaration that Federal Law requires flood insurance coverage during the life of the property.

Any property being mitigated with Federal Hazard Mitigation assistance funding in a Special Flood Hazard Area (SFHA) must comply with SFHA Guidance.

Project Conditions:

The following requirements must be met at project closeout. Failure to do so may jeopardize funding.

- 1) The Recipient must provide a statement of assurance during project closeout, verifying that SFHA requirements were met on the properties listed above.
- 2) The Recipient must notify the Division as soon as significant developments become known, such as delays or adverse conditions that might raise costs or earlier completion. Any extensions of the Period of Performance (POP) must be submitted to FEMA 60 days prior to the expiration date.
- 3) The Recipient must avoid duplication of benefits between the HMGP and any other form of assistance, as required by Section 312 of the Stafford Act, and further clarified in 44 CFR 206.91.
- 4) Quarterly progress reports for HMGP projects are required. Recipient must regularly submit quarterly reports every quarter. Note that 44 CFR 206.438(c) indicates that the State must provide a quarterly progress report to FEMA indicating the status and completion date for each project funded.

Environmental Conditions:

1. The Recipient must follow all applicable state, local and federal laws regulations and requirements, and obtain (before starting project work) and comply with all required permits and approvals. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may jeopardize federal funding. If project work is delayed for a year or more after the date of the Categorical Exclusion (CATEX), then coordination with and project review by regulatory agencies must be redone.
2. Any change, addition or supplement to the approved Scope of Work that alters the project (including other work not funded by FEMA, but done substantially at the same time), regardless of the budget implications, will require re-submission of the application to FEMA through the

Division for National Environmental Policy Act (NEPA) re-evaluation before starting project work.

4. If ground disturbing activities occur during construction, the recipient will monitor ground disturbance. In the event of an unexpected discovery involving an Undertaking that has affected a previously unidentified historic property, human remains, or affected a known historic property in an unanticipated manner, the recipient should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries and take all reasonable measures to avoid or minimize harm to the property. The Recipient, or other designee, should contact the Florida Department State, Division of Historical Resources, Review and Compliance Section at 850.245.6333 or 800.847.7278, as well as the Division and FEMA. Project activities should not resume without verbal and/or written authorization for the Division of Historical Resources and FEMA. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, *Florida Statutes*
3. The Recipient must provide verification of compliance with local floodplain administrator regulations for construction in the floodplain at project closeout.
4. If any "asbestos containing material" lead based paint, or other hazardous materials are found during remediation or repair activities, the applicant must comply with all federal state and local abatement and disposal requirements' under the Toxic Substance Control Act (TSCA). Verification of compliance is required at closeout.
5. Unusable equipment, debris and material shall be disposed of in an approved manner location. In the event significant items (or evidence thereof) are discovered during implementation of the project, the Recipient shall handle, manage, and dispose of petroleum products, hazardous materials and toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies. Failure to comply with these Resource Conservation & Recovery Act (RCRA) conditions may jeopardize FEMA funding; verification of compliance is required at project closeout.
6. Construction vehicles and equipment used for this project shall be maintained in good working order to minimize pollutant emissions.
7. If ground disturbing activities occur during construction, subgrantee will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.
8. Because the St. Anastasia School is listed on the National Register of Historic Places, any retrofits to this buildings (specifically window and door replacements) should be developed in accordance with the approaches set forth in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings in order to avoid a potential adverse affect on the building's historic significance.
9. If the windows and exterior doors cannot be retained (only if historic) for the St. Anastasia School, the replacements must match the original windows/ doors in design, style and materials.
10. If using the same materials is not feasible during work on the St. Anastasia School, then a compatible substitute material may be considered, as long as the original design details are reproduced. As explicitly stated in *Standard 6*, when a historic feature is missing or is too deteriorated to repair, "*the new feature shall match to old in design, color, texture and other visual qualities and, where possible, material.*"

This is FEMA project number **1561-164-R**, funded under 1561-DR-FL.

The Period of Performance for this project ends on **February 1, 2015**

Schedule of Work

State Contracting:	1 Month
Bidding Process:	1 Month
Installations:	13 Months
State Final Inspection:	1 Month
Potential Weather Delays:	1 Month
<u>State Closeout Process:</u>	<u>1 Month</u>
Total Period of Performance:	18 Months

The materials and work funded pursuant to this Subgrant Agreement are intended to decrease the vulnerability of the building to property losses and are specifically not intended to provide for the safety of inhabitants before, during or after a natural or man-made disaster.

The funding provided by the Division of Emergency Management under this subgrant shall compensate for the materials and labor for the installation of storm shutters and/or other hardening activities as a retrofit measure for the Recipient's building to reduce and/or mitigate the damage that might otherwise occur from severe weather or other hazards. The funding of this project by the Department does not confer or imply any warranty of use or suitability for the work performed pursuant to this agreement. The State of Florida disclaims all warranties with regard to this mitigation project, express or implied, including but not limited to, any implied warranties and/or conditions of satisfactory quality and fitness for a particular purpose, merchantability, or merchantable quality.

This project has not been evaluated by the criteria contained in the standards of the Department of Homeland Security, Federal Emergency Management Agency (FEMA) guidance manual FEMA 361-Design and Construction for Community Shelter, and thus does not provide "near absolute protection." It is understood and agreed by the Department and the Recipient that the building may have vulnerabilities due to age, design and location which may result in damage to the building from wind events even after the installation of the mitigation measures funded under this Subgrant Agreement. It is further understood and agreed by the Department and the Recipient that the level of wind protection provided by the mitigation action, although meeting State standards and codes and enhancing the structural integrity of the building, does not ensure the safety or survival of building occupants.

Budget

Line Item Budget*

	<u>Project Cost</u>	<u>Federal Share</u>	<u>Local Share**</u>
Police Department; Generator, Material & Labor:	\$ 719,040.00	\$ 719,040.00	\$0.00
St. Anastasia; Material & Labor:	\$1,479,852.00	\$1,479,852.00	\$0.00
River Walk Center; Material & Labor:	\$ 376,309.00	\$ 376,309.00	\$0.00
Public Works Compound; Material & Labor:	\$ 637,372.00	\$ 637,372.00	\$0.00
City Hall; Generator, Material & Labor:	<u>\$ 630,660.00</u>	<u>\$ 630,660.00</u>	<u>\$0.00</u>
Sub-Total:	\$3,843,233.00	\$3,843,233.00	\$0.00
<u>Administrative Allowance:</u>	<u>\$ 0.00</u>	<u>\$ 31,710.00</u>	<u>\$0.00</u>
Total:	<u>\$3,843,233.00</u>	<u>\$3,874,943.00</u>	<u>\$0.00</u>

** Any line item amount in the Budget may be increased or decreased 10% or less without an amendment to this Agreement being required, so long as the overall amount of the funds obligated under this Agreement is not increased.*

** The non-federal share will be met using disaster overmatch credit. The effect is that 100% of the approved project cost is covered by federal HMGP funds. The 'match credit' provides the match for the non-federal share for this project.

Funding Summary

Federal Share:	\$3,843,233.00	(100%)
Local Share:	<u>\$ 0.00</u>	(0%)
Total Project Cost:	\$3,843,233.00	(100%)

Recipient Administrative Allowance up to \$31,710.00

City Commission Regular Meeting

Agenda Item # 9. e.

Meeting Date: 07/07/2014

Re: Mayor Hudson Travel to FLC Technology Conference

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Approval of Travel for Mayor Hudson to attend the Florida League of Cities 88th Annual Conference in Hollywood, Florida on August 14-16, 2014 in the total amount of \$1,044.77.

SUMMARY:

Florida League of Cities Annual Conference focusing on how technology can be used to improve city services, how we conduct business and what Florida cities of the future will look like.

RECOMMENDATION:

Approve travel request.

ALTERNATIVES:

Deny travel request.

RESPONSIBLE STAFF:

Linda W. Cox, City Clerk

COORDINATED WITH:

Mayor Linda Hudson

Fiscal Impact

Budgeted Y/N: No

Fiscal Year:

Account:

Amount: 1044.77

OTHER INFORMATION:

Commission travel budget has been exceeded for the year.

Attachments

Registration

REGISTRATION INFORMATION

Florida League of Cities
 P.O. Box 1757
 Tallahassee, FL 32302
 (850) 222-9684

TRAVEL EXPENSE STATEMENT

HOTEL INFORMATION

Westin Diplomat
 3555 S. Ocean Dr
 Hollywood, FL (954) 602-6000

DATE: **6/26/2014**

- 1. TRAVELER'S NAME: Linda Hudson
- 2. DEPARTURE DATE: 8/14/2014
- 3. RETURN DATE: 8/16/2014
- 4. DESTINATION: Hollywood, FL
- 5. CODE CHARGE: _____
- 6. AMT BUDGETED: _____

- DEPARTMENT: Mayor and Commission
- DEPARTURE TIME: 6:00 a.m.
- RETURN TIME: 7:00 p.m.
- PURPOSE: Annual Conference
Florida League of Cities

7. BALANCE AVAILABLE: _____

Expenses must comply with City Code of Ordinances 1-158.
 Per Diem Allowance \$50.00 or \$12.50 per quarter day.
 Class A Travel 24-hour day.

- * REGISTRATION FEE:
- * HOTEL BILL: Confirmation # 2288776
- BAGGAGE ALLOWANCE (\$5 PER PERSON)
- * COMMUNICATION:
- * FARES: AIR FARE
- * TAXI, BUS
- * CAR RENTAL
- * MILEAGE @ 0.565 242
- * GASOLINE EXPENSE
- * TOLL ROAD FEES OR PARKING FEES
- * MISC. EXPENSES (luncheon 8/15)

PREPAID EXPENSES	CREDIT CARD	ESTIMATED CASH EXPENSES	ACTUAL CASH EXPENSES
	425.00		
170.00		170.00	
		5.00	
		136.73	
		30.00	
40.00			
		8.00	
		8.00	
		40.00	
		0.00	
		3.64	
		8.40	

- MEALS
- 1 BREAKFAST @ \$8.00
 - 1 LUNCH @ \$8.00
 - 2 DINNER @ \$20.00
 - SPECIAL LUNCHEON/BANQUET
 - 6.5% STATE TAX
 - 15% GRATUITIES

BREAKFAST = When travel begins before 6:00 a.m. and extends beyond 8:00 a.m.
 LUNCH = When travel begins before 12:00 noon and extends beyond 2:00 p.m.
 DINNER = When travel begins before 6:00 p.m. and extends beyond 8:00 p.m.

TOTALS	210.00	425.00	409.77	
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ADVANCE CASH RECEIVED: _____
 REFUND DUE CITY: _____
 REFUND DUE EMPLOYEE: _____

TRAVEL APPROVED BY: _____
 DEPARTMENT SUPERVISOR

 CITY MANAGER
 (220 WITH CITY MANAGER
 SIGNATURE ACCEPTED)

EXPENSES ARE ALSO INCLUDED
 FOR THE FOLLOWING PERSONS:

**Paid registration
is required to receive
housing information,
so sign up early!
See pages 8-9
for details.**

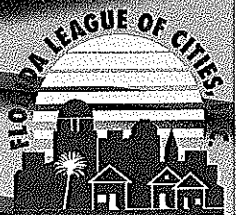


CITIES TAKE ON TECHNOLOGY

**FLORIDA LEAGUE OF CITIES
88TH ANNUAL CONFERENCE**

REGISTRATION INFORMATION

August 14-16, 2014 • Westin Diplomat • Hollywood, FL



PRESIDENT'S INVITATION TO THE FLORIDA LEAGUE OF CITIES 88TH ANNUAL CONFERENCE



Dear Friends:

The 88th Annual Conference of the Florida League of Cities will be held August 14-16, 2014, at the Westin Diplomat Hotel in Hollywood. This year's conference theme – **Cities Take on Technology** – will explore, among many other areas of interest, the future of technology and how it will affect Florida's cities and what cities must do to prepare for the anticipated changes. These three days will be packed full of educational opportunities!

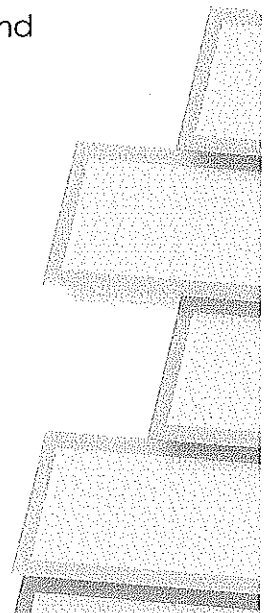
The many workshops scheduled throughout the conference will provide information that we as city officials can use as we serve our cities and citizens. The general sessions with powerful keynote speakers will be thought-provoking. And, the timely information provided through the workshops and special participants from the state and national-level will be invaluable.

The schedule includes nationally recognized speakers. **Jim Loehr** is a world-renowned performance psychologist and author of *The Only Way to Win*. In his book, he argues that it's not about what you achieve in life, but instead who you become as a result of the pursuit of achievement. **Bill Strickland**, president and CEO of the Manchester Bidwell Corporation, will share his inspiring story of how he grew up out of poverty to form one of the most acclaimed social organizations in the world. We are also excited to hear from NLC President **Chris Coleman**, mayor of St. Paul, Minnesota.

We are very excited about this year's conference and hope you'll plan to attend. When we come together with an opportunity to share information – successes and challenges – we all grow and succeed. I look forward to seeing you in Hollywood as we take on technology—and strengthen our cities through networking, information sharing and continued educational opportunities.

Sincerely,

P.C. Wu, FLC President
Councilmember, City of Pensacola



GENERAL INFORMATION

Technology is the focus of the 2014 annual conference. How can technology be used to improve city services? How is technology affecting the way we conduct city business? What will the Florida city of the future look like? These topics and more will be explored through our informative line-up of topical workshops and engaging speakers. You'll also have plenty of opportunities to network and share ideas with your colleagues from throughout the state.

LOCATION/DATES

Westin Diplomat - Hollywood, FL
Thursday, August 14 - Saturday, August 16, 2014

REGISTRATION HOURS

Thursday, August 14	8:00 a.m. - 7:00 p.m.
Friday, August 15	7:00 a.m. - 5:00 p.m.
Saturday, August 16	8:00 a.m. - 4:00 p.m.

REGISTRATION FEES

City/County/Government (\$425), Corporate/Other (\$595) and Guest (\$125): These fees cover your name badge, admission to all conference sessions and the exhibit hall, refreshment breaks, Friday's membership networking event, Saturday's Past Presidents' Luncheon and the Inaugural Celebration Saturday night.

NOTE: Registrants are defined as any elected government official, or any employee of governments, organizations or corporations. **Guests** are defined as spouses, partners or other non-professional relations of conference delegates. Guest registration **may not** be used for other elected government officials, staff or company representatives

Teen Guest 13-18 years (\$20) and Child Guest 3-12 years (\$15)

These fees cover your name badge, admission to the exhibit hall, Friday's membership networking event and refreshment breaks. **Teen and child guest registration does not include Saturday's Past Presidents' Luncheon or Inaugural Celebration.**

Exhibit Hall Pass (\$20)

This pass allows family members and guests who are not registered for the conference to visit our vendors on Thursday and Friday. Passes permit access to the exhibit hall on Thursday afternoon, Thursday evening and Friday morning. The pass allows access to all events in the exhibit hall, as well as Friday's membership networking event. **The pass is not good for any other conference events, and is not equivalent to a registration.**

Youth Council Program (\$45)

This fee covers all Youth Council Program activities on Saturday, plus lunch. See page 13 for details and registration information.

DEADLINES

Registration – Conference registration forms must be postmarked on or before **Friday, August 1, 2014.** If you are unable to meet this deadline please register on-site. **NOTE: Registration fees will increase to \$455 for government and \$625 for corporate registrants for all registrations done on-site,** so we encourage you to register in advance.

HOTEL RESERVATIONS

The cut-off date for reservations at the Diplomat is **July 18, 2014**. Reservations must be made via an FLC-provided security code only; no one will receive housing information until **after** their **paid** registration is received. Please see page 9 for more details.

CANCELLATION POLICY

Conference registration cancellations must be done in writing by mail, email or fax to the **Florida League of Cities, Inc., P.O. Box 1757, Tallahassee, FL 32302-1757; mhowe@flcities.com; or fax (850) 222-3806**. All cancellations received in the FLC office by 5:00 p.m., **Friday, August 1, 2014** will receive refunds, minus a **\$50.00** cancellation fee. Refunds will be issued after the conference. Hotel reservations must be cancelled no later than **72 hours** prior to the scheduled arrival date to avoid a penalty of one night's room and tax.

SPECIAL NEEDS

If you are physically challenged and require special services, or if you have special dietary needs (i.e. allergies or Kosher or vegetarian meals), please attach a written description to your registration form. Contact the hotel directly if you will need any special accommodations in your room.

FLC BOOKSTORE

Our keynote speakers are the authors of several books. A "bookstore" will be open during the conference to purchase many of these titles, and you'll have the opportunity to have them signed after each presentation.

CONTINUING EDUCATION CREDIT

Some of the conference's educational sessions may be eligible for continuing education credit through the Florida Bar and/or the Florida Board of Accountancy. It is the attendee's responsibility to submit these hours for approval. FLC will provide sign-in sheets at each session and will send certificates of attendance to all delegates who complete the sign-in sheets.

LIVE FEEDS VIA TWITTER AND FACEBOOK

The League will be offering live updates via Twitter and Facebook during the conference. Follow the League at www.twitter.com/flcities or become a fan of the League on Facebook to participate.

THURSDAY IS CITY SHIRT DAY!

We encourage all of you to show your city spirit by wearing your city shirt on **Thursday, August 14**.

CONTACT INFORMATION

For additional information, please contact Barbara Solis by phone: (850) 222-9684; fax: (850) 222-3806; email: bsolis@flcities.com; or write to Florida League of Cities, P.O. Box 1757, Tallahassee, FL 32302-1757.

TENTATIVE PROGRAM

Workshop Topics

We are planning a variety of informative workshops to provide you with the tools to help your city navigate the current economic, technological and political landscape. The specific workshop schedule will be posted to our website as soon as it is available, so check for updates! Topics being considered include:

- Cloud Technology
- Council-Manager Relations
- Crisis Communications
- Cyber Security
- Disaster Recovery
- Economic Development
- Engaging Citizens through Technology
- Ethics
- Future of Technology
- Health Care Costs
- Homelessness
- Impact of Rising Sea Levels
- Leadership
- Pension Reform
- Technology in the Sunshine
- Telecommunications
- Working with a Small Staff

THURSDAY, AUGUST 14

8:00 a.m. - 9:00 a.m.

Florida League of Mayors

Nominating Committee Meeting

8:00 a.m. - 7:00 p.m.

Registration Desk Open

9:00 a.m. - 12:00 p.m.

Broward County Ethics Workshop

11:30 a.m. - 12:30 p.m.

Florida League of Mayors Business Meeting

For more information, contact Jenny Anderson at (850) 222-9684.

12:00 p.m. - 7:30 p.m.

Municipal Marketplace Open

12:00 p.m. - 5:00 p.m.

Technology Center Open

Need to check the local news? Are you looking for that important email? Just want to browse

the Internet or catch up on some work? Need to charge your phone? The Florida League of Cities Technology Center provides you the perfect place to do all that with eight PCs and staff to assist you. Please note that children must be supervised while in this area.

12:30 p.m. - 1:30 p.m.

Florida League of Mayors

Board of Directors Meeting

1:00 p.m.

Beginning of League Conference Events

1:00 p.m. - 3:00 p.m.

"Cities 101" Workshop

If you are newly elected or newly appointed, this "crash course" is designed for you. Details about Florida municipalities, services and governing challenges will be discussed. This is a prequel to the popular Institute for Elected Municipal Officials, but is not a substitute for the three-day IEMO class.

1:00 p.m. - 3:00 p.m.

Legislative Policy Committee Meetings

- Energy, Environment and Natural Resources
- Finance, Taxation and Personnel
- Growth Management and Economic Development
- Transportation and Intergovernmental Relations
- Urban Administration

3:00 p.m. - 4:00 p.m.

Resolutions Committee Meeting

3:15 p.m. - 5:15 p.m.

Workshops

4:00 p.m. - 5:00 p.m.

International Relations Committee Meeting

5:15 p.m. - 6:00 p.m.

First-Time Attendees' Orientation

If this is your first FLC Conference - Welcome! This workshop will acquaint you with the League, the conference program (with tips for the best use of your time), how to get involved in your local or regional league, FLC legislative policy committees and other municipal services.

6:00 p.m. - 7:30 p.m.
**President's Welcome Reception
in Municipal Marketplace**

FRIDAY, AUGUST 15

7:00 a.m.
First Annual 5K Fun Run
See page 8 for more details.

7:00 a.m. - 8:30 a.m.
**Florida Black Caucus of Local Elected Officials
Breakfast**

To be eligible to attend, a membership application and paid dues must be submitted. Membership applications can be obtained at www.fbc-leo.org. For more information regarding FBC-LEO visit their website or call (941) 723-4500.

7:00 a.m. - 9:00 a.m.
**Continental Breakfast in
Municipal Marketplace**

7:00 a.m. - 1:00 p.m.
Municipal Marketplace Open

7:00 a.m. - 5:00 p.m.
Registration Desk Open

8:00 a.m. - 9:00 a.m.
Workshops

8:00 a.m. - 5:00 p.m.
Technology Center Open

9:15 a.m. - 10:00 a.m.
Workshops

10:15 a.m. - 11:45 a.m.
Opening General Session
Featuring the presentation of the E. Harris Drew Award and a keynote presentation.

11:45 a.m. - 1:00 p.m.
Sidewalk Café in Municipal Marketplace

12:00 p.m. - 1:00 p.m.
**Women Elected to Municipal Government
Luncheon**
Luncheon by invitation only. If you do not receive your invitation, please contact WEMG at contact@wemg.org. See letter on page 15 for details.

1:30 p.m. - 2:15 p.m.
Workshops

2:30 p.m. - 3:45 p.m.
Workshops

4:00 p.m. - 5:00 p.m.
Workshops

6:00 p.m. - 7:00 p.m.
Membership Networking Event

Evening Open

SATURDAY, AUGUST 16

7:30 a.m. - 8:30 a.m.
**Various Local/Regional League
Breakfast Meetings**
Contact your local league for more information.

7:30 a.m. - 4:00 p.m.
Registration Desk Open

8:00 a.m. - 5:00 p.m.
Technology Center Open

8:30 a.m. - 9:00 a.m.
Voting Delegate Registration Open

9:00 a.m. - 10:30 a.m.
Annual Business Meeting

9:00 a.m. - 4:00 p.m.
Youth Council Program
See page 12 for details and registration information.

10:45 a.m. - 12:15 p.m.
Second General Session
Featuring recognition of the Years of Service awards and a keynote presentation.

12:30 p.m. - 2:15 p.m.
**Past Presidents' Luncheon and
Installation of New President**

2:30 p.m. - 4:00 p.m.
Workshops

6:00 p.m. - 10:00 p.m.
Childcare Provided
Pre-registration required. See enclosed form to register.

6:30 p.m. - 9:30 p.m.
Inaugural Celebration
Step into the future for this year's Inaugural Celebration! Experience futuristic lights and sounds, enjoy thrilling games and maybe have your picture taken with a Stormtrooper or two. The event will include a buffet-style dinner and plenty of fun so be sure to attend!

Schedule and speakers subject to change.

KEYNOTE SPEAKERS



Chris Coleman

Mayor **Chris Coleman** is president of the National League of Cities and mayor of St. Paul, Minnesota. As mayor, Coleman has been an advocate for education and public safety, and was instrumental in championing the Central Corridor Light Rail line – the largest transit project ever undertaken in the state of Minnesota. These efforts and initiatives are all accomplished with sound fiscal management in mind and guided by a passion for the City of St. Paul. Bridging the education gap for children has been at the core of Mayor Coleman's agenda. He has recently

introduced revolutionary programs such as the Promise Neighborhood and Sprockets, which focus on how students spend their crucial time outside of the classroom. Mayor Coleman has marshaled the best minds and resources to enrich the lives of children by extending social and academic opportunities beyond the school day, opening new doors of opportunity to a better life, and creating a safe environment for them to live and play. Mayor Coleman is a strong advocate for police, fire and emergency management services, committed to building world-class departments that set the standard for service to residents and community. He continues to invest in emergency personnel and training, as well as improved technology to assist them in keeping our communities safe.



Jim Loehr

The Only Way to Win draws on world-renowned performance psychologist and *New York Times* bestselling author **Jim Loehr**, Ph.D., who has more than 30 years of riveting insights into the world of high achievement. *The Only Way to Win* counters society's promise that great achievements will bring lasting happiness and fulfillment. Specifically, Loehr finds that the blind pursuit of external achievement often results in emptiness, addiction and, ironically, poor performance. It's not really about what you achieve, he argues, it's about who

you become as a consequence of the chase. Loehr will give an eye-opening and thought-provoking presentation that will challenge how you think about achievement in your life and in the lives of those around you. In the November 2012 issue of *Fortune* magazine, special contributor Verne Harnish mentions *The Only Way to Win* as one of five "Must Read Business Books of the Year."



Bill Strickland

Bill Strickland is a mesmerizing speaker who will inspire you to make a difference, in your life and in the lives of those around you. Ever-gracious, he delivers a profoundly simple, optimistic message for leaders: give people the tools they need, treat them with respect, and they will perform miraculous deeds. He also delves into his story of hope: of how a kid from Pittsburgh's ghetto would go on to lecture at Harvard and serve on the board of the National Endowment of the Arts; of his meeting with a pottery teacher who would change his life; and of

growing a near-bankrupt community center into one of the most acclaimed social organizations in the world. Throughout, he shares his powerful set of beliefs: for example, that we all make ourselves "poor" in one way or another when we accept that we are not smart, experienced, or talented enough to accomplish something. A successful life is not something you simply pursue – it is something that you create, moment by moment.

ADDITIONAL ACTIVITIES

OFF-SITE ACTIVITIES

The Westin Diplomat provides a professional concierge desk to answer all questions regarding what to do, where to dine and how to get there, as well as brochures on area attractions, shopping and restaurants. For complete information, please contact the Westin at (954) 602-6000 or visit their website at www.diplomatresort.com.

INAUGURAL FLC 5K FUN RUN

We will be holding the **Inaugural Florida League of Cities 5K Fun Run** on **Friday, August 15 at 7:00 a.m.** The course will take place on the beach right behind the hotel and is open to everyone participating in the conference. This will be a "fun run" and will not be a timed event. There is no charge for the event, but **pre-registration is required** (see main registration form). All participants will receive a T-shirt, water bottle and towel. Light refreshments will be provided after the race. So come on out and start your morning off right with a FUN RUN and great company!

SATURDAY NIGHT CHILDCARE

Childcare services will be available on **Saturday, August 16, from 6:00 p.m. until 10:00 p.m.** during the Inaugural Event. This service, provided by the League through Sitter Solutions, will be offered at no charge, but pre-registration is required.

The League will provide pizza, popcorn and drinks. Sitter Solutions will provide quality childcare with loads of activities and games. Toys will be provided for children 1-3 years old, as well as videos for quiet time. Pillows and blankets will also be available. This service is licensed, bonded, insured and CPR-trained, and there is no cost to you.

Agenda

6:00 p.m. - 6:30 p.m.	Registration
6:30 p.m. - 7:30 p.m.	Dinner
7:30 p.m. - 10:00 p.m.	Activities
10:00 p.m.	Closes

Please be sure to pick up your child by 10:00 p.m.

In order for us to provide this service, you will need to fill out the Childcare Registration Form on page 14 so we can determine how many sitters will be needed. Please return childcare forms to Barbara Solis, P.O. Box 1757, Tallahassee, FL 32302-1757 or fax to (850) 222-3806.

CONFERENCE HOUSING

The **Westin Diplomat** will serve as the conference hotel. It is located at 3555 S. Ocean Drive in Hollywood. The hotel's phone is (954) 602-6000. (**NOTE:** Reservations may be made via an FLC-provided code only. Please **do not** call the Westin to make reservations until you receive this code.) FLC has secured the reduced rate of **\$10** per day for self parking, and **\$20** per day for valet parking.

The landmark Westin Diplomat sits right on Hollywood Beach and features incredible views of the Atlantic. The hotel boasts a spectacular two-level, lagoon-style pool, a kids' club and many water activities. The nearby Diplomat Country Club offers top-of-the-line golf, tennis and spa facilities. Directly across the street from the hotel, the Diplomat Landing features shopping and dining opportunities, plus water taxi service. Visit the hotel's website at www.diplomatresort.com for more details. **The Westin is a smoke-free property.**

DIRECTIONS

From North: Take Interstate 95 South to Exit #18. Turn left onto Hallandale Beach Boulevard and proceed 3.5 miles. Turn left onto Ocean Boulevard (Route A1A). The hotel is located on the right.

From South: Take I-95 North to Exit #18. Turn right onto Hallandale Beach Boulevard. Proceed to Ocean Boulevard (Route A1A) and turn left. The hotel is located on the right.

From West: Take Interstate 75 East to Interstate 595 East. Then proceed to I-95 South. Take Exit #18 and turn left onto Hallandale Beach Boulevard. Proceed to Ocean Boulevard (Route A1A) and turn left. The hotel is located on the right.

ROOM RESERVATIONS – IMPORTANT – PLEASE READ

In order to protect our room blocks for conference registrants, it is our policy that no one will receive housing information **until we have received your PAID registration**. Once your registration is paid, you will be sent housing information via email. (If you do not have an email address, we will mail or fax the information to you.) **NOTE:** If you register online, but choose to mail in your check, you will not receive your housing information until your registration is **paid**.

Please note that the reservation cut-off date at the Westin is **July 18, 2014**, and the rate is **\$170/night**. It is important that you register for the conference early so you have plenty of time to make your reservations. **Availability is on a first-come, first-served basis.**

Remember that we are unable to guarantee reservations for anyone, nor the exact date on which the hotel block will sell out, **so please register early.**

REGISTRATION INFORMATION

EMAIL, FAX OR MAIL REGISTRATIONS

Use the enclosed registration form to register for the conference. Register early to avoid delays. Email or fax your registration with Visa or MasterCard payment as directed at the top of the form, or mail your registration with payment to the address at the top of the form. No purchase orders or telephone registrations will be accepted.

ONLINE REGISTRATION

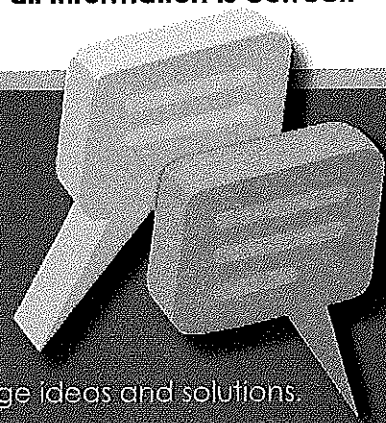
You can register online by accessing the Florida League of Cities' Web site at www.floridaleagueofcities.com. Simply fill out the online registration, select your method of payment and your registration will automatically be sent to the Florida League of Cities. For your convenience, the costs for all registration choices are automatically totaled for you.

Remember: A user name and password are required to access online conference registration. If you need help logging-in, please contact Melanie Howe at (850) 222-9684.

If you register online there are two payment options. You can send your registration fees by check to the Florida League of Cities, **(You are not registered until we receive your payment and you will not receive your housing information until your registration is paid.)** or, you can simply pay online with your Visa or MasterCard. Registrations submitted and paid online via credit card will automatically be marked as paid and you will receive your conference confirmation immediately via email. Conference confirmations include your registration information, totals and registration number for your reference. **Please check your confirmation carefully to verify that all information is correct. Please inform the League immediately of any errors.**

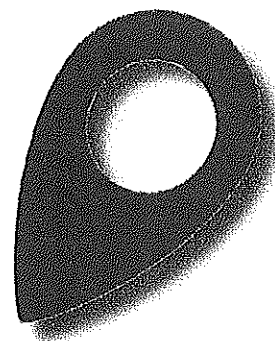
TOP REASONS TO ATTEND THE FLORIDA LEAGUE OF CITIES 88TH ANNUAL CONFERENCE IN HOLLYWOOD:

- Meet with colleagues and friends from around the state and exchange ideas and solutions.
- Learn about the latest developments in technology and how they will affect your city.
- Discover innovative ways to expand services and save tax dollars.
- Visit the Municipal Marketplace exhibits to get information to solve your city's problems.
- Gain inside information on the 2014 legislative session and find out what you need to do to get ready for 2015.
- Bring value back to your municipality as your return home a reenergized, renewed, educated and informed official.



The Florida League of Cities Annual Conference!
BE THERE!

REGISTRATION FEES



The registration fees for the 2014 annual conference are:

City/County/Government	\$425.00*
Guests	\$125.00
Guests (3-12 years)	\$15.00
Guests (13-18 years)	\$20.00
Corporate/Other	\$595.00*
Exhibit Hall Pass	\$20.00
Extra Luncheon Ticket	\$40.00
Extra Inaugural Celebration Ticket	\$50.00
Youth Council Program	\$45.00

***Registration fees will increase to \$455 for government and \$625 for corporate registrants for all registrations done on-site.**

City/County/Government (\$425), Corporate/Other (\$595) and Guest (\$125): These fees cover your name badge, admission to all conference sessions and the exhibit hall, refreshment breaks, Friday's membership networking event, Saturday's Past Presidents' Luncheon and the Inaugural Celebration Saturday night.

NOTE: Registrants are defined as any elected government official, or any employee of governments, organizations or corporations. **Guests** are defined as spouses, partners or other non-professional relations of conference delegates. Guest registration **may not** be used for other elected government officials, staff or company representatives.

Teen Guest 13-18 years (\$20) and Child Guest 3-12 years (\$15): These fees cover your name badge, admission to the exhibit hall, Friday's membership networking event and refreshment breaks. **Teen and child guest registration does not include Saturday's Past Presidents' Luncheon or closing night event.**

Exhibit Hall Pass (\$20): This pass allows family members and guests who are not registered for the conference to visit our vendors on Thursday and Friday. Passes permit access to the exhibit hall on Thursday afternoon, Thursday evening and Friday morning. The pass allows access to all events in the exhibit hall, as well as Friday's membership networking event. **The pass is not good for any other conference events, and is not equivalent to a registration.**

Youth Council Program (\$45): This fee covers all Youth Council Program activities on Saturday, plus lunch. See page 13 for details and registration information.

DEADLINES/CANCELLATIONS

Advance registration forms must be postmarked **on or before Friday, August 1, 2014**. If you are unable to meet this deadline, please register on-site at the conference registration desk.

Conference registration cancellations must be done in writing via email or fax to **mhowe@flcities.com** or **(850) 222-3806**. All cancellations received in the FLC office by 5:00 p.m., **Friday, August 1, 2014**, will receive refunds, minus a **\$50.00** cancellation fee. Refunds will be issued after the conference. **No refunds can be made after August 1 or for early departure from the conference.**

2014 FLC Annual Conference Registration Form

August 14-16, 2014 | Westin Diplomat | Hollywood

Florida League of Cities | P.O. Box 1757 | Tallahassee, FL 32302 | (850) 222-9684 | Fax (850) 222-3806 | mhowe@flcities.com

DELEGATE INFORMATION

Name: Linda | Hudson
First M.I. Last

First Name or Nickname: Linda
As You Wish to Appear on Badge

Title: Mayor Affiliation: City of Fort Pierce
City, County, Government or Company

Mailing Address: P.O. Box 1480
Note: If you will be paying with a credit card below, please use the billing address for that card.

City: Fort Pierce State: FL Zip: 34954

Phone Number: 772 467-3074 Fax Number: 772 467-3841

Email Address (for confirmations): amartin@city-ftpierce.com
Please provide the address of the person who should receive the confirmation.

First-Time Attendee? Yes No Contact Person: Allison Martin

GUEST INFORMATION (Please complete only if registering a guest for the conference.)

Guest's Name: _____ First Name: _____
As You Wish to Appear on Badge

Child's Name: _____ Age: _____ First Name: _____
As You Wish to Appear on Badge

Child's Name: _____ Age: _____ First Name: _____
As You Wish to Appear on Badge

Registration Fees	No.	Fee	Total Fee
City/County/Government	<u>1</u>	@ \$425.00*	\$ <u>425.00</u>
Corporate	___	@ \$595.00*	\$ _____
Guest	___	@ \$125.00	\$ _____
Guest (13-18 years)	___	@ \$20.00	\$ _____
Guest (3-12 years)	___	@ \$15.00	\$ _____
Exhibit Hall Pass	___	@ \$20.00	\$ _____

Optional Activities	No.	Fee	Total Fee
Friday, August 15			
5K Fun Run	___	@ \$0.00	\$ _____
Extra Luncheon Ticket	___	@ \$40.00	\$ _____
Extra Inaugural Celebration Ticket	___	@ \$50.00	\$ _____
		Total	\$ _____

***Note: Registration fees will increase to \$455 for government and \$625 for corporate for all registrations done onsite.**

Special Needs
 If you require special services, or have special dietary needs, please attach a written description to your registration form.

Registration
 Registration form must be accompanied by payment made payable to **Florida League of Cities**. Mail this form to: Florida League of Cities, P.O. Box 1757, Tallahassee, FL 32302-1757. Registration forms must be postmarked by **August 1, 2014**. **Remember:** You will not receive housing information until we have received your **PAID** registration.

Email or Fax Registration
 Registration forms with Visa or MasterCard payments can be emailed to mhowe@flcities.com or faxed to (850) 222-3806.

Cancellation Policy
 All cancellations received in writing via email or fax to mhowe@flcities.com or (850) 222-3806 and received by 5:00 p.m., **Friday, August 1, 2014**, will receive refunds, minus a **\$50.00** cancellation fee. Refunds will be issued after the conference. **No refunds can be made after August 1 or for early departure from the conference.**

Credit Card Information
 Credit Card type: MasterCard Visa
 Number: _____ Exp. Date: _____
 Account Name: _____
 Signature: _____

2014 FLC Youth Council Program

Saturday, August 16, 2014 | 9:00 a.m. - 4:00 p.m. | Westin Diplomat | Hollywood

Florida League of Cities | P.O. Box 1757 | Tallahassee, FL 32302 | (850) 222-9684 | Fax (850) 222-3806 | sberrian@flcities.com

We are pleased to invite youth councils from throughout the state to participate in the annual conference. Attendees will learn about issues facing municipalities across the country and have the opportunity to network with other Florida youth councils.

The registration fee for this program is **\$45** per person and includes the keynote presentation during Saturday's general session, lunch and youth-targeted presentations. **For more information please contact Sharon Berrian at (850) 222-9684.**

Please complete one form per youth council. The form may be duplicated if you are registering more than six people.

Youth Council Name: _____

Contact Person: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Email: _____ Contact Cell Phone: _____

Name: _____ Student Chaperone

Name: _____ Student Chaperone

Name: _____ Student Chaperone

Name: _____ Student Chaperone

Name: _____ Student Chaperone

Name: _____ Student Chaperone

Registration Fee = \$45* per person if received by Friday, July 25, 2014.

*This fee increases to **\$55** per person if received after Friday, July 25, 2014. The final deadline for registration is **Friday, August 1, 2014.**

Total Amount Enclosed: \$ _____

Method of Payment: Check (payable to Florida League of Cities) Visa MasterCard

Credit Card Number: _____ Exp. Date: _____

Billing Address (if different from above): _____

City: _____ State: _____ Zip: _____

Cardholder's Name: _____ Cardholder's Signature: _____

Mail checks to Florida League of Cities, P.O. Box 1757, Tallahassee, FL 32302

Fax Visa or MasterCard payments to (850) 222-3806, Attn: Robert Pittman

Email Visa or MasterCard payments to: rpittman@flcities.com

Youth council registration cancellation must be done in writing via email or fax to sberrian@flcities.com or (850) 222-3806. All cancellations received in the FLC office by 5:00 p.m., **Monday, August 4, 2014**, will receive refunds. Refunds will be issued after the conference.

Florida League of Cities

INAUGURAL CELEBRATION CHILDCARE

Saturday, August 16, 2014 | 6:00 p.m. - 10:00 p.m. | Westin Diplomat | Hollywood



Sitter Solutions, Inc.
Pre-Registration Form

Parent Name: _____ Phone () _____
 Address: _____ Cell Phone: _____
 City: _____ State: _____ Zip/Postal Code: _____

Please list each child's name, age and any allergies or special needs as indicated below.

Child Name	Age	Allergies/ Special Needs

Who is authorized to pick up your child?

Name: _____	Relationship: _____
Name: _____	Relationship: _____

1. The undersigned parent/guardian, for himself or herself, and his or her heirs, successors and/or assigned, hereby releases, acquits and fully discharges, Sitter Solutions and their respective shareholders, officers, directors, agents, employees, representatives, predecessors, successors and assigns from any and all claims, suits, sums of money, judgments, executions, damages, losses, expenses of any kind including without limitation, court demands, causes of actions and rights whatsoever, known or unknown contingent or otherwise, that parent, guardian or child might have, in whole or in connection with directly or indirectly, in the provision of child care services and or any use by parent/guardian or their children at such facility.
 2. Parent/guardian may not bring toys, jewelry, valuables or medications into child care facility. Sitter Solutions, Inc. will not be responsible for such items and will not administer medication of any kind.
 3. Parent/guardian warrants that the child has no allergies or disabilities, which have not been noted above.
 4. This agreement shall be interpreted and construed under and in accordance with the laws of the State of Florida.
 5. I hereby grant permission for Sitter Solutions, Inc. to take whatever steps necessary to obtain emergency medical care if warranted. If the parent cannot be reached emergency personnel will be called.
 6. I hereby give permission for photographs/video to be taken of my child (ren) while attending a Sitter Solutions, Inc. children's convention. These photographs/video may be used for Sitter Solutions, Inc.
- This will serve as my authorization to Sitter Solutions, Inc.

Signature

Relationship

For more information, call Sitter Solutions, Inc. at
1-877-SITTING



Women Elected to Municipal Government in Florida

Dear Members, Conference Guests and Spouses:

We invite you to join with us at our Annual Luncheon being held during the Florida League of Cities Conference, at the Westin Diplomat in Hollywood, Florida. This event will be on Friday, August 15th from 12:00 to 1:00 pm. We will also be holding our Annual Meeting on the same day from 5:00pm – 6:00pm

The annual luncheon is designed to encourage fellowship and networking amongst our members and guests, and increase awareness about the organization for non-members. Each year, we have a keynote address by a woman that has risen to the top of her chosen career and is making a significant difference in her community.

To reserve your place please complete the form below and mail it to the address shown below together with your check for \$40 (Member rate) or \$45 (Non-Member rate) payable to Women Elected to Municipal Government or WEMG. We must have your reservation by August 5th. If you would like to pay your membership at this time please feel free to do so. The membership fee is \$30.

We look forward to having you join us for lunch and our annual meeting on August 15th!

Sincerely,
Stephany Eley
President, Women Elected to Municipal Government

Reservation Form Clip and return with your check to the address below

Name Linda Hudson

Title if Elected Official Mayor

City City of Fort Pierce

Mailing Address P.O. Box 1480

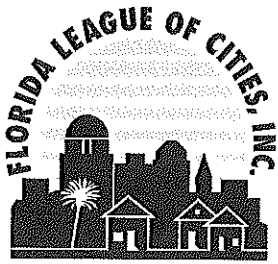
City, State and Zip Code Fort Pierce, FL 34950

Luncheon Payment: Member Rate \$40 Non - Member Rate \$45

Membership Fee Payment or Renewal \$30

Email Address lhudson@city-ftpierce.com

Luncheon Registration c/o Susan Adams, Treasurer
100 S Pine St, Fellsmere, FL 32948
Email: contact@wemg.org
Web site: www.wemg.org



Florida League of Cities
P.O. Box 1757
Tallahassee, FL 32302-1757

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Tallahassee, FL
PERMIT NO. 342

Hotel Registration Deadline:
July 18, 2014
Conference Registration Deadline:
August 1, 2014

City Commission Regular Meeting

Agenda Item # 9. f.

Meeting Date: 07/07/2014

Re: Comm. Alexander Travel to FLC - Aug

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Approval of Travel for Commissioner Alexander to attend the Florida League of Cities 88th Annual Conference on August 14-16, 2014 in Hollywood, Florida in the total amount of \$1,190.65.

SUMMARY:

Florida League of Cities Annual Conference focusing on how technology can be used to improve city services, how we conduct business and what Florida cities of the future will look like.

RECOMMENDATION:

Approve travel request.

ALTERNATIVES:

Deny travel request.

RESPONSIBLE STAFF:

Linda W. Cox, City Clerk

COORDINATED WITH:

Commissioner Alexander

Fiscal Impact

Budgeted Y/N: No

Fiscal Year:

Account:

Amount: 1190.65

OTHER INFORMATION:

Commission travel budget has been exceeded for the year.

Attachments

Travel.FLC

REGISTRATION INFORMATION

Florida League of Cities
 P.O. Box 1757
 Tallahassee, FL 32302
 (850) 222-9684

TRAVEL EXPENSE STATEMENT

HOTEL INFORMATION

Westin Diplomat
 3555 S. Ocean Dr
 Hollywood, FL
 (954) 602-6000

DATE: **6/27/2014**

- 1. TRAVELER'S NAME: Rufus Alexander
- 2. DEPARTURE DATE: 8/14/2014
- 3. RETURN DATE: 8/17/2014
- 4. DESTINATION: Hollywood, FL
- 5. CODE CHARGE: _____
- 6. AMT BUDGETED: _____

- DEPARTMENT: Mayor and Commission
- DEPARTURE TIME: 11:00 a.m.
- RETURN TIME: 12:00 p.m.
- PURPOSE: Annual Conference
Florida League of Cities

7. BALANCE AVAILABLE: _____

Expenses must comply with City Code of Ordinances 1-158.
 Per Diem Allowance \$50.00 or \$12.50 per quarter day.
 Class A Travel 24-hour day.

- * REGISTRATION FEE:
- * HOTEL BILL: Confirmation #
- BAGGAGE ALLOWANCE (\$5 PER PERSON)
- * COMMUNICATION:
- * FARES: AIR FARE
- * TAXI, BUS
- * CAR RENTAL
- * MILEAGE @ 0.565 235.2
- * GASOLINE EXPENSE
- * TOLL ROAD FEES OR PARKING FEES
- * MISC. EXPENSES

PREPAID EXPENSES	CREDIT CARD	ESTIMATED CASH EXPENSES	ACTUAL CASH EXPENSES
	425.00		
170.00		340.00	
		5.00	
		132.89	
		40.00	
		8.00	
		16.00	
		40.00	
		0.00	
		4.16	
		9.60	

- MEALS
- 1 BREAKFAST @ \$8.00
- 2 LUNCH @ \$8.00
- 2 DINNER @ \$20.00
- SPECIAL LUNCHEON/BANQUET
- 6.5% STATE TAX
- 15% GRATUITIES

BREAKFAST = When travel begins before 6:00 a.m. and extends beyond 8:00 a.m.
 LUNCH = When travel begins before 12:00 noon and extends beyond 2:00 p.m.
 DINNER = When travel begins before 6:00 p.m. and extends beyond 8:00 p.m.

TOTALS	170.00	425.00	595.65	
---------------	--------	--------	--------	--

ADVANCE CASH RECEIVED: _____
 REFUND DUE CITY: _____
 REFUND DUE EMPLOYEE: _____

TRAVEL APPROVED BY: _____
 DEPARTMENT SUPERVISOR

 CITY MANAGER
 (220 WITH CITY MANAGER
 SIGNATURE ACCEPTED)

EXPENSES ARE ALSO INCLUDED
 FOR THE FOLLOWING PERSONS:

Paid registration
is required to receive
housing information,
so sign up early!
See pages 8-9
for details.

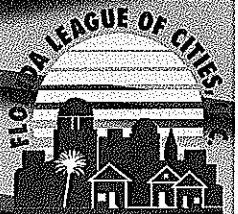


CITIES TAKE ON TECHNOLOGY

FLORIDA LEAGUE OF CITIES
88TH ANNUAL CONFERENCE

REGISTRATION INFORMATION

August 14-16, 2014 • Westin Diplomat • Hollywood, FL



PRESIDENT'S INVITATION TO THE FLORIDA LEAGUE OF CITIES 88TH ANNUAL CONFERENCE



Dear Friends:

The 88th Annual Conference of the Florida League of Cities will be held August 14-16, 2014, at the Westin Diplomat Hotel in Hollywood. This year's conference theme – **Cities Take on Technology** – will explore, among many other areas of interest, the future of technology and how it will affect Florida's cities and what cities must do to prepare for the anticipated changes. These three days will be packed full of educational opportunities!

The many workshops scheduled throughout the conference will provide information that we as city officials can use as we serve our cities and citizens. The general sessions with powerful keynote speakers will be thought-provoking. And, the timely information provided through the workshops and special participants from the state and national-level will be invaluable.

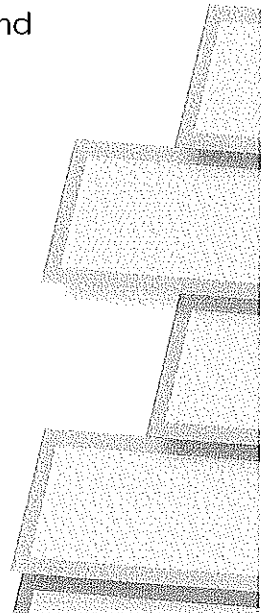
The schedule includes nationally recognized speakers. **Jim Loehr** is a world-renowned performance psychologist and author of *The Only Way to Win*. In his book, he argues that it's not about what you achieve in life, but instead who you become as a result of the pursuit of achievement. **Bill Strickland**, president and CEO of the Manchester Bidwell Corporation, will share his inspiring story of how he grew up out of poverty to form one of the most acclaimed social organizations in the world. We are also excited to hear from NLC President **Chris Coleman**, mayor of St. Paul, Minnesota.

We are very excited about this year's conference and hope you'll plan to attend. When we come together with an opportunity to share information – successes and challenges – we all grow and succeed. I look forward to seeing you in Hollywood as we take on technology—and strengthen our cities through networking, information sharing and continued educational opportunities.

Sincerely,

A handwritten signature in black ink that reads "P.C. Wu". The signature is written in a cursive, flowing style.

P.C. Wu, FLC President
Councilmember, City of Pensacola



GENERAL INFORMATION

Technology is the focus of the 2014 annual conference. How can technology be used to improve city services? How is technology affecting the way we conduct city business? What will the Florida city of the future look like? These topics and more will be explored through our informative line-up of topical workshops and engaging speakers. You'll also have plenty of opportunities to network and share ideas with your colleagues from throughout the state.

LOCATION/DATES

Westin Diplomat - Hollywood, FL
Thursday, August 14 - Saturday, August 16, 2014

REGISTRATION HOURS

Thursday, August 14	8:00 a.m. - 7:00 p.m.
Friday, August 15	7:00 a.m. - 5:00 p.m.
Saturday, August 16	8:00 a.m. - 4:00 p.m.

REGISTRATION FEES

City/County/Government (\$425), Corporate/Other (\$595) and Guest (\$125): These fees cover your name badge, admission to all conference sessions and the exhibit hall, refreshment breaks, Friday's membership networking event, Saturday's Past Presidents' Luncheon and the Inaugural Celebration Saturday night.

NOTE: Registrants are defined as any elected government official, or any employee of governments, organizations or corporations. **Guests** are defined as spouses, partners or other non-professional relations of conference delegates. Guest registration **may not** be used for other elected government officials, staff or company representatives

Teen Guest 13-18 years (\$20) and Child Guest 3-12 years (\$15)

These fees cover your name badge, admission to the exhibit hall, Friday's membership networking event and refreshment breaks. **Teen and child guest registration does not include Saturday's Past Presidents' Luncheon or Inaugural Celebration.**

Exhibit Hall Pass (\$20)

This pass allows family members and guests who are not registered for the conference to visit our vendors on Thursday and Friday. Passes permit access to the exhibit hall on Thursday afternoon, Thursday evening and Friday morning. The pass allows access to all events in the exhibit hall, as well as Friday's membership networking event. **The pass is not good for any other conference events, and is not equivalent to a registration.**

Youth Council Program (\$45)

This fee covers all Youth Council Program activities on Saturday, plus lunch. See page 13 for details and registration information.

DEADLINES

Registration – Conference registration forms must be postmarked on or before **Friday, August 1, 2014**. If you are unable to meet this deadline please register on-site. **NOTE: Registration fees will increase to \$455 for government and \$625 for corporate registrants for all registrations done on-site**, so we encourage you to register in advance.

HOTEL RESERVATIONS

The cut-off date for reservations at the Diplomat is **July 18, 2014**. Reservations must be made via an FLC-provided security code only; no one will receive housing information until **after their paid** registration is received. Please see page 9 for more details.

CANCELLATION POLICY

Conference registration cancellations must be done in writing by mail, email or fax to the **Florida League of Cities, Inc., P.O. Box 1757, Tallahassee, FL 32302-1757; mhowe@flcities.com; or fax (850) 222-3806**. All cancellations received in the FLC office by 5:00 p.m., **Friday, August 1, 2014** will receive refunds, minus a **\$50.00** cancellation fee. Refunds will be issued after the conference. Hotel reservations must be cancelled no later than **72 hours** prior to the scheduled arrival date to avoid a penalty of one night's room and tax.

SPECIAL NEEDS

If you are physically challenged and require special services, or if you have special dietary needs (i.e. allergies or Kosher or vegetarian meals), please attach a written description to your registration form. Contact the hotel directly if you will need any special accommodations in your room.

FLC BOOKSTORE

Our keynote speakers are the authors of several books. A "bookstore" will be open during the conference to purchase many of these titles, and you'll have the opportunity to have them signed after each presentation.

CONTINUING EDUCATION CREDIT

Some of the conference's educational sessions may be eligible for continuing education credit through the Florida Bar and/or the Florida Board of Accountancy. It is the attendee's responsibility to submit these hours for approval. FLC will provide sign-in sheets at each session and will send certificates of attendance to all delegates who complete the sign-in sheets.

LIVE FEEDS VIA TWITTER AND FACEBOOK

The League will be offering live updates via Twitter and Facebook during the conference. Follow the League at www.twitter.com/flcities or become a fan of the League on Facebook to participate.

THURSDAY IS CITY SHIRT DAY!

We encourage all of you to show your city spirit by wearing your city shirt on **Thursday, August 14**.

CONTACT INFORMATION

For additional information, please contact Barbara Solis by phone: (850) 222-9684; fax: (850) 222-3806; email: bsolis@flcities.com; or write to Florida League of Cities, P.O. Box 1757, Tallahassee, FL 32302-1757.

TENTATIVE PROGRAM

Workshop Topics

We are planning a variety of informative workshops to provide you with the tools to help your city navigate the current economic, technological and political landscape. The specific workshop schedule will be posted to our website as soon as it is available, so check for updates! Topics being considered include:

- Cloud Technology
- Council-Manager Relations
- Crisis Communications
- Cyber Security
- Disaster Recovery
- Economic Development
- Engaging Citizens through Technology
- Ethics
- Future of Technology
- Health Care Costs
- Homelessness
- Impact of Rising Sea Levels
- Leadership
- Pension Reform
- Technology in the Sunshine
- Telecommunications
- Working with a Small Staff

THURSDAY, AUGUST 14

8:00 a.m. - 9:00 a.m.

**Florida League of Mayors
Nominating Committee Meeting**

8:00 a.m. - 7:00 p.m.

Registration Desk Open

9:00 a.m. - 12:00 p.m.

Broward County Ethics Workshop

11:30 a.m. - 12:30 p.m.

Florida League of Mayors Business Meeting

For more information, contact Jenny Anderson at (850) 222-9684.

12:00 p.m. - 7:30 p.m.

Municipal Marketplace Open

12:00 p.m. - 5:00 p.m.

Technology Center Open

Need to check the local news? Are you looking for that important email? Just want to browse

the Internet or catch up on some work? Need to charge your phone? The Florida League of Cities Technology Center provides you the perfect place to do all that with eight PCs and staff to assist you. Please note that children must be supervised while in this area.

12:30 p.m. - 1:30 p.m.

**Florida League of Mayors
Board of Directors Meeting**

1:00 p.m.

Beginning of League Conference Events

1:00 p.m. - 3:00 p.m.

"Cities 101" Workshop

If you are newly elected or newly appointed, this "crash course" is designed for you. Details about Florida municipalities, services and governing challenges will be discussed. This is a prequel to the popular Institute for Elected Municipal Officials, but is not a substitute for the three-day IEMO class.

1:00 p.m. - 3:00 p.m.

Legislative Policy Committee Meetings

- Energy, Environment and Natural Resources
- Finance, Taxation and Personnel
- Growth Management and Economic Development
- Transportation and Intergovernmental Relations
- Urban Administration

3:00 p.m. - 4:00 p.m.

Resolutions Committee Meeting

3:15 p.m. - 5:15 p.m.

Workshops

4:00 p.m. - 5:00 p.m.

International Relations Committee Meeting

5:15 p.m. - 6:00 p.m.

First-Time Attendees' Orientation

If this is your first FLC Conference - Welcome! This workshop will acquaint you with the League, the conference program (with tips for the best use of your time), how to get involved in your local or regional league, FLC legislative policy committees and other municipal services.

6:00 p.m. - 7:30 p.m.
**President's Welcome Reception
in Municipal Marketplace**

FRIDAY, AUGUST 15

7:00 a.m.
First Annual 5K Fun Run
See page 8 for more details.

7:00 a.m. - 8:30 a.m.
**Florida Black Caucus of Local Elected Officials
Breakfast**
To be eligible to attend, a membership application and paid dues must be submitted. Membership applications can be obtained at www.fbc-leo.org. For more information regarding FBC-LEO visit their website or call (941) 723-4500.

7:00 a.m. - 9:00 a.m.
**Continental Breakfast in
Municipal Marketplace**

7:00 a.m. - 1:00 p.m.
Municipal Marketplace Open

7:00 a.m. - 5:00 p.m.
Registration Desk Open

8:00 a.m. - 9:00 a.m.
Workshops

8:00 a.m. - 5:00 p.m.
Technology Center Open

9:15 a.m. - 10:00 a.m.
Workshops

10:15 a.m. - 11:45 a.m.
Opening General Session
Featuring the presentation of the E. Harris Drew Award and a keynote presentation.

11:45 a.m. - 1:00 p.m.
Sidewalk Café in Municipal Marketplace

12:00 p.m. - 1:00 p.m.
**Women Elected to Municipal Government
Luncheon**
Luncheon by invitation only. If you do not receive your invitation, please contact WEMG at contact@wemg.org. See letter on page 15 for details.

1:30 p.m. - 2:15 p.m.
Workshops

2:30 p.m. - 3:45 p.m.
Workshops

4:00 p.m. - 5:00 p.m.
Workshops

6:00 p.m. - 7:00 p.m.
Membership Networking Event

Evening Open

SATURDAY, AUGUST 16

7:30 a.m. - 8:30 a.m.
**Various Local/Regional League
Breakfast Meetings**
Contact your local league for more information.

7:30 a.m. - 4:00 p.m.
Registration Desk Open

8:00 a.m. - 5:00 p.m.
Technology Center Open

8:30 a.m. - 9:00 a.m.
Voting Delegate Registration Open

9:00 a.m. - 10:30 a.m.
Annual Business Meeting

9:00 a.m. - 4:00 p.m.
Youth Council Program
See page 12 for details and registration information.

10:45 a.m. - 12:15 p.m.
Second General Session
Featuring recognition of the Years of Service awards and a keynote presentation.

12:30 p.m. - 2:15 p.m.
**Past Presidents' Luncheon and
Installation of New President**

2:30 p.m. - 4:00 p.m.
Workshops

6:00 p.m. - 10:00 p.m.
Childcare Provided
Pre-registration required. See enclosed form to register.

6:30 p.m. - 9:30 p.m.
Inaugural Celebration
Step into the future for this year's Inaugural Celebration! Experience futuristic lights and sounds, enjoy thrilling games and maybe have your picture taken with a Stormtrooper or two. The event will include a buffet-style dinner and plenty of fun so be sure to attend!

Schedule and speakers subject to change.

KEYNOTE SPEAKERS



Chris Coleman

Mayor **Chris Coleman** is president of the National League of Cities and mayor of St. Paul, Minnesota. As mayor, Coleman has been an advocate for education and public safety, and was instrumental in championing the Central Corridor Light Rail line – the largest transit project ever undertaken in the state of Minnesota. These efforts and initiatives are all accomplished with sound fiscal management in mind and guided by a passion for the City of St. Paul. Bridging the education gap for children has been at the core of Mayor Coleman's agenda. He has recently

introduced revolutionary programs such as the Promise Neighborhood and Sprockets, which focus on how students spend their crucial time outside of the classroom. Mayor Coleman has marshaled the best minds and resources to enrich the lives of children by extending social and academic opportunities beyond the school day, opening new doors of opportunity to a better life, and creating a safe environment for them to live and play. Mayor Coleman is a strong advocate for police, fire and emergency management services, committed to building world-class departments that set the standard for service to residents and community. He continues to invest in emergency personnel and training, as well as improved technology to assist them in keeping our communities safe.



Jim Loehr

The Only Way to Win draws on world-renowned performance psychologist and *New York Times* bestselling author **Jim Loehr**, Ph.D., who has more than 30 years of riveting insights into the world of high achievement. *The Only Way to Win* counters society's promise that great achievements will bring lasting happiness and fulfillment. Specifically, Loehr finds that the blind pursuit of external achievement often results in emptiness, addiction and, ironically, poor performance. It's not really about what you achieve, he argues, it's about who

you become as a consequence of the chase. Loehr will give an eye-opening and thought-provoking presentation that will challenge how you think about achievement in your life and in the lives of those around you. In the November 2012 issue of *Fortune* magazine, special contributor Verne Harnish mentions *The Only Way to Win* as one of five "Must Read Business Books of the Year."



Bill Strickland

Bill Strickland is a mesmerizing speaker who will inspire you to make a difference, in your life and in the lives of those around you. Ever-gracious, he delivers a profoundly simple, optimistic message for leaders: give people the tools they need, treat them with respect, and they will perform miraculous deeds. He also delves into his story of hope: of how a kid from Pittsburgh's ghetto would go on to lecture at Harvard and serve on the board of the National Endowment of the Arts; of his meeting with a pottery teacher who would change his life; and of

growing a near-bankrupt community center into one of the most acclaimed social organizations in the world. Throughout, he shares his powerful set of beliefs: for example, that we all make ourselves "poor" in one way or another when we accept that we are not smart, experienced, or talented enough to accomplish something. A successful life is not something you simply pursue – it is something that you create, moment by moment.

ADDITIONAL ACTIVITIES

OFF-SITE ACTIVITIES

The Westin Diplomat provides a professional concierge desk to answer all questions regarding what to do, where to dine and how to get there, as well as brochures on area attractions, shopping and restaurants. For complete information, please contact the Westin at (954) 602-6000 or visit their website at www.diplomatresort.com.

INAUGURAL FLC 5K FUN RUN

We will be holding the **Inaugural Florida League of Cities 5K Fun Run** on **Friday, August 15 at 7:00 a.m.** The course will take place on the beach right behind the hotel and is open to everyone participating in the conference. This will be a "fun run" and will not be a timed event. There is no charge for the event, but **pre-registration is required** (see main registration form). All participants will receive a T-shirt, water bottle and towel. Light refreshments will be provided after the race. So come on out and start your morning off right with a FUN RUN and great company!

SATURDAY NIGHT CHILDCARE

Childcare services will be available on **Saturday, August 16, from 6:00 p.m. until 10:00 p.m.** during the Inaugural Event. This service, provided by the League through Sitter Solutions, will be offered at no charge, but pre-registration is required.

The League will provide pizza, popcorn and drinks. Sitter Solutions will provide quality childcare with loads of activities and games. Toys will be provided for children 1-3 years old, as well as videos for quiet time. Pillows and blankets will also be available. This service is licensed, bonded, insured and CPR-trained, and there is no cost to you.

Agenda

6:00 p.m. - 6:30 p.m.	Registration
6:30 p.m. - 7:30 p.m.	Dinner
7:30 p.m. - 10:00 p.m.	Activities
10:00 p.m.	Closes

Please be sure to pick up your child by 10:00 p.m.

In order for us to provide this service, you will need to fill out the Childcare Registration Form on page 14 so we can determine how many sitters will be needed. Please return childcare forms to Barbara Solis, P.O. Box 1757, Tallahassee, FL 32302-1757 or fax to (850) 222-3806.

CONFERENCE HOUSING

The **Westin Diplomat** will serve as the conference hotel. It is located at 3555 S. Ocean Drive in Hollywood. The hotel's phone is (954) 602-6000. (**NOTE:** Reservations may be made via an FLC-provided code only. Please **do not** call the Westin to make reservations until you receive this code.) FLC has secured the reduced rate of **\$10** per day for self parking, and **\$20** per day for valet parking.

The landmark Westin Diplomat sits right on Hollywood Beach and features incredible views of the Atlantic. The hotel boasts a spectacular two-level, lagoon-style pool, a kids' club and many water activities. The nearby Diplomat Country Club offers top-of-the-line golf, tennis and spa facilities. Directly across the street from the hotel, the Diplomat Landing features shopping and dining opportunities, plus water taxi service. Visit the hotel's website at www.diplomatresort.com for more details. **The Westin is a smoke-free property.**

DIRECTIONS

From North: Take Interstate 95 South to Exit #18. Turn left onto Hallandale Beach Boulevard and proceed 3.5 miles. Turn left onto Ocean Boulevard (Route A1A). The hotel is located on the right.

From South: Take I-95 North to Exit #18. Turn right onto Hallandale Beach Boulevard. Proceed to Ocean Boulevard (Route A1A) and turn left. The hotel is located on the right.

From West: Take Interstate 75 East to Interstate 595 East. Then proceed to I-95 South. Take Exit #18 and turn left onto Hallandale Beach Boulevard. Proceed to Ocean Boulevard (Route A1A) and turn left. The hotel is located on the right.

ROOM RESERVATIONS – IMPORTANT – PLEASE READ

In order to protect our room blocks for conference registrants, it is our policy that no one will receive housing information **until we have received your PAID registration**. Once your registration is paid, you will be sent housing information via email. (If you do not have an email address, we will mail or fax the information to you.) **NOTE:** If you register online, but choose to mail in your check, you will not receive your housing information until your registration is **paid**.

Please note that the reservation cut-off date at the Westin is **July 18, 2014**, and the rate is **\$170/night**. It is important that you register for the conference early so you have plenty of time to make your reservations. **Availability is on a first-come, first-served basis.**

Remember that we are unable to guarantee reservations for anyone, nor the exact date on which the hotel block will sell out, **so please register early.**

REGISTRATION INFORMATION

EMAIL, FAX OR MAIL REGISTRATIONS

Use the enclosed registration form to register for the conference. Register early to avoid delays. Email or fax your registration with Visa or MasterCard payment as directed at the top of the form, or mail your registration with payment to the address at the top of the form. No purchase orders or telephone registrations will be accepted.

ONLINE REGISTRATION

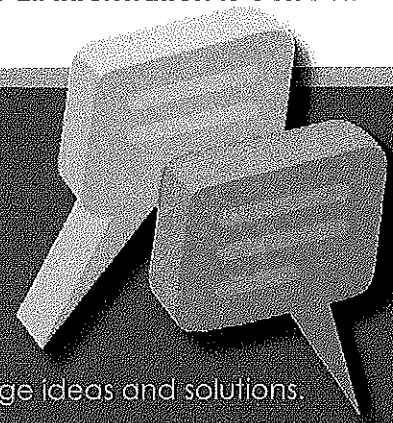
You can register online by accessing the Florida League of Cities' Web site at www.floridaleagueofcities.com. Simply fill out the online registration, select your method of payment and your registration will automatically be sent to the Florida League of Cities. For your convenience, the costs for all registration choices are automatically totaled for you.

Remember: A user name and password are required to access online conference registration. If you need help logging-in, please contact Melanie Howe at (850) 222-9684.

If you register online there are two payment options. You can send your registration fees by check to the Florida League of Cities, **(You are not registered until we receive your payment and you will not receive your housing information until your registration is paid.)** or, you can simply pay online with your Visa or MasterCard. Registrations submitted and paid online via credit card will automatically be marked as paid and you will receive your conference confirmation immediately via email. Conference confirmations include your registration information, totals and registration number for your reference. **Please check your confirmation carefully to verify that all information is correct. Please inform the League immediately of any errors.**

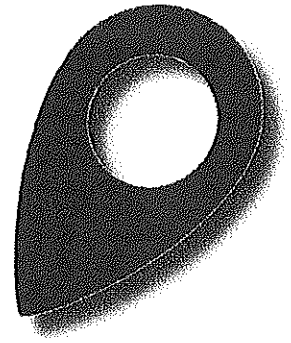
TOP REASONS TO ATTEND THE FLORIDA LEAGUE OF CITIES 88TH ANNUAL CONFERENCE IN HOLLYWOOD:

- Meet with colleagues and friends from around the state and exchange ideas and solutions.
- Learn about the latest developments in technology and how they will affect your city.
- Discover innovative ways to expand services and save tax dollars.
- Visit the Municipal Marketplace exhibits to get information to solve your city's problems.
- Gain inside information on the 2014 legislative session and find out what you need to do to get ready for 2015.
- Bring value back to your municipality as your return home a reenergized, renewed, educated and informed official.



The Florida League of Cities Annual Conference!
BE THERE!

REGISTRATION FEES



The registration fees for the 2014 annual conference are:

City/County/Government	\$425.00*
Guests	\$125.00
Guests (3-12 years)	\$15.00
Guests (13-18 years)	\$20.00
Corporate/Other	\$595.00*
Exhibit Hall Pass	\$20.00
Extra Luncheon Ticket	\$40.00
Extra Inaugural Celebration Ticket	\$50.00
Youth Council Program	\$45.00

***Registration fees will increase to \$455 for government and \$625 for corporate registrants for all registrations done on-site.**

City/County/Government (\$425), Corporate/Other (\$595) and Guest (\$125): These fees cover your name badge, admission to all conference sessions and the exhibit hall, refreshment breaks, Friday's membership networking event, Saturday's Past Presidents' Luncheon and the Inaugural Celebration Saturday night.

NOTE: Registrants are defined as any elected government official, or any employee of governments, organizations or corporations. **Guests** are defined as spouses, partners or other non-professional relations of conference delegates. Guest registration **may not** be used for other elected government officials, staff or company representatives.

Teen Guest 13-18 years (\$20) and Child Guest 3-12 years (\$15): These fees cover your name badge, admission to the exhibit hall, Friday's membership networking event and refreshment breaks. **Teen and child guest registration does not include Saturday's Past Presidents' Luncheon or closing night event.**

Exhibit Hall Pass (\$20): This pass allows family members and guests who are not registered for the conference to visit our vendors on Thursday and Friday. Passes permit access to the exhibit hall on Thursday afternoon, Thursday evening and Friday morning. The pass allows access to all events in the exhibit hall, as well as Friday's membership networking event. **The pass is not good for any other conference events, and is not equivalent to a registration.**

Youth Council Program (\$45): This fee covers all Youth Council Program activities on Saturday, plus lunch. See page 13 for details and registration information.

DEADLINES/CANCELLATIONS

Advance registration forms must be postmarked **on or before Friday, August 1, 2014**. If you are unable to meet this deadline, please register on-site at the conference registration desk.

Conference registration cancellations must be done in writing via email or fax to mhowe@flcities.com or **(850) 222-3806**. All cancellations received in the FLC office by 5:00 p.m., **Friday, August 1, 2014**, will receive refunds, minus a **\$50.00** cancellation fee. Refunds will be issued after the conference. **No refunds can be made after August 1 or for early departure from the conference.**

2014 FLC Annual Conference Registration Form

August 14-16, 2014 | Westin Diplomat | Hollywood

Florida League of Cities | P.O. Box 1757 | Tallahassee, FL 32302 | (850) 222-9684 | Fax (850) 222-3806 | mhowe@flcities.com

DELEGATE INFORMATION

Name: Rufus | Alexander
First M.I. Last

First Name or Nickname: Rufus
As You Wish to Appear on Badge

Title: Commissioner Affiliation: City of Fort Pierce
City, County, Government or Company

Mailing Address: P.O. Box 1480
Note: If you will be paying with a credit card below, please use the billing address for that card.

City: Fort Pierce State: FL Zip: 34950

Phone Number: (772) 467-3074 Fax Number: (772) 467-3841

Email Address (for confirmations): amartin@city-ftpierce.com
Please provide the address of the person who should receive the confirmation.

First-Time Attendee? Yes No Contact Person: Allison Martin

GUEST INFORMATION (Please complete only if registering a guest for the conference.)

Guest's Name: _____ First Name: _____
As You Wish to Appear on Badge

Child's Name: _____ Age: _____ First Name: _____
As You Wish to Appear on Badge

Child's Name: _____ Age: _____ First Name: _____
As You Wish to Appear on Badge

Registration Fees	No.	Fee	Total Fee
City/County/Government	<u>1</u>	@ \$425.00*	\$ <u>425.00</u>
Corporate	_____	@ \$595.00*	\$ _____
Guest	_____	@ \$125.00	\$ _____
Guest (13-18 years)	_____	@ \$20.00	\$ _____
Guest (3-12 years)	_____	@ \$15.00	\$ _____
Exhibit Hall Pass	_____	@ \$20.00	\$ _____

Optional Activities	No.	Fee	Total Fee
Friday, August 15			
5K Fun Run	_____	@ \$0.00	\$ _____
Extra Luncheon Ticket	_____	@ \$40.00	\$ _____
Extra Inaugural Celebration Ticket	_____	@ \$50.00	\$ _____
Total			\$ _____

***Note: Registration fees will increase to \$455 for government and \$625 for corporate for all registrations done onsite.**

Special Needs
 If you require special services, or have special dietary needs, please attach a written description to your registration form.

Registration
 Registration form must be accompanied by payment made payable to **Florida League of Cities**. Mail this form to: Florida League of Cities, P.O. Box 1757, Tallahassee, FL 32302-1757. Registration forms must be postmarked by **August 1, 2014**.
Remember: You will not receive housing information until we have received your **PAID** registration.

Email or Fax Registration
 Registration forms with Visa or MasterCard payments can be emailed to mhowe@flcities.com or faxed to (850) 222-3806.

Cancellation Policy
 All cancellations received in writing via email or fax to mhowe@flcities.com or (850) 222-3806 and received by 5:00 p.m., **Friday, August 1, 2014**, will receive refunds, minus a **\$50.00** cancellation fee. Refunds will be issued after the conference. **No refunds can be made after August 1 or for early departure from the conference.**

Credit Card Information
 Credit Card type: MasterCard Visa
 Number: _____ Exp. Date: _____
 Account Name: _____
 Signature: _____

2014 FLC Youth Council Program

Saturday, August 16, 2014 | 9:00 a.m. - 4:00 p.m. | Westin Diplomat | Hollywood

Florida League of Cities | P.O. Box 1757 | Tallahassee, FL 32302 | (850) 222-9684 | Fax (850) 222-3806 | sberrian@flcities.com

We are pleased to invite youth councils from throughout the state to participate in the annual conference. Attendees will learn about issues facing municipalities across the country and have the opportunity to network with other Florida youth councils.

The registration fee for this program is **\$45** per person and includes the keynote presentation during Saturday's general session, lunch and youth-targeted presentations **For more information please contact Sharon Berrian at (850) 222-9684.**

Please complete one form per youth council. The form may be duplicated if you are registering more than six people.

Youth Council Name: _____

Contact Person: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Email: _____ Contact Cell Phone: _____

Name: _____ Student Chaperone

Name: _____ Student Chaperone

Name: _____ Student Chaperone

Name: _____ Student Chaperone

Name: _____ Student Chaperone

Name: _____ Student Chaperone

Registration Fee = \$45* per person if received by Friday, July 25, 2014.

*This fee increases to **\$55** per person if received after Friday, July 25, 2014. The final deadline for registration is **Friday, August 1, 2014.**

Total Amount Enclosed: \$ _____

Method of Payment: Check (payable to Florida League of Cities) Visa MasterCard

Credit Card Number: _____ Exp. Date: _____

Billing Address (if different from above): _____

City: _____ State: _____ Zip: _____

Cardholder's Name: _____ Cardholder's Signature: _____

Mail checks to Florida League of Cities, P.O. Box 1757, Tallahassee, FL 32302

Fax Visa or MasterCard payments to (850) 222-3806, Attn: Robert Pittman

Email Visa or MasterCard payments to: rpittman@flcities.com

Youth council registration cancellation must be done in writing via email or fax to sberrian@flcities.com or (850) 222-3806. All cancellations received in the FLC office by 5:00 p.m., **Monday, August 4, 2014**, will receive refunds. Refunds will be issued after the conference.

Florida League of Cities

INAUGURAL CELEBRATION CHILDCARE

Saturday, August 16, 2014 | 6:00 p.m. - 10:00 p.m. | Westin Diplomat | Hollywood



Sitter Solutions, Inc.
Pre-Registration Form

Parent Name: _____ Phone () _____
 Address: _____ Cell Phone: _____
 City: _____ State: _____ Zip/Postal Code: _____

Please list each child's name, age and any allergies or special needs as indicated below.

Child Name	Age	Allergies/ Special Needs

Who is authorized to pick up your child?

Name: _____	Relationship: _____
Name: _____	Relationship: _____

1. The undersigned parent/guardian, for himself or herself, and his or her heirs, successors and/or assigned, hereby releases, acquits and fully discharges, Sitter Solutions and their respective shareholders, officers, directors, agents, employees, representatives, predecessors, successors and assigns from any and all claims, suits, sums of money, judgments, executions, damages, losses, expenses of any kind including without limitation, court demands, causes of actions and rights whatsoever, known or unknown contingent or otherwise, that parent, guardian or child might have, in whole or in connection with directly or indirectly, in the provision of child care services and or any use by parent/guardian or their children at such facility.
 2. Parent/guardian may not bring toys, jewelry, valuables or medications into child care facility. Sitter Solutions, Inc. will not be responsible for such items and will not administer medication of any kind.
 3. Parent/guardian warrants that the child has no allergies or disabilities, which have not been noted above.
 4. This agreement shall be interpreted and construed under and in accordance with the laws of the State of Florida.
 5. I hereby grant permission for Sitter Solutions, Inc. to take whatever steps necessary to obtain emergency medical care if warranted. If the parent cannot be reached emergency personnel will be called.
 6. I hereby give permission for photographs/video to be taken of my child (ren) while attending a Sitter Solutions, Inc. children's convention. These photographs/video may be used for Sitter Solutions, Inc.
- This will serve as my authorization to Sitter Solutions, Inc.

Signature

Relationship

For more information, call Sitter Solutions, Inc. at
1-877-SITTING



Women Elected to Municipal Government in Florida

Dear Members, Conference Guests and Spouses:

We invite you to join with us at our Annual Luncheon being held during the Florida League of Cities Conference, at the Westin Diplomat in Hollywood, Florida. This event will be on Friday, August 15th from 12:00 to 1:00 pm. We will also be holding our Annual Meeting on the same day from 5:00pm – 6:00pm

The annual luncheon is designed to encourage fellowship and networking amongst our members and guests, and increase awareness about the organization for non-members. Each year, we have a keynote address by a woman that has risen to the top of her chosen career and is making a significant difference in her community.

To reserve your place please complete the form below and mail it to the address shown below together with your check for \$40 (Member rate) or \$45 (Non-Member rate) payable to Women Elected to Municipal Government or WEMG. We must have your reservation by August 5th. If you would like to pay your membership at this time please feel free to do so. The membership fee is \$30.

We look forward to having you join us for lunch and our annual meeting on August 15th!

Sincerely,
Stephany Eley
President, Women Elected to Municipal Government

Reservation Form Clip and return with your check to the address below

Name _____

Title if Elected Official _____

City _____

Mailing Address _____

City, State and Zip Code _____

Luncheon Payment: Member Rate \$40 _____ Non - Member Rate \$45 _____

Membership Fee Payment or Renewal \$30 _____

Email Address _____

Luncheon Registration c/o Susan Adams, Treasurer
100 S Pine St, Fellsmere, FL 32948
Email: contact@wemg.org
Web site: www.wemg.org



Florida League of Cities
P.O. Box 1757
Tallahassee, FL 32302-1757

First Class
U.S. Postage

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Tallahassee, FL
PERMIT NO. 342

Hotel Registration Deadline:

July 18, 2014

Conference Registration Deadline:

August 1, 2014

City Commission Regular Meeting

Agenda Item # 9. g.

Meeting Date: 07/07/2014

Re: Lease Agreement - FPHA Williams Center Police Substation

Submitted For: Sean Baldwin, Chief of Police, Police Department

SUBJECT:

Approval of a Lease Agreement between the Police Department and the Fort Pierce Housing Authority for the provision of a police substation at the Williams Center, located at 3104 Avenue J, at the cost of \$1 per year.

SUMMARY:

The substation located at the Williams Center will serve as the headquarters for the police department's crime prevention and community policing units. This substation is uniquely designed to co-locate police officers with the Boys and Girls Club's Garden Terrace Unit, which is also moving into the center. Additionally, the same building will serve as a community center and recreation facility which will increase engagement within the neighborhood.

This lease is being offered to the police department for \$1 per year, with all building, maintenance, and utilities expenses provided by FPHA. There is no operational impact on the police department's budget. This lease has been reviewed and approved by City Attorney Robert Schwerer.

The police department hopes to occupy this facility on July 11, 2014.

RECOMMENDATION:

Approval

ALTERNATIVES:

None

RESPONSIBLE STAFF:

Chief Baldwin

COORDINATED WITH:

FPHA Staff, City Attorney

Fiscal Impact

Budgeted Y/N: Y

Fiscal Year: FY2014

Account:

Amount: 1.00

OTHER INFORMATION:

Lease is provided at \$1 per year, including all building, maintenance, and utility expenses.

Attachments

Substation Lease

LEASE AGREEMENT

This lease agreement is made and entered into by and between the Housing Authority of the City of Fort Pierce, Florida (hereinafter "Landlord"), and the City of Fort Pierce, Florida, a municipal corporation (hereinafter "Tenant").

WITNESSETH:

1. LEASED PREMISES: The Landlord hereby leases to the Tenant, and the Tenant leases from the Landlord, upon the terms and conditions set forth herein, the premises located at The Williams Center, 3104 Avenue J, Rooms 105-117, Fort Pierce, Florida for the use and operation by Tenant as a police sub-station for the City of Fort Pierce Police Department.

2. TERMS OF LEASE: The term of this lease shall be for ten (10) years beginning on _____, 2014 and ending _____, subject to the right of either party to terminate this lease as hereinafter set forth. Thereafter, Tenant shall have the option to renew this lease annually by giving thirty (30) days prior written notice to the Landlord.

3. RENT AMOUNT: Tenant agrees to pay to Landlord for the rental of said premises the sum of \$1.00 per year, payable annually. In addition, Tenant shall pay sales tax on all lease payments, if applicable.

4. CONDITION OF PREMISES: Tenant has examined the premises before executing this lease, and its entry into possession of said premises shall constitute its acceptance of the premises as to the same being in good order and condition.

5. LANDLORD'S MAINTENANCE OBLIGATIONS: Landlord at its own cost and expense shall keep and maintain the premises in good repair; however, any repairs or maintenance expenses which are incurred as a result of the misuse of said premises or the willful or negligent act of the Tenant or of its agents, servants, or invitees shall be paid by Tenant.

6. TENANT'S MAINTENANCE OBLIGATIONS: Tenant agrees to keep the premises in a clean and sanitary condition, and agrees to make no alterations or changes to the leased premises without the prior written consent of the Landlord. Tenant shall neither commit nor permit any waste of the premises but shall take good care of the same, and upon termination of this lease shall surrender possession of said premises in as good condition as at the commencement of the lease, normal wear and tear excepted.

7. USE OF PREMISES: The Tenant is to make no unlawful, improper or offensive use of the premises, nor use the premises for any purpose other than use as a police sub-station for the City of Fort Pierce Police Department. Tenant will not assign nor sublet this lease without

Landlord's prior written consent. No assignment or sublease will relieve the assignor or sublandlord of any obligation under this lease. Each assignee or subtenant, by assuming such status, will become obligated to perform every agreement of this lease to be performed by the Tenant. Subtenant will be obligated to pay rent directly to Landlord only after sublandlord's default in payment and written demand from the Landlord to subtenant to pay rent directly to Landlord.

8. ANIMALS: Tenant shall not keep or allow dogs, cats, or other animals or pets on the leased premises. Service animals which accompany a disabled individual or trained police dogs with handlers are excepted from this prohibition.

9. TENANT'S RISK OF LOSS:

The loss of or damage to Tenant's property within its unit is not covered by Landlord's policy, as further specified in this Lease, and the risk of loss of Tenant's property whether by wind, water, fire, or act of God shall be borne by Tenant. Tenant agrees to give Landlord prompt written notice of any defect it finds in water pipes, electrical equipment, plumbing, heating or cooling devices, or any accident, or damage to any equipment within the unit.

10. SERVICES: Landlord agrees to furnish all utilities, including electric current and water, needed by the Tenant for the adequate operation of the premises, but Tenant agrees that it shall not unreasonably use water, electric current, or other utilities provided by the Landlord.

Tenant agrees to pay for its telephone, internet, and cable services and any and all other related services needed to operate its business.

11. TENANT'S INVITEES: Tenant agrees to cause any persons who are on the premises with Tenant's consent to conduct themselves in a manner that will not disturb any of the Landlord's other residents in the area or said residents' peaceful enjoyment of their accommodations at any time.

12. INSURANCE REQUIREMENTS: Tenant shall maintain at all times during the lease term, at Tenant's cost, general liability insurance protecting Tenant against bodily injury and property damage claims and demands that may arise or be claimed on account of Tenant's use of the premises. The limit of liability for such coverage shall be at least One Million (\$1,000,000) Dollars per occurrence, and One Million (\$1,000,000) Dollars in the aggregate. The insurance shall be written by a company or companies acceptable to Landlord, authorized to engage in the business of general liability insurance in the State of Florida. Tenant shall provide to Landlord annual certificates of insurance demonstrating that the insurance is

current and upon written request from Landlord copies of any insurance policies issued. The Certificate of Insurance shall provide that the carrier will provide thirty (30) day written notice to Landlord before cancellation of the policy shall be effected. The provisions herein shall in no way or manner deny to Tenant the defense of sovereign immunity for the limitation of liability.

It shall be the sole responsibility of Landlord to maintain property insurance coverage on the building and improvements on the demised premises, including all alterations and additions. Property insurance provided by Landlord shall not be required to provide coverage for loss or damage to Tenant's contents. It shall be the sole responsibility of Tenant to provide property insurance coverage to pay for loss or damage to Tenant's contents in the demised premises. If Tenant elects to maintain such coverage on Tenant's contents such coverage shall be paid for by Tenant.

If Tenant fails to furnish policies or certificates showing policies to be paid in full as provided in this lease, Landlord may obtain the insurance and the premiums for that insurance will be deemed additional rental to be paid by the Tenant to Landlord on demand. Failure to furnish proof of all necessary policies and certificates shall be considered a default under the terms of this lease.

13. IF PREMISES UNUSEABLE: If the leased premises shall be rendered substantially untenable by fire or other casualty or by the taking of the property under the power of eminent domain, this lease may thereupon be terminated upon notice by either party.

14. LANDLORD'S REENTRY UPON BREACH: If Tenant should breach any condition or provision contained in this lease and if said breach is not fully remedied within five (5) days after written notice from Landlord, the Landlord shall have the right at its option to re-enter the premises and annul this lease. In order to entitle the Landlord to re-enter, it shall not be necessary to give any other notices or make any other demands whatsoever.

15. NOTICES: All notices and demands to be given by either party to the other in connection with this lease shall be given as follows:

a) If to the Tenant, said notices and demands shall be sent by U.S. mail, or hand delivered to: Chief of Police, P.O. Box 1149, Fort Pierce, FL 34954; with copy to: City Manager, City of Fort Pierce, Florida, P.O. Box 1480, Fort Pierce, FL 34954.

b) If to the Landlord, said notices and demands shall be sent by U.S. mail, or hand delivered to: Executive Director, The Housing Authority of the City of Fort Pierce, Florida, 511 Orange Avenue, Fort Pierce, Florida 34950; with copy to: E.

Clayton Yates, Yates & Mancini, LLC, 112 Orange Avenue, Fort Pierce, FL 34950.

16. **PERSONAL PROPERTY:** All personal property belonging to the Tenant or to any other person brought upon or otherwise located in or upon the leased premises shall be at the sole risk of the Tenant or such other person and not the Landlord. The Landlord shall be under no duty or obligation to carry any insurance on any property of the Tenant or other parties which is located in or on the leased premises.

17. **POTENTIALLY DANGEROUS MATERIAL:** All hazardous waste, infectious materials, etc., if any, generated by Tenant in the leased space will be disposed of properly at Tenant's expense in accordance with state, county and local government requirements.

18. **ATTORNEY'S FEES AND COSTS:** In the event of any action at law to enforce any of the terms of this lease contract, the prevailing party in such litigation shall be entitled to recover all reasonable attorneys' fees incurred and all court costs. This shall include appellate attorney's fees and court costs.

19. **EARLY TERMINATION:** It is further agreed by both parties hereto that if either party desires to terminate this lease prior to the end of the lease term, that not less than thirty (30) days' notice of termination shall be given to the other party in writing, and in that event the lease shall terminate after the expiration of said thirty (30) day period. In the event of such termination, the parties will enter into a joint agreement that will provide for the disposition of any fixed improvements placed on the premises by the Tenant. Failure for any reason to enter into such a joint agreement shall not, however, extend the termination date.

20. **TENANT INSOLVENCY:** If Tenant is declared insolvent or adjudicated a bankruptcy; if leasehold interest is sold under execution of a trustee in bankruptcy; or if a receiver is appointed for Tenant, Landlord, without prejudice to its rights hereunder and at its option, may terminate this lease.

21. **NO WAIVER OF REMEDIES:** The exercise by Landlord of any right or remedy to collect rent or enforce its rights under this lease will not be a waiver or preclude the exercise of any other right or remedy afforded Landlord by this lease agreement or by statute or law. The failure of Landlord in one or more instances to insist on strict performance or observation of one or more of the covenants or conditions of this lease or to exercise any remedy, privilege, or options conferred by this lease on or reserved to Landlord shall not operate or be construed as a relinquishment or future waiver of the covenant or condition or the right to enforce it or exercise that privilege, option or remedy; that right shall continue in full force and effect. The receipt by

Landlord of rent or any other payment or part payment required to be made by the Tenant shall not act to waive any other additional rent or payment then due. Even with the knowledge of the breach of any covenant or condition of this lease, receipt will not operate as or be deemed to be a waiver of this breach, and no waiver by Landlord of any of the provisions of this lease, or any of Landlord's rights, remedies, privileges, or options under the lease, will be deemed to have been made unless made by the Landlord in writing.

No surrender of the premises for the remainder of the term will be valid unless accepted by Landlord in writing.

22. GOVERNING LAW, VENUE: This lease will be governed by the laws of the State of Florida, as to both interpretation and performance. Venue is agreed to be Saint Lucie County, Florida.

23. SUCCESSORS, ASSIGNORS WILL BE BOUND: The terms of this lease will be binding on the respective successors, representatives and assigns of the parties.

24. AMENDMENTS: This agreement may be amended in writing by the mutual agreement of both parties.

25. ENTIRE AGREEMENT: This lease agreement contains the entire understanding and agreement of the parties. All agreements and representations relating to the leased premises, whether oral or written, made by and between the parties, either personally or with their authorized agents prior to the execution and acceptance of this lease agreement, are deemed to have been performed and discharged. Headings and subheadings in this lease agreement are inserted for convenience of reference only and are not to be considered in the construction of the provisions hereof. Each of the parties hereto has read and understands this lease, and all prior covenants, agreements, and representations are superseded by this lease.

IN WITNESS WHEREOF, Landlord and Tenant have duly executed this lease agreement on this _____ day of _____, 2014.

Attest:

THE HOUSING AUTHORITY OF THE CITY OF
FORT PIERCE, FLORIDA

Board Secretary

Andrea Kochanowski, Executive Director

APPROVED AS TO FORM AND CORRECTNESS

By: _____

E. Clayton Yates, General Counsel

THE CITY OF FORT PIERCE, FLORIDA

Attest:

Linda Cox, City Clerk

By: _____

Robert J. Bradshaw, City Manager

APPROVED AS TO FORM AND CORRECTNESS

By: _____

Robert V. Schwerer, City Attorney

City Commission Regular Meeting

Agenda Item # 9. h.

Meeting Date: 07/07/2014

Re: Enterprise Zone coordinator

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Approval of the appointment of Linda W. Cox, City Clerk, as the Florida Enterprise Zone coordinator.

SUMMARY:

Currently, the City's Enterprise Zone program is coordinated by Linda Whalen, Urban Redevelopment. Because the City Clerk's office has daily interaction with our local businesses and generates the information necessary to file the reports required by the program, staff recommends that the program be transferred to the Clerk's Office for coordination, promotion and reporting. Ms. Cox also serves on the City's Economic Development Team which will utilize the program when working with businesses.

RECOMMENDATION:

Approve the appointment of Linda Cox.

ALTERNATIVES:

Do not appoint Linda Cox.

RESPONSIBLE STAFF:

Linda W. Cox, City Clerk

COORDINATED WITH:

Nicholas Mimms, Deputy City Manager and Linda Whalen, Grant Writer

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

Enterprise Zone Appt

City Commission Regular Meeting

Agenda Item # 9. i.

Meeting Date: 07/07/2014

Re: Increase of Existing Purchase Order #14-0706 for GFA International

Submitted For: Marc Meyers, Building Official, Building

SUBJECT:

Approval of an increase to Purchase Order #14-0706 with GFA International for continuation of plan review and inspections in the amount of \$80,000.00.

SUMMARY:

Due to the loss of our Plans Examiner, and the injury of a Building Inspector, our Department currently outsources some plan review, and inspections. GFA International has provided the skilled staff necessary to function in these areas. The existing Purchase Order #14-0 706 needs to be increased by \$80,000 to cover the expense of these professional services.

RECOMMENDATION:

Increase the existing Purchase Order #14-0706 with GFA International by \$80,000.

ALTERNATIVES:

N/A

RESPONSIBLE STAFF:

Marc Meyers, Building Official

COORDINATED WITH:

Kristie Kirstein, Senior Permit Specialist

Fiscal Impact

Budgeted Y/N: Y

Fiscal Year: 2014

Account: BUILDING

Amount: 80,000

FISCAL IMPACT:

There is no fiscal impact with this change. The necessary amount is available in the Building Department's budget.

City Commission Regular Meeting

Agenda Item # 9. j.

Meeting Date: 07/07/2014

Re: N. 2nd Street Interlocal Agreement

Submitted For: John Andrews, City Engineer, Engineering

SUBJECT:

Request approval of interlocal agreement between the City of Fort Pierce, Fort Pierce Utilities Authority, and St. Lucie County for the North Second Street Improvements.

SUMMARY:

North Second Street is a City owned and maintained roadway, which provides primary access into the Port of Fort Pierce. This project involves total reconstruction of North Second Street, including relocation and upgrading of all existing utilities and construction of a new stormwater management system. The utilities that will be relocated and upgraded include water mains, sanitary sewer system, sanitary sewer lift stations, natural gas mains and electrical systems. The road construction will include new pavement, curb and gutter, sidewalks, stormwater collection system, detention ponds, landscaping and streetlights.

St. Lucie County has amassed funding for engineering and construction and Fort Pierce Utilities Authority has agreed to funding the utility upgrades and relocations. The City's obligation will be construction inspection and maintenance of the roadway upon completion. The total construction budget for this project totals \$6,580,736. Both Fort Pierce Utilities Authority and St. Lucie County have approved the interlocal agreement.

RECOMMENDATION:

Recommend approval of agreement pending City Attorney's review and acceptance.

ALTERNATIVES:

Reject funds for reconstruction

RESPONSIBLE STAFF:

City Engineer, Deputy City Manager

COORDINATED WITH:

St. Lucie County, Fort Pierce Utilities Authority, and Florida Department of Transportation

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

Construction inspection services to be performed by in-house personnel. No additional funding required.

Attachments

2nd St. Interlocal Agreement

St. Lucie Co. Interlocal Approval

**INTERLOCAL AGREEMENT
NORTH SECOND STREET IMPROVEMENTS**

THIS AGREEMENT dated this _____ day of _____ 20____, by and between the **CITY OF FORT PIERCE**, a Florida municipal corporation, hereinafter referred to as the "City", and **FORT PIERCE UTILITIES AUTHORITY**, hereinafter referred to as "FPUA" and **ST. LUCIE COUNTY**, a political subdivision of the State of Florida, hereinafter referred to as the "County."

WHEREAS, the North Second Street Project involves a partnership between the City, FPUA and the County to construct the roadway improvements on North Second Street. Project funding is being provided by the State FDOT in the form of grant contracts; and,

WHEREAS, North Second Street is the primary access road into the Port of Fort Pierce Operations Area. The road provides access to most of the existing businesses located at the Port, as well as access to the undeveloped properties with deep-water frontage. The primary commercial and industrial users of the Port of Operations Area all use North Second Street to access their property; and

WHEREAS, North Second Street is a City-owned and maintained right-of-way. The underground utilities are owned and maintained by FPUA including water mains, sanitary sewer system, sanitary sewer lift stations, natural gas mains, and electrical systems; and

WHEREAS, the Project involves total reconstruction of North Second Street, including relocation and upgrading of all existing utilities and construction of a new stormwater management system. The utilities that will be relocated and upgraded include water mains, sanitary sewer system, sanitary sewer lift stations, natural gas mains and electrical systems. The road construction will include new pavement, curb and gutter, sidewalks, stormwater collection system, detention ponds, landscaping and streetlights; and

WHEREAS, according to Chapter 98-497, Laws of Florida, St. Lucie County Board of County Commissioner is the Port Authority and is the entity responsible for preparation of the Port Master Plan. State Seaport funding is available to St. Lucie County acting as the Port Authority for the Port of Fort Pierce; and

WHEREAS, Port grants were obtained from the Florida Seaport Transportation and Economic Development (FSTED) Council for the construction of the North Second Street Project. The grant contracts are administered through the Florida Department of Transportation (FDOT), and the County must administer the funds as the Local Sponsor and as the Port Authority; and

WHEREAS, the engineering and construction plans have been prepared by Taylor Engineering, Inc. Construction funds are currently available in the following amounts hereinafter referred to as the "approved budget"

St. Lucie County Port Budget	\$2,500,000
FDOT Grant Funds	\$2,500,000
FPUA Utility Funds	<u>\$1,966,000</u>
Total	\$6,966,000

WHEREAS, the purpose of this Agreement is to identify the responsibilities of each party and to allow for the exchange of funds between the entities during the project construction and implementation; and

WHEREAS, FPUA has requested that the County include the FPUA's utility relocation as part of the County's projects; and

WHEREAS, the County had agreed to include FPUA's proposed utility relocation as part of the County's project subject to the terms of this Agreement, including reimbursement.

NOW, THEREFORE, IT IS AGREED as follows:

1. **General.** This Agreement is entered into pursuant to Section 163.01, Florida Statutes, Florida Interlocal Cooperation Act.

2. **Project Construction.** The recitals set out above are incorporated herein, the County agrees to construct the project, including FPUA's utility construction, contingent upon the County acquiring strips and/or parcels of land required to construct the project and relocations within the proposed new right-of-way and contingent upon the County being able to construct the project within the approved budget.

3. **Utility Relocation Plans Prepared by FPUA.** The plans, drawings, and specifications for FPUA's utility construction prepared by FPUA shall be subject to the review and approval of the County within ten (10) business days from receipt of plans. Specifications for construction shall be in compliance with St. Lucie County, FPUA Construction Standards and Specifications, State of Florida Department of Transportation Standards and Specifications and all other appropriate regulatory standards. FPUA agrees to provide a reproducible copy of the approved utility construction plans and specifications to the County. Similarly, the County will provide the FPUA with 60%, 90% and 100% Project Design Drawing releases in an electronic AutoCAD format.

4. **Contract Award.** The County intends to bid the construction of the project, including FPUA's utility construction, and award the bid to a single contractor who is the lowest responsible bidder as determined by the County in accordance with the County's bid documents. The County agrees to include FPUA's utility construction as a separate bid alternate in the County's bid documents so that the cost of the FPUA's construction will be separately identified. The County agrees that the award of the contract for the bid alternate for FPUA's utility construction is subject to the approval of FPUA. The FPUA shall provide written notification to the County within ten (10) days after receipt of the price of the bid alternate from the lowest responsible bidder of the FPUA's decision regarding whether the price for the bid alternate is acceptable to the FPUA. If the bid alternate is not acceptable to the FPUA, then the FPUA will be responsible for retaining a contractor to perform the utility construction within the time frame established by the County's construction engineering consultant as part of the overall project schedule. If the FPUA's utilities are not constructed within the time established by the County's construction engineering consultant, then the FPUA will be responsible for delay damages incurred by the County's Contractor.

5. **Contract Administration.** In the event of bid award and approval of the contract including the utility construction, the parties agree that the County shall be the contracting agency and shall be responsible for administration of the contract. FPUA agrees to reimburse the County for the cost of constructing the FPUA's utility construction. Additional expenditures for the utility construction shall be subject to approval by the County and FPUA. In processing requests for reimbursements, the County shall forward copies to FPUA of all invoices received from the County's contractor in sufficient detail for audit purposes. Upon receipt of all Invoicing, Approved Utility As-builts, Assignment of Warranty for said Utility Work, and a Bill of Sale consistent with the invoiced quantities and

as-builts, FPUA will approve final payment for water and wastewater utility construction to contractor.

6. **Contract Inspection.** The parties agree that the City shall perform the construction inspection of the project to determine whether the Contractor has properly constructed the project in accordance with the approved plans. FPUA shall perform the construction inspection of the water, wastewater, electric, and natural gas utility work. The parties agree that FPUA shall be notified of all dates and times of all utility inspections and shall be present for said inspections and shall report to the City and the County and/or their agents any observed deficiencies as work progresses. The parties agree that the City shall provide all utility-related shop drawings to FPUA. FPUA and the City shall provide a representative with authority to authorize field changes. The parties agree that any field changes to the utility relocation plans shall be subject to the approval of FPUA and the City within forty-eight (48) hours from the date that written notice of any proposed change is received. For the purpose of this Agreement, construction inspection shall include resident project services, contract administration, engineering services during construction, utility coordination, and certification by all appropriate agencies.

7. **Ownership and Maintenance Responsibility Upon Completion; Stormwater Certification.** The City will be the entity responsible for ownership and maintenance of the completed roadway and stormwater improvements, including detention ponds. FPUA will be the entity responsible for ownership and maintenance of the completed utility improvements, including water, sewer, natural gas and electrical. At the completion of construction, all property that was acquired by the County for purposes of North Second Street right-of-way or for use as stormwater detention ponds shall be conveyed to the City. The City will be responsible to certify the stormwater system for final acceptance in accordance with the South Florida Water Management District (SFWMD) permit requirements.

8. **Amendment.** This Agreement may only be amended by a written document signed by all parties and filed with the Clerk of the Circuit Court of St. Lucie County, Florida.

9. **Notices.** All notices, requests, consents, and other communications required or permitted under this Agreement shall be in writing (including communication) and shall be (as elected by the person giving such notice) hand delivered by messenger or courier services, telecommunicated, or mailed by registered or certified mail (postage prepaid), return receipt requested, addressed to:

As to the County:

St. Lucie County Administrator
2300 Virginia Avenue
Administration Annex
Fort Pierce, Florida 34982

With a copy to:

St. Lucie County Attorney
2300 Virginia Avenue
Administration Annex
Fort Pierce, Florida 34982

As to the City:

Fort Pierce City Manager
City Hall
100 N. US 1
P.O. Box 1480
Fort Pierce, FL 34954

With a copy to:

Fort Pierce City Attorney
City Hall
100 N. US 1
P.O. Box 1480
Fort Pierce, FL 34954

As to the FPUA:
Fort Pierce Utilities Authority
P.O. Box 3191
Fort Pierce, Florida 34948

With a copy to:
R.N. Koblegard, III
P.O. Box 3191
Fort Pierce, Florida 34948

Or to such other address as any party may designate by notice complying with the terms of this Section. Each notice shall be deemed delivered: (a) on the date delivered if by personal delivery, (b) on the date telecommunicated if by telegraph, (c) on the date of transmission with confirmed answer back, and (d) on the date upon which the return receipt is signed or delivery is refused or the notice is designated by the postal authorities as not deliverable, as the case may be, if mailed.

9. **Filing; Effective Date.** This Agreement shall be filed with the Clerk of the Circuit Court of St. Lucie County, Florida, prior to its effectiveness.

IN WITNESS WHEREOF: The parties hereto have caused the execution hereof by their duly authorized officials on the dates stated below.

ATTEST:

DEPUTY CLERK

DATE: _____

**BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA**

BY: _____
CHAIR

**APPROVED AS TO FORM AND
LEGAL CORRECTNESS**

BY: _____
COUNTY ATTORNEY

ATTEST:

CITY CLERK

DATE: _____

CITY OF FORT PIERCE, FLORIDA

BY: _____
MAYOR

DATE: _____

**APPROVED AS TO FORM AND
LEGAL CORRECTNESS**

BY: _____
CITY ATTORNEY

ATTEST:

SECRETARY
(FPUA SEAL)

FORT PIERCE UTILITIES AUTHORITY

BY: _____
CHAIRMAN

**APPROVED AS TO FORM AND
CORRECTNESS:**

BY: _____
FPUA ATTORNEY

DATE: _____



ITEM NO. (ID # 2116)

DATE: 06/03/2014

AGENDA REQUEST

*REGULAR AGENDA\\PUBLIC WORKS

TO: Board of County Commissioners

PRESENTED BY: Don West, Public Works Director

SUBMITTED BY: Public Works

SUBJECT: North Second Street Interlocal Agreement - Port of Fort Pierce Infrastructure Improvements

BACKGROUND:

The North Second Street Project involves a partnership between the City of Fort Pierce, Fort Pierce Utilities Authority (FPUA) and St. Lucie County to construct roadway improvements and related infrastructure. Project funding is being provided by the FPUA and the County Port Authority.

Second Street is the primary access road into the Port of Fort Pierce Operations Area. The road provides access to most of the existing businesses located at the Port, as well as access to the undeveloped vacant properties with deep water frontage. Second Street is a City-owned right-of-way and the City maintains the roadway and the existing drainage infrastructure. The underground utilities are maintained by the FPUA, including the electrical and natural gas systems.

The Project involves total reconstruction of Second Street, including relocation and upgrading of all existing utilities and construction of a new stormwater management system. The utilities that will be relocated and upgraded include: water mains, sanitary sewer system, sanitary sewer lift stations, natural gas mains and electrical system. The road construction will include new pavement, curb and gutter, sidewalks, stormwater collection system, detention ponds, landscaping and street lights.

The Project construction plans will be advertised for bids by St. Lucie County. The plans will include utility relocations and upgrades to be funded by FPUA. The County will be responsible for administration of the construction contract, payment of the Contractor invoices, and administration of the grant contracts. The City of Fort Pierce will provide construction management of the field work including: construction inspection, review and approval of Contractor pay requests, certification of construction for final acceptance of the finished work, and maintenance of the roadway and stormwater improvements.

The FPUA will be the entity responsible for ownership and maintenance of the completed utility improvements, including water, sewer, natural gas and electrical. The FPUA will provide construction

inspection, review and approval of Contractor shop drawings and pay requests and certification for final acceptance of the finished utility work. Additionally, the FPUA will provide funding for utility construction in the amount of \$1,966,000. The FPUA will construct the electrical system using their in-house crews and resources.

The attached Interlocal Agreement outlines the responsibilities of each entity involved in the partnership.

PREVIOUS ACTION:

July 1, 2008 - Board approval of Work Authorization 17 with Taylor Engineering in the amount of \$706,312 for permitting and final design of Phase 1 Second Street Improvements.

November 25, 2008 - Board approval of Work Authorization 9 with Taylor Engineering in the amount of \$155,000 for utility design and coordination.

May 11, 2010 - Board approval of 3rd amendment to Work Authorization 17 with Taylor Engineering in the amount of \$46,114 for right-of-way acquisition services for Second Street.

December 20, 2011 - Board approval of supplement 1 Joint Participate Agreement (#236897-1-54-01) with Florida Department of Transportation \$1,200,000 for land acquisition.

October 23, 2012 - Board approval of Supplemental No. 1 of Joint Participation Agreement (#236897-1-94-01) with Florida Department of Transportation in the amount of \$2,500,000 for Improvements to the Port Entrance.

February 20, 2013 - Board approval of Work Authorization No.1 with Taylor Engineering for Utility Surveying Support Services for North 2nd Street in the amount of \$20,306.38.

April 30, 2013 - Board approval of Work Authorization No. 2 with Taylor Engineering for Additional 10-foot right-of-way acquisition support services of North 2nd Street in the amount of \$48,511.50.

May 7, 2013 - Board approval of Budget Resolution establishing the additional funds from Supplemental No. 1 to JPA with FDOT in the amount of \$2,500,000 for Improvements to the Port Entrance 2nd Street.

August 20, 2013 - Board approval of Work Authorization No. 3 with Taylor Engineering for stormwater modification and future sidewalks for North 2nd Street in the amount of \$95,663.68.

September 17, 2013 - Board approval of Work Authorization No. 4 with Taylor Engineering for preparation of landscape plans and bid specifications for North Second Street in the amount of \$123,316.44

FINANCIAL IMPACT:

Sufficient funds are available in the Port Budget in the amount of \$6,580,736 to cover the costs for construction of the project (account no. 140376-4315-561000-46502)

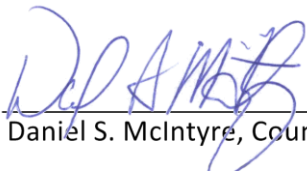
RECOMMENDATION:

Public Works Staff recommends Board approval of Interlocal Agreement between the County, City of Fort Pierce, and Fort Pierce Utilities Authority and authorization for the Chair to sign documents as approved by the County Attorney.

COMMISSION ACTION:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tod Mowery, District No. 2
SECONDER:	Kim Johnson, District No. 5
AYES:	Hutchinson, Lewis, Dzadoovsky, Mowery, Johnson

Coordination/Signatures



Daniel S. McIntyre, County Attorney 5/15/2014

City Commission Regular Meeting

Agenda Item # 10. a.

Meeting Date: 07/07/2014

Re: Conceptual Development Plan - Fresh Wind, Fresh Fire Church of God

Submitted For: Rebecca Grohall, Planning & Zoning Manager, Planning & Zoning

SUBJECT:

Approval of Conceptual Development Plan for Fresh Wind, Fresh Fire Church of God located at 401 N 25th Street.

SUMMARY:

- The proposed Conceptual Development Plan presents plans for a new church facility for Fresh Wind, Fresh Fire Church of God at 401 N 25th Street that the applicant would like to discuss and receive feedback on.
- It is noted that prior approval of a Conceptual Development Plan does not prevent the City Commission from disapproving a final (formal) development application and therefore the approval of a Conceptual Development Plan is considered to be non-binding.
- At their May 13, 2014 meeting, the Planning Board voted unanimously to recommend approval of the Conceptual Development Plan.

RECOMMENDATION:

Discuss and provide comments, as appropriate, for the approval or disapproval of the Conceptual Development Plan.

ALTERNATIVES:

None.

RESPONSIBLE STAFF:

Kori Benton, Historic Preservation Officer

COORDINATED WITH:

None

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

Potentially Lower Ad-Valorem Tax Revenue

Attachments

Staff Report

Site Aerial

Zoning Map Snapshot

Application

Streetscape Plan

Conceptual Site Plan

Conceptual Landscape Plan

Conceptual Elevations

Conceptual Floor Plan



CITY OF FORT PIERCE

PLANNING DEPARTMENT

REBECCA GROHALL, AICP, PLANNING MANAGER
COMPREHENSIVE PLANNING ♦ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING

TO: Robert J. Bradshaw, City Manager
THROUGH: Rebecca Grohall, AICP, Planning Manager
FROM: Kori Benton, Historic Preservation Officer
SUBJECT: Conceptual Development Plan
Fresh Wind, Fresh Fire Church of God
401 N 25th Street
DATE: June 24, 2014

STAFF REPORT

Owner: Annette N McMullian
2320 Atlantic Beach Blvd
Fort Pierce FL 34949

Applicant: Andrea Dampier
PO Box 853
Fort Pierce FL, 34954

Representative: Abraham Chabab, PE
5428 NW Edgewater Avenue
Port St. Lucie, FL 34983

Requested Action: Approvals of a Conceptual Development Plan

Location: 401 N 25th Street

Parcel ID: 2408-501-0018-0005, 2408-507-0134-0002, 2408-507-0133-0005, 2408-507-0132-0008

Zoning: C-3, General Commercial & R-3 Single-Family Moderate Density Residential

Surrounding Zoning:

North	East	South	West
C-3	R-4	C-3 & R-3	U (SLC)

Future Land Use: GC, General Commercial & RM, Medium Density Residential

Parcel Size: 2.5 acres

Utilities: Located within the FPUA Retail Service Area

Per Section 22-58(e) of the City Code, the applicant is requesting the review and approval of a Conceptual Development Plan. Section 22-58(e) of the City Code states:

Prior to, but not in lieu of, submission of a complete application and site plan the applicant may, solely at his own election, adopt the following procedure:

(1) A conceptual development plan may be submitted to the department of planning and development, which shall schedule a meeting for its consideration by the city planning board. The conceptual development plan shall include a map showing the general layout of the proposed development, statements describing in detail the character and intended use of the development and information bearing on the ownership and control of the proposed use;

(2) The city planning board shall review the conceptual development plan and make recommendations as appropriate for its approval or disapproval;

(3) The city commission shall hold a hearing and approve or disapprove the conceptual development plan or approve it with conditions.

Staff Analysis:

The applicant is requesting review of a Conceptual Development Plan for a new church facility for Fresh Wind, Fresh Fire Church of God at 401 N 25th Street. The 2.5 acre site consists of four parcels, three of which are currently vacant. The site contains a single family home, which appears to be unused, located just east of N 26th Street.

The site containing the conceptual development plan features split zoning designations of C-3, General Commercial and R-3, Single-family Moderate Density Residential. The applicant anticipates the pursuit of Zoning Atlas and Future Land Use Map Amendments concurrent with Site Plan and Conditional Use applications, in order to address this circumstance while seeking final development approval.

The site abuts Moore's Creek and a single-family home to the north and unimproved right-of-way (Avenue C) to the south. The properties beyond these strips of right-of-way to the north and south are zoned R-4, C-3, and R-3, occupied by various residential dwellings. The properties to the east, across 25th Street are zoned C-3 and are vacant. The properties to the east of the site are zoned R-3, featuring single-family homes.

The proposed church is planned to be approximately 5,610 square feet with an assembly area nearly 3,000 square feet in size, containing 220 seats. The height of the church will reach a peak height of 30 ft., with a mean height of approximately 20 ft. The subject development will be reviewed pursuant to the established design review guidelines in City Code Section 22-59, as it is located along an arterial roadway and requires site plan consideration.

Access to the site is proposed via two-way driveways on N 26th Street. This arrangement places access to the site solely upon 26th Street, which is readily accessible from N 25th Street via Avenue B to the south. North bound traffic must access N 26th Street from Orange Avenue, located over 1,000 ft. to the south of the development. The capacity exists to complete the unfinished extension of Avenue C connecting N 25th Street to N 26th Street in order to provide more direct access to the site.

The applicant is proposing the dedication of five (5) foot easements along North 26th Street for the purpose of sidewalk installation. Adequate parking, lighting, and landscaping are presented, or

committed, to meet the requirements of the City Code. Storm water retention is presented to be managed by dry retention areas along the northern portion of the properties. Three existing oak trees are scheduled for preservation on site, however further assessment is necessary to review impacts to existing trees in the area presented for overflow parking.

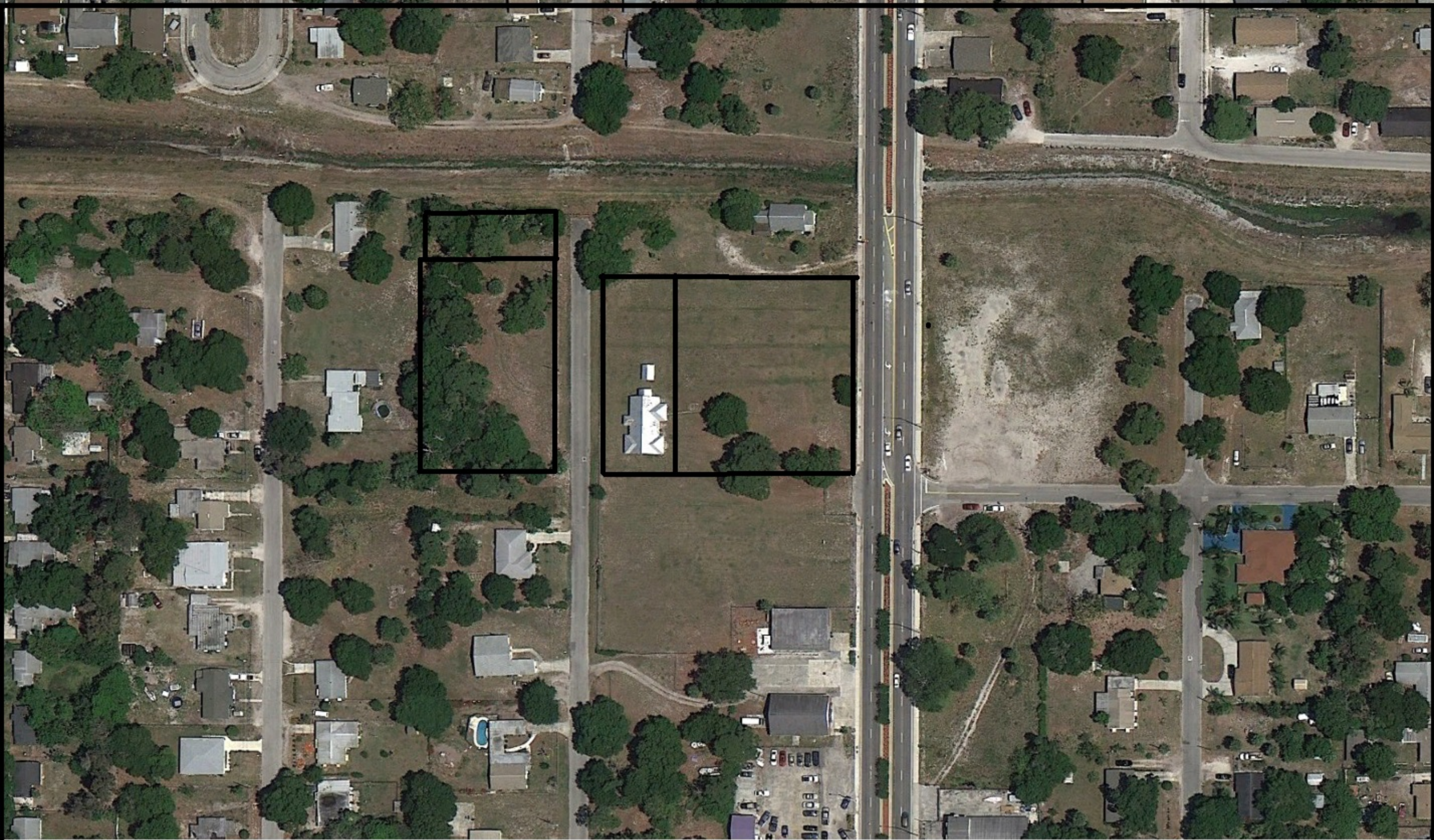
All affected Departments have reviewed the submittals and provided comments regarding the proposed conceptual development based on compliance with the requirements of the City Code. The comments generated are attached for review by the Commission. The representative has amended the plans to address most of the identified deficiencies. Staff notes that the applicants have not updated the Landscape and Lighting Plan to match the revisions made to the preliminary Site Plan, however the updates are minor in nature, and can be addressed with any subsequent submittals for Site Plan review.

Planning Board Recommendation:

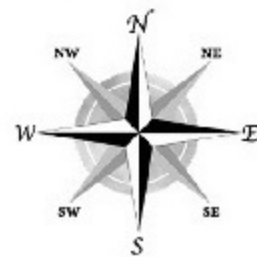
The Planning Board, at their May 13th, 2014 meeting, voted unanimously to recommend approval of the Conceptual Plan.

Staff Comments:

The City Commission shall review the Conceptual Development Plan and make recommendations as appropriate for its approval or disapproval.

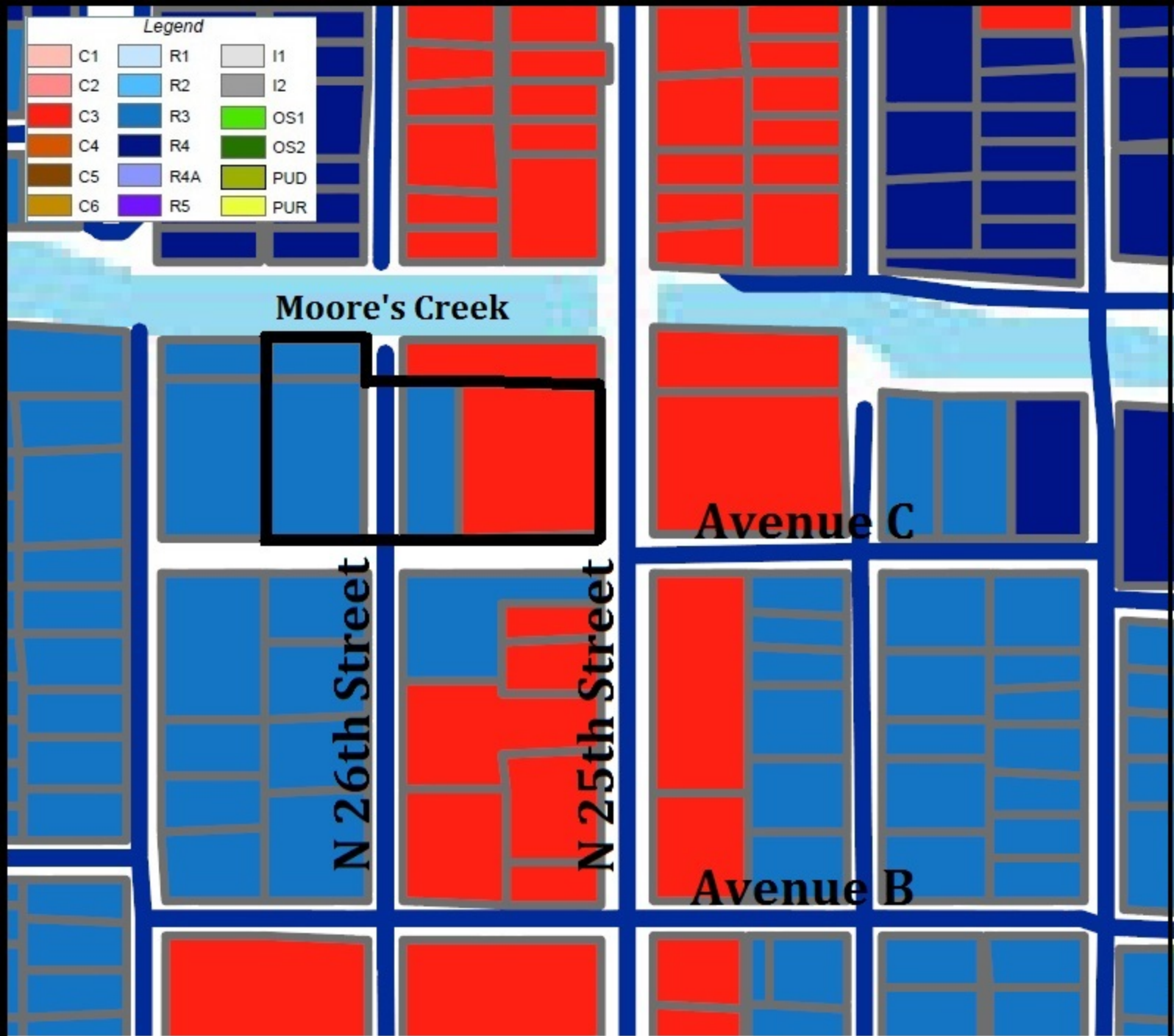


401 N 25th Street Site Aerial



Legend

C1	R1	I1
C2	R2	I2
C3	R3	OS1
C4	R4	OS2
C5	R4A	PUD
C6	R5	PUR



Moore's Creek

Avenue C

N 26th Street

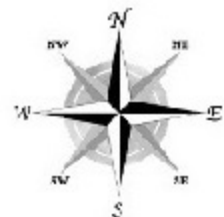
N 25th Street

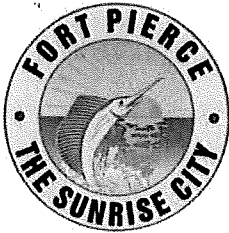
Avenue B



401 N 25th Street

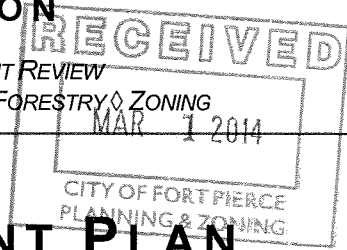
Zoning Map





**CITY OF FORT PIERCE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING



**APPLICATION FOR
CONCEPTUAL DEVELOPMENT PLAN**

Project Name: FRESH WIND FRESH FIRE CHURCH OF GOD, INC.

1. Project description for which conceptual approval is requested. CHURCH FACILITY WITH 5160 S F & 81 PARKING SPACES ON PARCELS 2, 3, 4

2. Property Tax ID # #24085070132008/24085070101330005/240850701340002
3. Property address 400 NORTH 26TH STREET 240850100180005
4. Zoning district R3/C3 5. Future Land Use GC/RM 6. Total Acreage 1.9576 2.5
R3/C3
7. Building Height(s) 30 FT 8. Building (S.F.) 5610 9. Dwelling Units _____
10. Historic District (Y/N) N 11. Lot Coverage (S.F.) 85275
12. Name of Owner(s): ANNETTE MCMULLIAN
Signature of owner(s): Annette McMullian
Mailing Address: 23so ATLANTIC BEACH BLVD
(City) FORT PIERCE (State) FLORIDA (zip) 34949
Phone # _____
13. Name of Applicant: ARNDREA DAMPIER
Signature of Applicant: Arndrea Dampier
Mailing Address: P O BOX 853
(City) FORT PIERCE (State) FL (zip) 34954
Phone # 772 713 4879
14. Name of Representative: ABRAHAM CHABAB
Signature of Representative: _____
Mailing Address: 5428 N W EDGEWATER AVE
(City) PORT ST LUCIE (State) FL (zip) 34983
Phone # 772 878 5079 Fax # 772 785 8291
E-mail: agchabab@msn.com

15. **Property Owners Acknowledgements:** - This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or Representative to act in his/her behalf for the purposes of seeking approval of the conceptual development plan as described herein.

ANNETTE MCMULLIAN	772 464 4987
Property Owner's Name (Please Print)	Phone
	FORT PIERCE, FL
Address	State
Zip	
<i>Annette McMullian</i>	
Property Owner's Signature	Date

STATE OF FLORIDA)
ST LUCIE COUNTY)

The foregoing instrument was acknowledged before me this 27th day of February, 2014, by Annette McMullian who is personally known to me or has produced her driver's license as identification.

Megan Davis
Signature of Notary

(seal)



MEGAN DAVIS
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE842328
Expires 10/10/2016

Application submission shall include the following:

- TRC** (*Initial Submission): One (1) original and (13) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- Planning Board**: One (1) original and (16) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- City Commission**: One (1) original and (11) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.

In addition to a complete application, packets shall include:

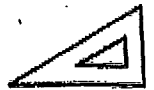
1. Conceptual Development Plan with layout of the proposed development;
2. Statement describing in detail the character and intended use;
3. Statement bearing on the ownership and control of the proposed use.

An Intake Review Meeting will be required before any submittals are accepted

To be completed by the City of Fort Pierce	
Date Received _____	By _____
Fee: _____	Receipt: _____



Abraham Chabab, PE.
5428 NW Edgewater Ave.
Port St. Lucie, FL 34983



April 29, 2014

Kori Benton, Historic Preservation Officer
City of Fort Pierce, Planning Dept.
100 N. US#1
Fort Pierce, FL. 34954

RE : Fresh Wind, Fresh Fire Church
Conceptual Site Plan, Technical Review Comments

Dear Mr. Benton:

This letter will provide you with the changes that have been recommended by city staff. Outstanding comments have been addressed in the following order:

A-Technical Review Comments, Planning Department:

-Comment 1

We have added PIN numbers for Parcel 1-4 and eliminate parcels that are not part of site plan.

-Comment 2

A landscape island at the center of cul-de-sac has been added.

-Comment 3

Parking calculations have been revised to reflect fixed seating of 220 seats and an additional 15% of required parking has been added.

-Comment 4

- a. 10 feet wide landscape strip has been is showing on the plan next to street right of way.
- b. We will address this item during our submittal of site plan application.

-Comment 5

We will provide the necessary curbing to protect the landscape areas.

-Comment 6

We are aware of the Split Zoning/Future Land Use requirements as well the unity of title and right of way dedications or easements. These issues will be addressed during our submittal of site plan application.

B-Technical Review Comments, Engineering Department

-Comment 1

We are aware of the Split Zoning/Future Land Use requirements as well the unity of title and right of way dedications or easements. These issues will be addressed during our submittal of site plan application.

**RE : Fresh Wind, Fresh Fire Church
Conceptual Site Plan, Technical Review Comments**

B-Technical Review Comments, Engineering Department

-Comment 2

Signed and sealed boundary and topographic survey is enclosed.

-Comment 3

We have revised the street names to reflect Avenue C for Georgia Avenue and eliminated the platted right of way of Alabama Avenue.

-Comment 4

Please see revised survey regarding the exact width of existing sidewalk along 25th St.

-Comment 5

We have revised plans to show curbing area, section between driveway isle and retention area will be addressed to the satisfaction of the Planning Department.

-Comment 6


Proposed sidewalks that will access overflow parking have been revised to reflect perpendicular connection to N. 26th St.

-Comment 7

We are proposing 100% retention on site with zero discharge.

Please review the enclosed materials and let us know if we have resolved all outstanding comments. Should you have any questions or require additional information, please contact me at your convenience.

Sincerely



Abraham Chabab, P.E.

cc: Mike Menard

Pastor Arndrea Dampier



Abraham Chabab, P.E.

**5428 NW Edgewater Ave.
Port St. Lucie, FL 34983**



Mar. 3, 2014

Kori Benton, Planner
City of Fort Pierce, Planning Dept.
100 N. US#1
Fort Pierce, FL 34954

**RE : Traffic Statement for Fresh Wind Fresh Fire Church
Located at 400 N. 26th Street, Fort Pierce FL.**

Dear Mr. Benton :

Proposed project is to build a church facility that will occupy 1.95 acres with 5610 square feet building and 81 parking spaces. Church will provide services on Sundays and evenings during off peak hours thus creating no impact to current level of service for major streets. In this letter we have provided the following:

Existing Traffic Conditions :

Current level of service is "C" for most streets within 1 mile radius. Orange Avenue and 25th Street.

Traffic Distribution From Proposed Development:

Based on Concurrency Management Chapter 22-217, Average peak traffic conditions are conducted during weekday hours from 6am -9am for AM counts and 4pm-7pm for PM counts. Trips associated with the proposed development during these hours are minimal and will be generated only by the pastor and administrative staff for less than 12 trips per day during the above mentioned hours.

Traffic Statement Summary:

This facility will generate less than 1% of current trip volume .Affected streets should experience little or no impact to traffic entering and exiting the church and level of service will remain at its current LOS "C". Church services are conducted on Sundays and weeknights when traffic operations are above LOS "C". This project has **de minimis impacts** on roadway links within 1 mile radius and is in compliance with concurrency plan of the city of Fort Pierce.

*Abraham Chabab
Mr 3/14*

772-878-5079 772-475-6630 Fax 772-785-8291

Email: agchabab1@msn.com

COOK & MENARD ARCHITECTURE, INC.

806 Delaware Ave. Ft. Pierce, Florida 34950
Phone: (772) 460-7751, Fax: (772) 460-4244
Email Address: cookmenard@yahoo.com

Design Intent:

Careful consideration and thought have been given to the design presented herein, regarding orientation, access, landscaping, building design and budget.

Criteria as follows:

Auto access to the property is proposed to be from North 26th street, thus allowing safer entry and departure and better disbursement of traffic following services. Parking therefore will be to the rear of the building and the front will be as close as possible to North 25th street for pedestrian access and maximum visual exposure benefits. A drop off/turnaround drive is provided on the North side with a covered walk for ease of passenger access.

The two live oaks and one pine tree on the property are to be saved and integrated into the new landscaping.

North 25th street is zoned for commercial use and in the vicinity of this property there is a combination of vacant land, older residential and mom and pop small businesses. There is no consistent architectural style or theme along the North 25th street corridor.

The majority of the architectural details selected for the church do not exist on the nearby buildings. Articulation of the building façade is achieved by the use of three dimensional raised stucco banding around windows and doors, detailed in such a way as to promote vertical proportions. Other design elements include a bell tower, stained glass panels and stucco sills and quoins. The building exterior colors will complement the façade articulation with accent colors distinguishing the stucco banding from the body colors of the building.

The building, though tall, is a single story design with a variety of architectural story design with a variety of architectural details and architectural, dimensional, fiberglass shingle roofing, making it compatible with the existing, nearby structures.

COOK & MENARD ARCHITECTURE, INC.

806 Delaware Ave. Ft. Pierce, Florida 34950
Phone: (772) 460-7751, Fax: (772) 460-4244
Email Address: cookmenard@yahoo.com

Site Analysis

Surrounding Properties:

Older residential structures on the west side of North 26th street and to the North side of the site on North 25th street. To the South and East (across 25th street) is vacant land.

Specimen trees:

Two live oak trees and 1 slash pine are the only significant natural vegetation and are to be preserved.

Access:

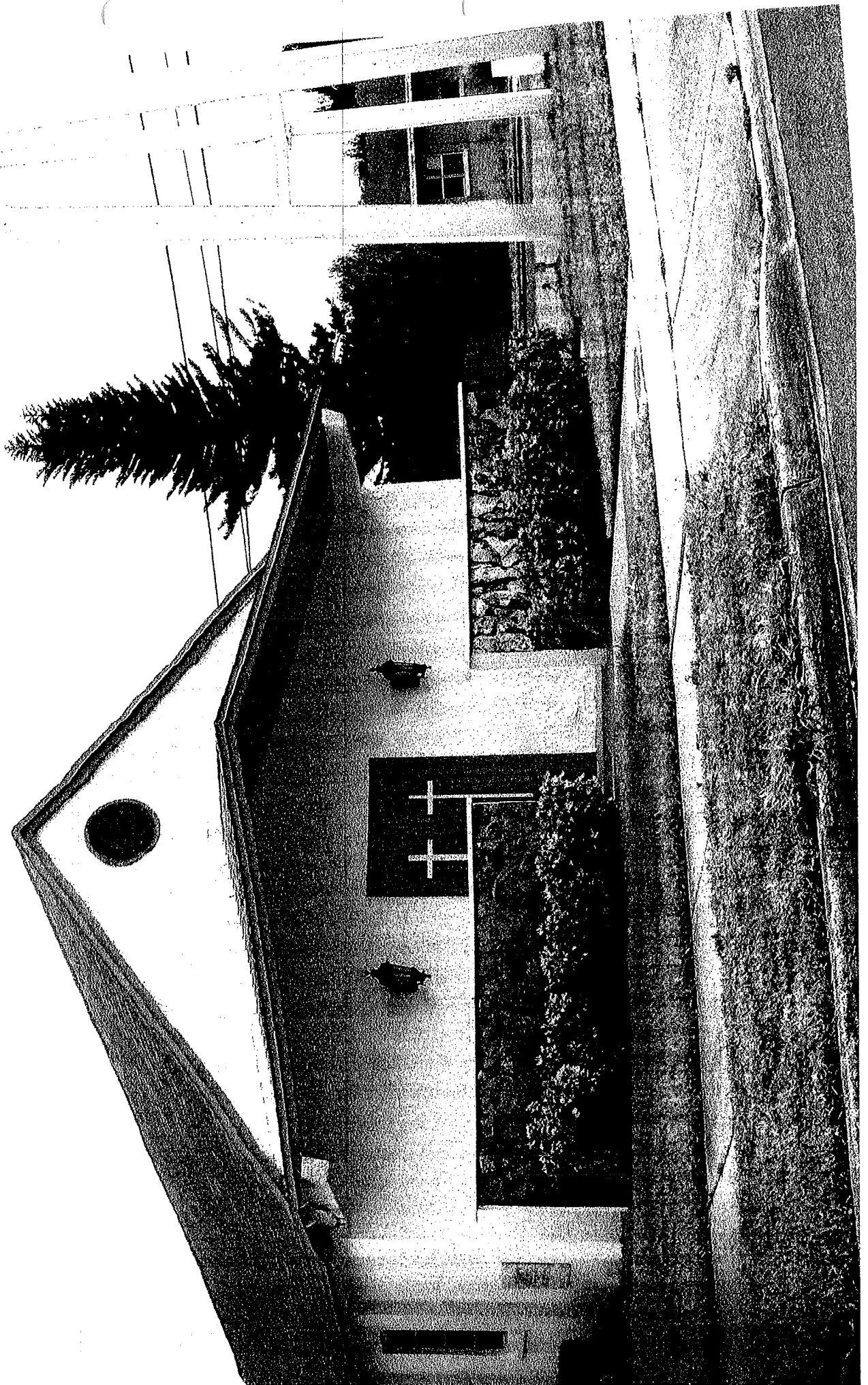
This property is bordered by North 25th street on the East and North 26th street on the West. Access from North 25th street would be problematic due to the median island configuration.

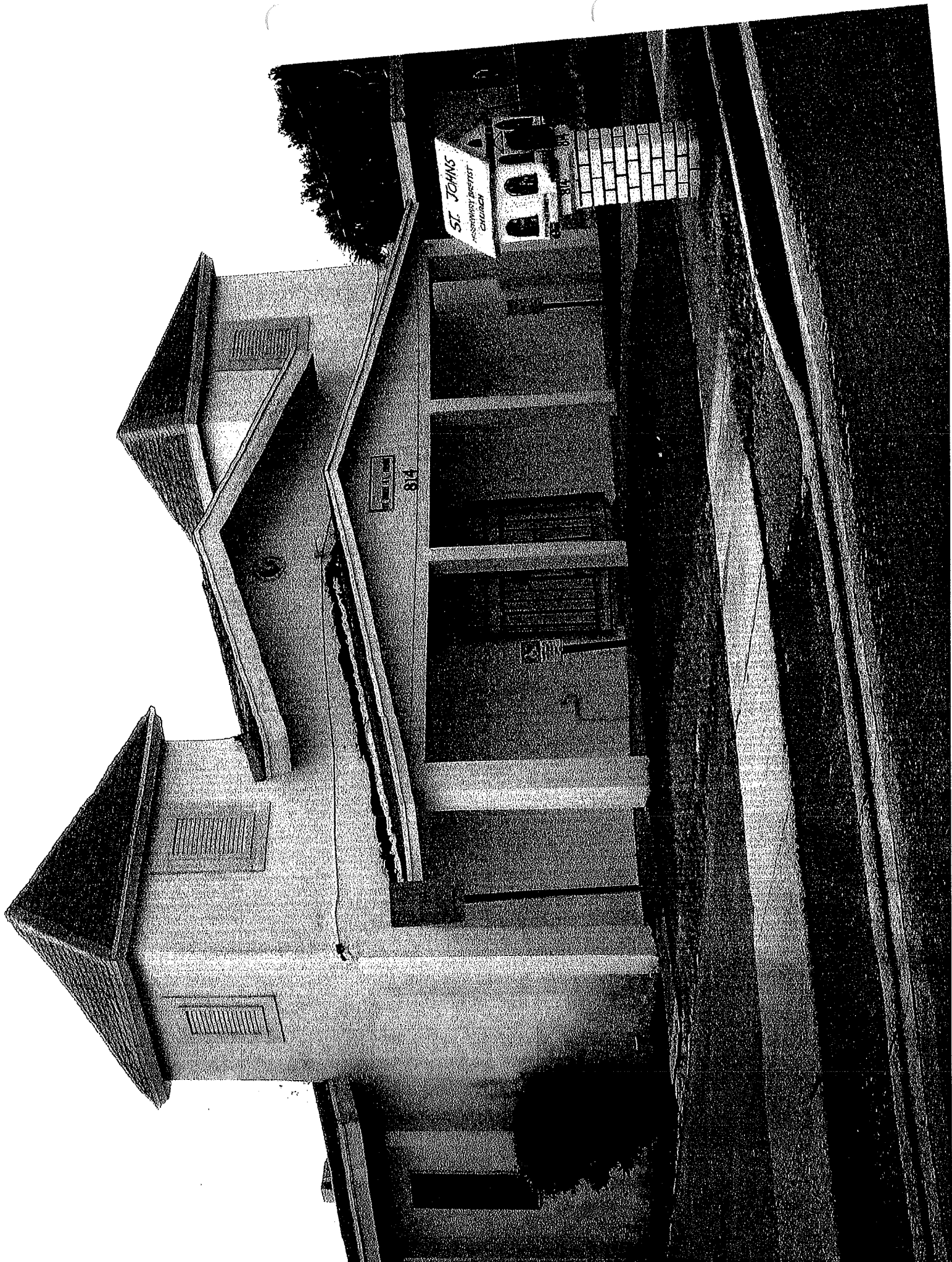
Orientation:

There are no surrounding features worthy of preferred view orientation. North 25th street is by far the busiest of the two fronting streets and would be the logical front face of the building for maximum exposure benefits and pedestrian access.

Surrounding Built Environment:

There are no structures in the immediate vicinity that would influence the building design.

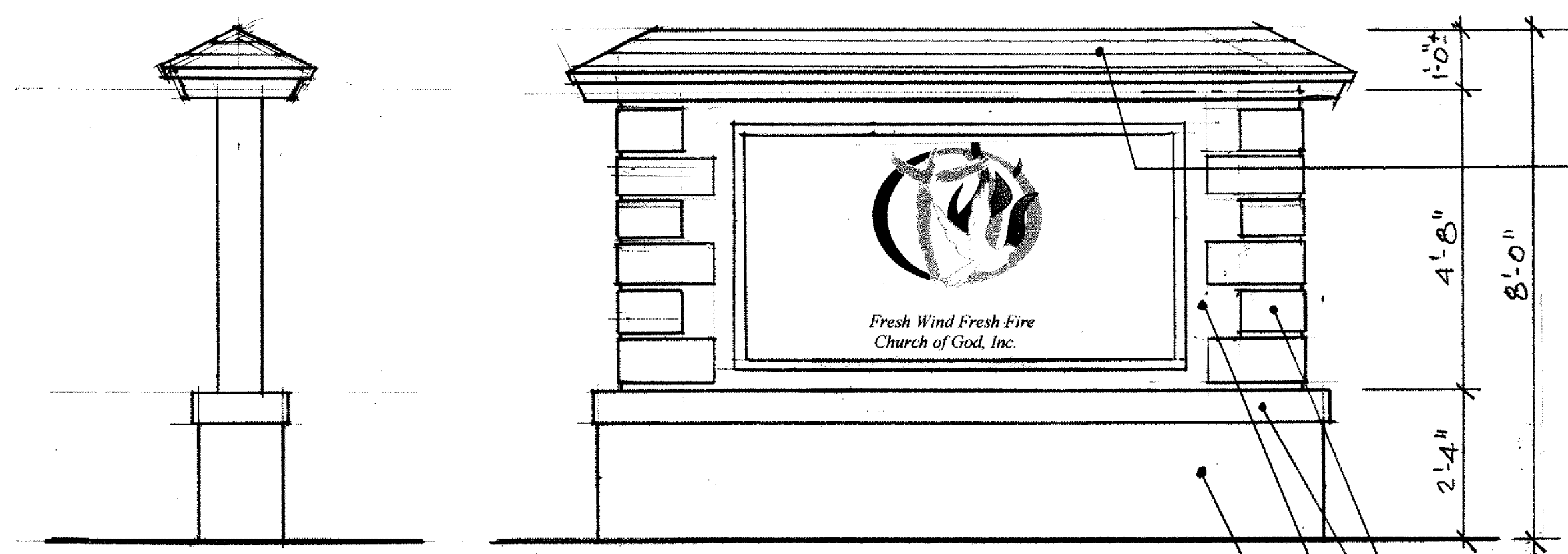




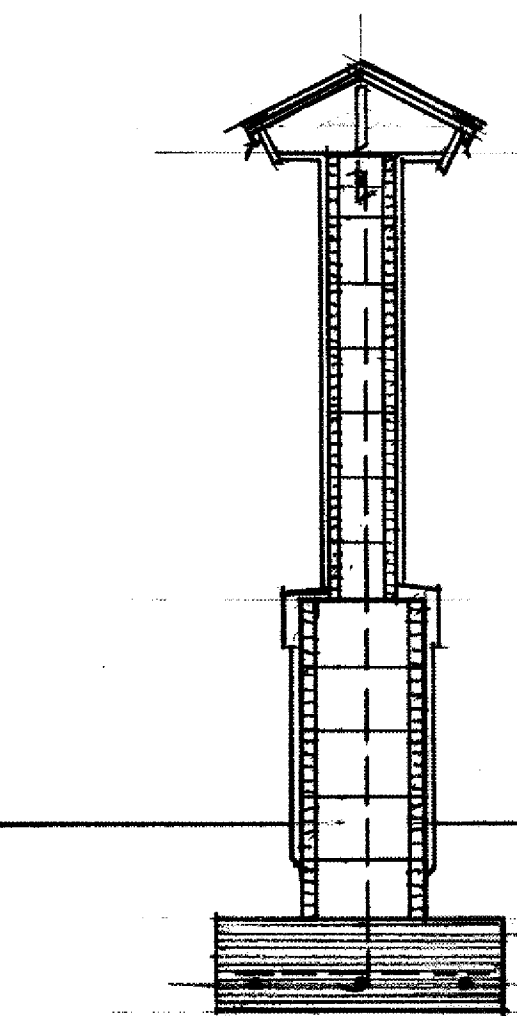
St. Johns
Assembly Baptist
Church

814

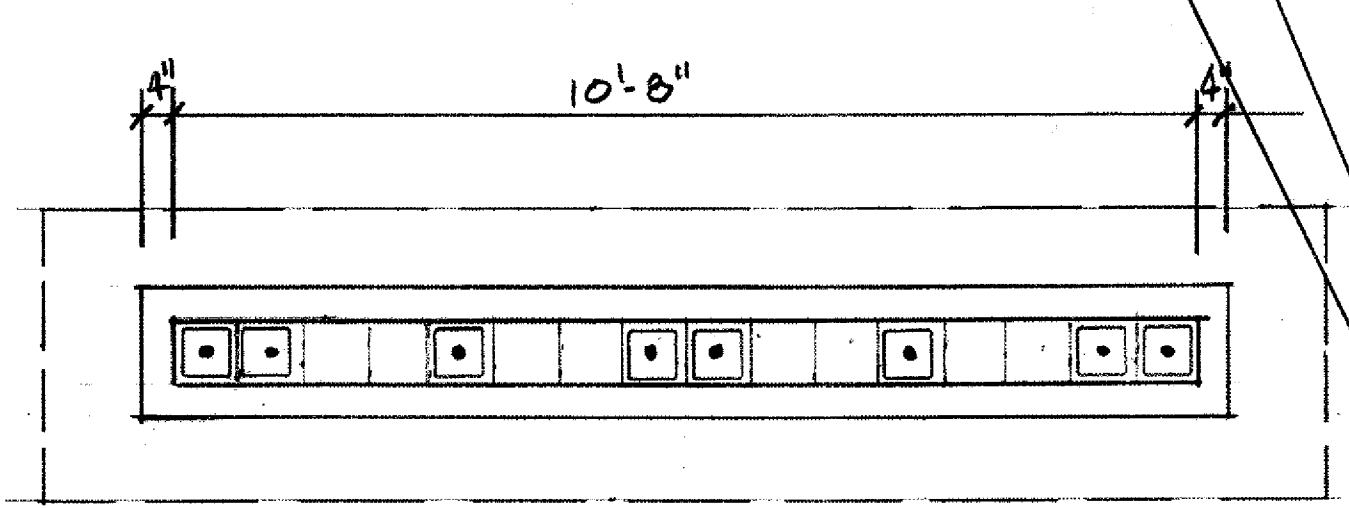




• SIGN ELEVATIONS • $\frac{1}{2}'' = 1'-0''$



• SIGN SECTION • $\frac{1}{2}'' = 1'-0''$



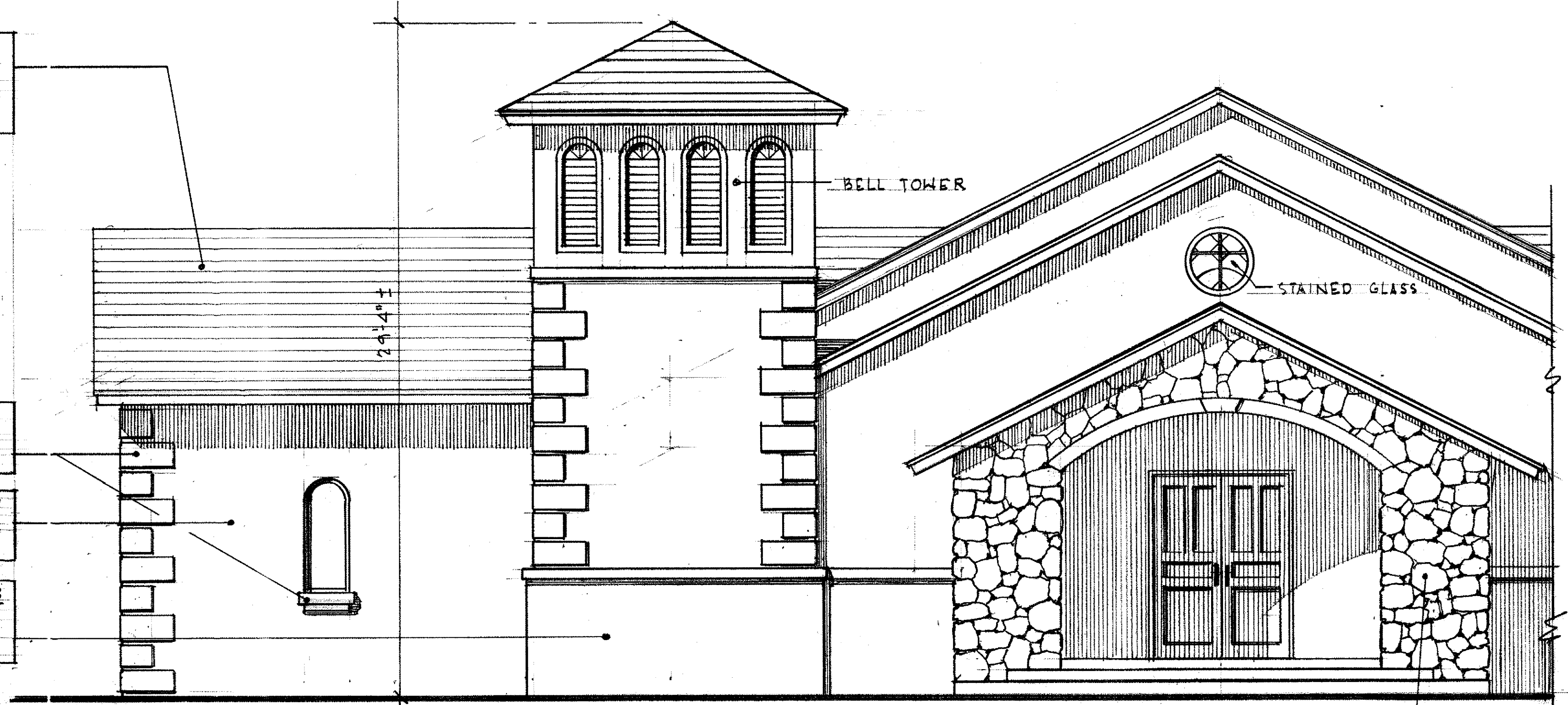
• SIGN PLAN • $\frac{1}{2}'' = 1'-0''$

ROOFING:
OWENS CORNING
OAK RIDGE
SHINGLES
ASPEN GRAY

QUAINS & TRIM:
OLYMPIC
SNOW STORM
C 30-2

MAIN BODY FIELD:
OLYMPIC
MIDNIGHT SILVER
D 46-3

BODY OF BASE:
OLYMPIC
DRIZZLING MIST
A 006-1 C



• PARTIAL FRONT ELEVATION • $\frac{1}{4}'' = 1'-0''$

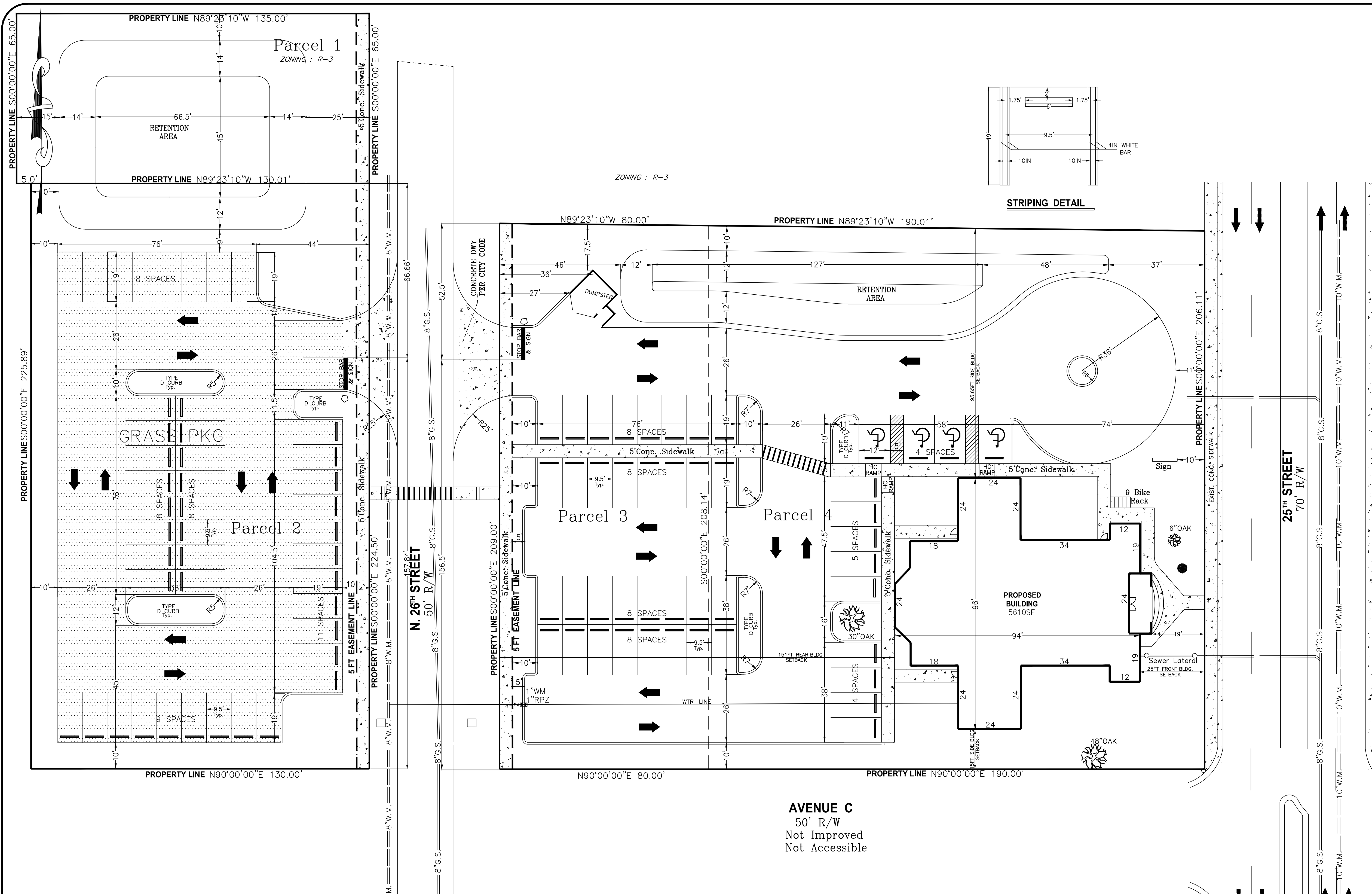


• STREETSCAPE ELEVATION - 25TH ST. • $\frac{3}{32}'' = 1'-0''$

FRESH WIND FRESH FIRE
CHURCH OF GOD
FT. PIERCE, FLORIDA

PETER & COOK

COOK & MENARD
ARCHITECTURE INC.
STATE OF FLORIDA REGISTRATION NO. AA18000494
806 DELAWARE AVE.
FT. PIERCE, FLORIDA 34909
PHONE: (877) 468-7751
FAX: (877) 468-0244



GENERAL NOTES
 PROJECT NAME: FRESH WIND FRESH FIRE CHURCH
 OWNER: Fresh Wind Fresh Fire Inc.
 LOCATION: 400 N. 26TH Street
 CURRENT ZONING: R-4 & C-3
 FUTURE LAND USE: RM & GC
 CURRENT USE: VACANT
 PIN#: Parcel(1) 2408-501-0018-0005 Parcel(2) 2408-507-0134-0002 Parcel(3) 2408-507-0133-0005 Parcel(4) 2408-507-0132-0008

LEGAL DESCRIPTION:
 PARCEL ONE: LOT 1, BLOCK 2, EMANCIPATION PARK SUBDIVISION AND NORTH 15 FEET OF VACATED ALABAMA AVE ADJACENT ON THE SOUTH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, AT PAGE 38 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FL.
 PARCEL TWO: LOTS 1&2, BLOCK 16, FORT PIERCE HEIGHTS SUBDIVISION AND SOUTH 15 FEET OF VACATED ALABAMA AVE ADJACENT ON THE NORTH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, AT PAGE 39 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FL.
 PARCEL THREE: LOT 5, BLOCK 15, FORT PIERCE HEIGHTS SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1 AT PAGE 39, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FL.
 PARCEL FOUR: LOT 1, LESS THE EAST 10 FEET & ALL OF LOTS 2,3,&4 BLOCK 15, FORT PIERCE HEIGHTS SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, AT PAGE 39 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FL.

BUILDING HEIGHT: 30.0 FEET
 NUMBER OF STORIES: ONE
UTILITIES
 ELECTRICAL: FPUA
 WATER & SEWER: FPUA FOR WATER AND WASTEWATER
 TELEPHONE: BELL SOUTH
 SOLID WASTE: FORT PIERCE SOLID WASTE
NOTE: ALL UTILITIES SHALL BE INSTALLED UNDERGROUND

AREA TABULATION

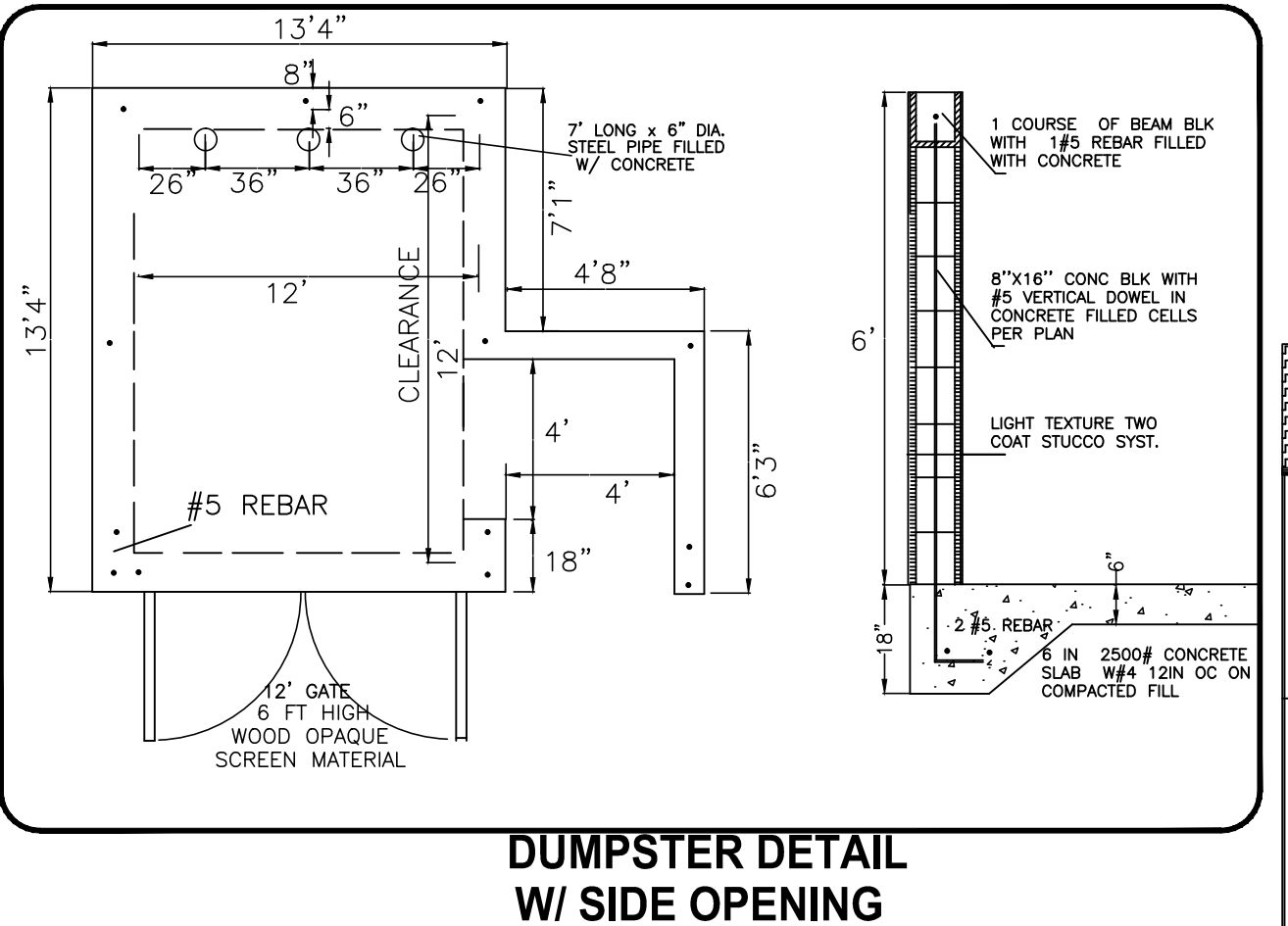
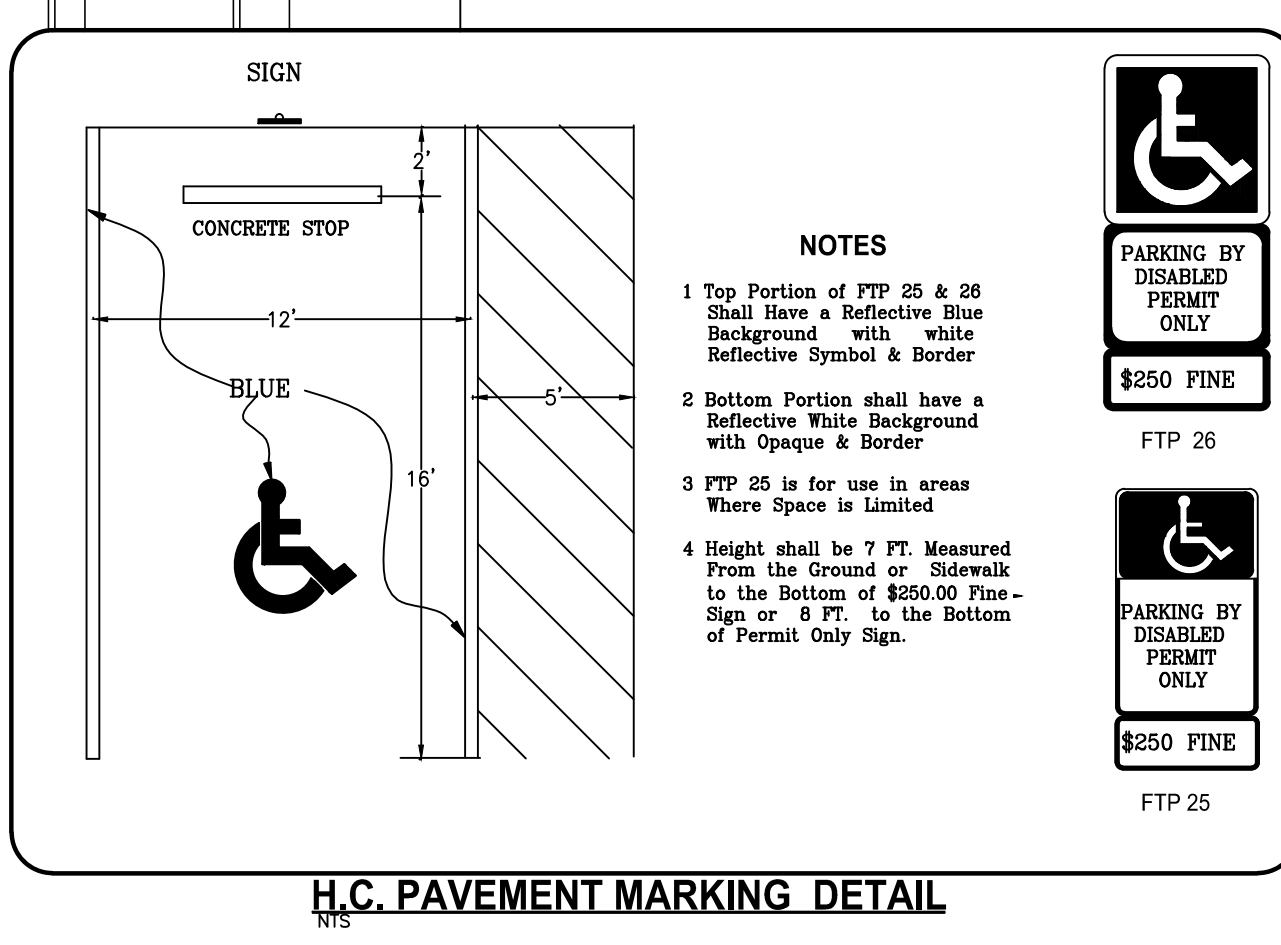
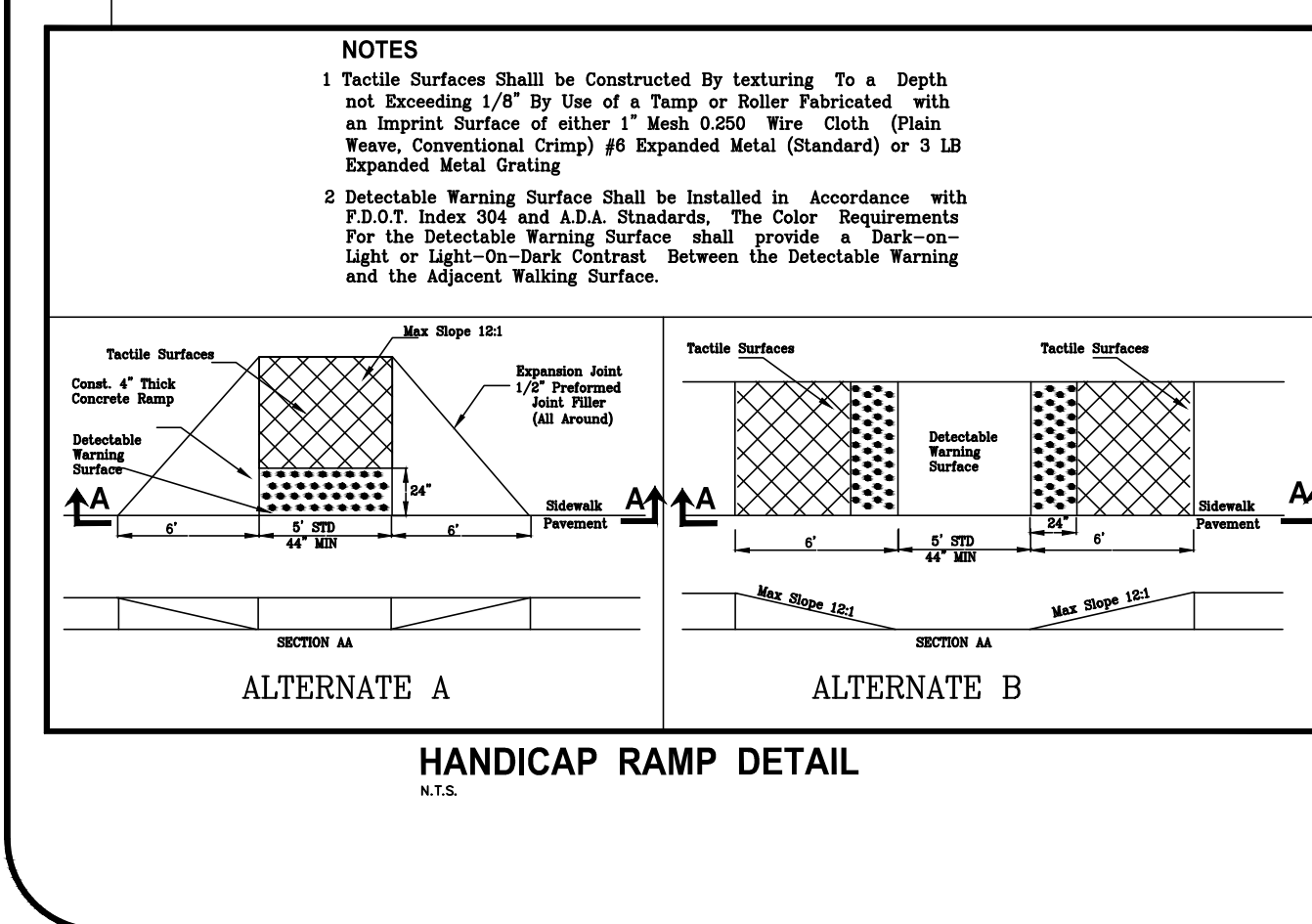
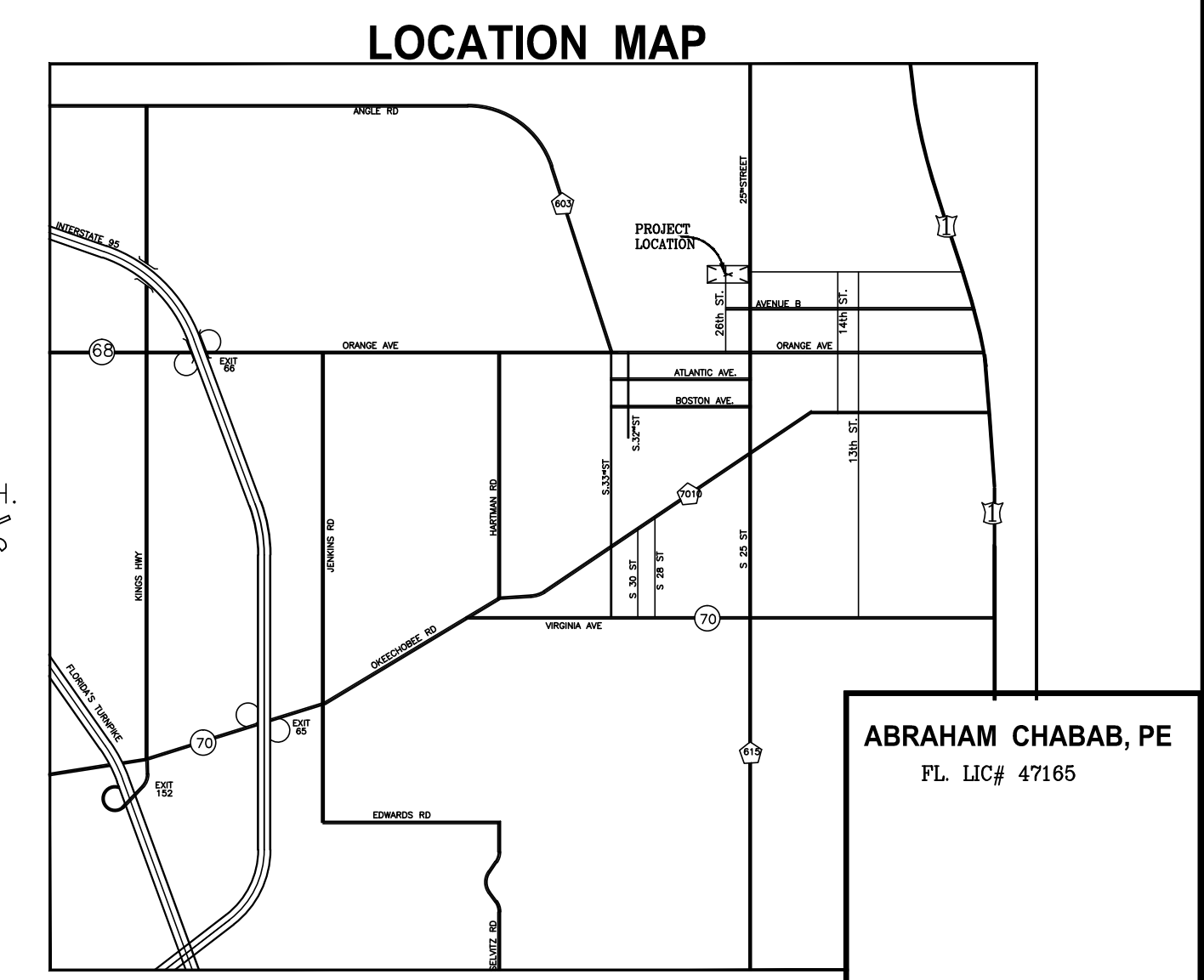
SITE COVERAGE (PARCELS 1,2,3&4)	SF	ACREAGE	%OF SITE
PROP. BLDG	5610	0.1288	5.96
COVERED ENTRY	180	0.0041	0.19
SIDEWALKS/PADS	4705	0.1080	5.00
PAVED AREA	24334	0.5586	25.87
TOTAL IMPERVIOUS	34829	0.7996	37.02
STABILIZED GRASS PKG	19038	0.4370	20.24
GREEN AREA	40183	0.9225	42.74
TOTAL	94050	2.1591	100.00

PARKING CALCULATIONS
 PARKING SPACES REQUIRED: 220 SEATS/1 PKG SPACE PER 3 SEATS = 73.33 SPACES
 ADD 15%: 73.33 SPACES x 15% = 11.00 SPACES
 TOTAL: 84.33 SPACES
 PARKING PROVIDED: 85 REGULAR, 4 H.C. TOTAL 89.00 SPACES
 % OF PAVED PARKING: 4 H.C. 41 REG SPACES = 45 SPACES
 MIN% OF PAVED PKG SPACES 50%, PROVIDED 51%
 % OF GRASS PARKING: 44 REG. SPACES, 49%

BUILDING SETBACKS

BUILDING	FRONT	REAR	LEFT SIDE	RIGHT SIDE
	25.00 FT	151.00 FT	15.00 FT	95.65 FT

PROPERTY LIES IN F.I.R.M. ZONE X & "AE" (EL 21) AS SCALED FROM THE NATIONAL FLOOD INSURANCE RATE MAP, PANEL NUMBER 12111C0178J DATED FEB 16, 2012
STORMWATER STATEMENT:
 PROPOSED STORMWATER DRAINAGE SYSTEM WILL CONSIST OF DETENTION AREA, CULVERTS AND A CONTROL STRUCTURE & MUST COMPLY WITH CITY OF PIERCE CH 17&22
HAZARDOUS WASTE:
 ANY & ALL HAZARDOUS OR TOXIC MATERIALS GENERATED OR USED OR STORED ON SITE SHALL BE DISPOSED OF IN ACCORDANCE WITH ALL LOCAL, STATE AND FEDERAL REGULATIONS



SCALE 1" = 20'

ABRAHAM CHABAB, Inc.
 FL. BOARD OF PROF. ENG. AUTH. #26790
 5428 NW EDGEWATER AVE
 PORT ST. LUCIE FL. 34983
 Email: aqchabab1@msn.com
 772 878-5079/475-6630
 Fax: 772 785-8291

FRESH WIND FRESH FIRE CHURCH	DESIGNED BY	AC	REVISIONS	DATE
	DRAWN BY	AC	Tech Review Crmts	Apr 29/14
	DATE	Sep 30/13		
	SHEET	1 OF 4		

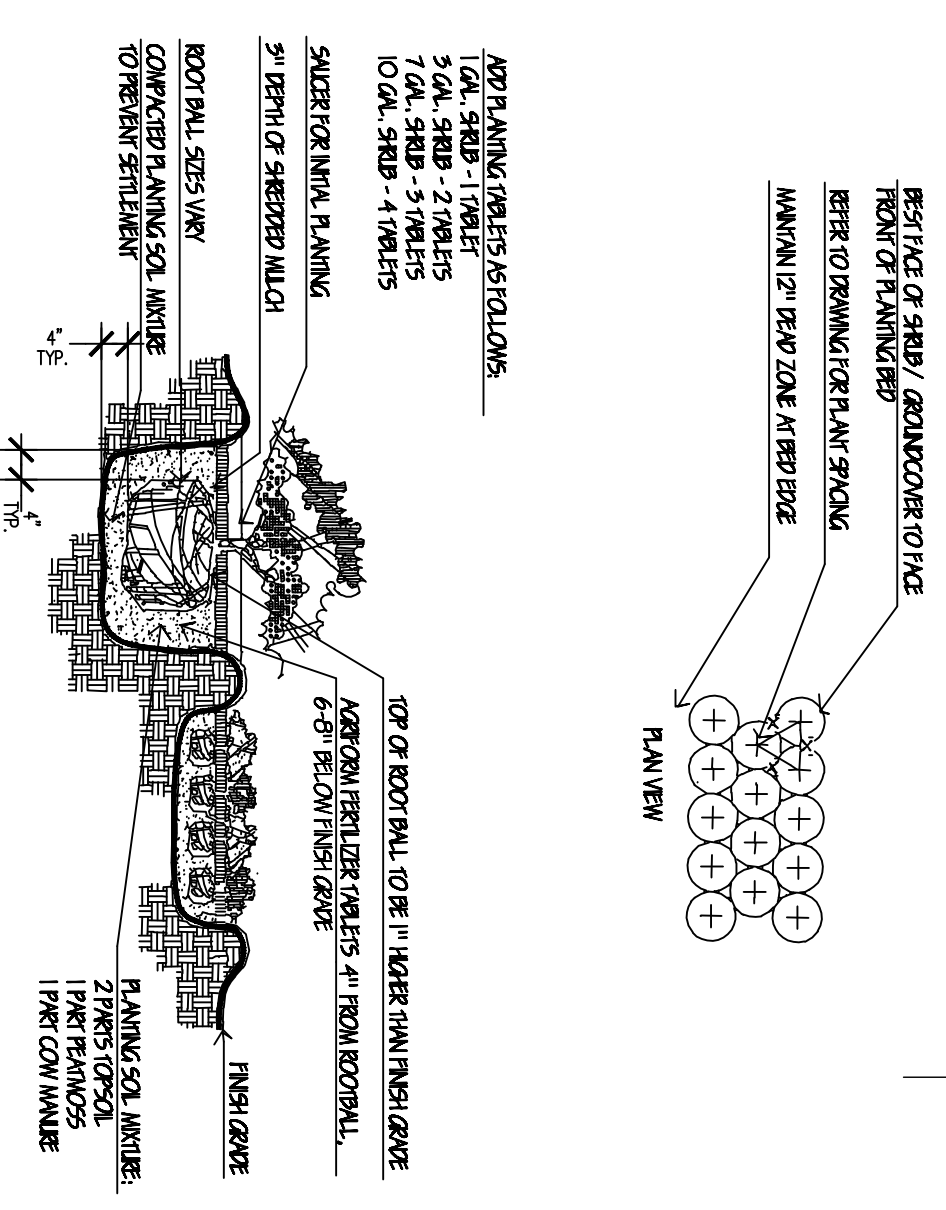
ABRAHAM CHABAB, PE
 FL. LIC# 47165

GRUBS / GROUNDCOVER PLANNING DETAIL

NS

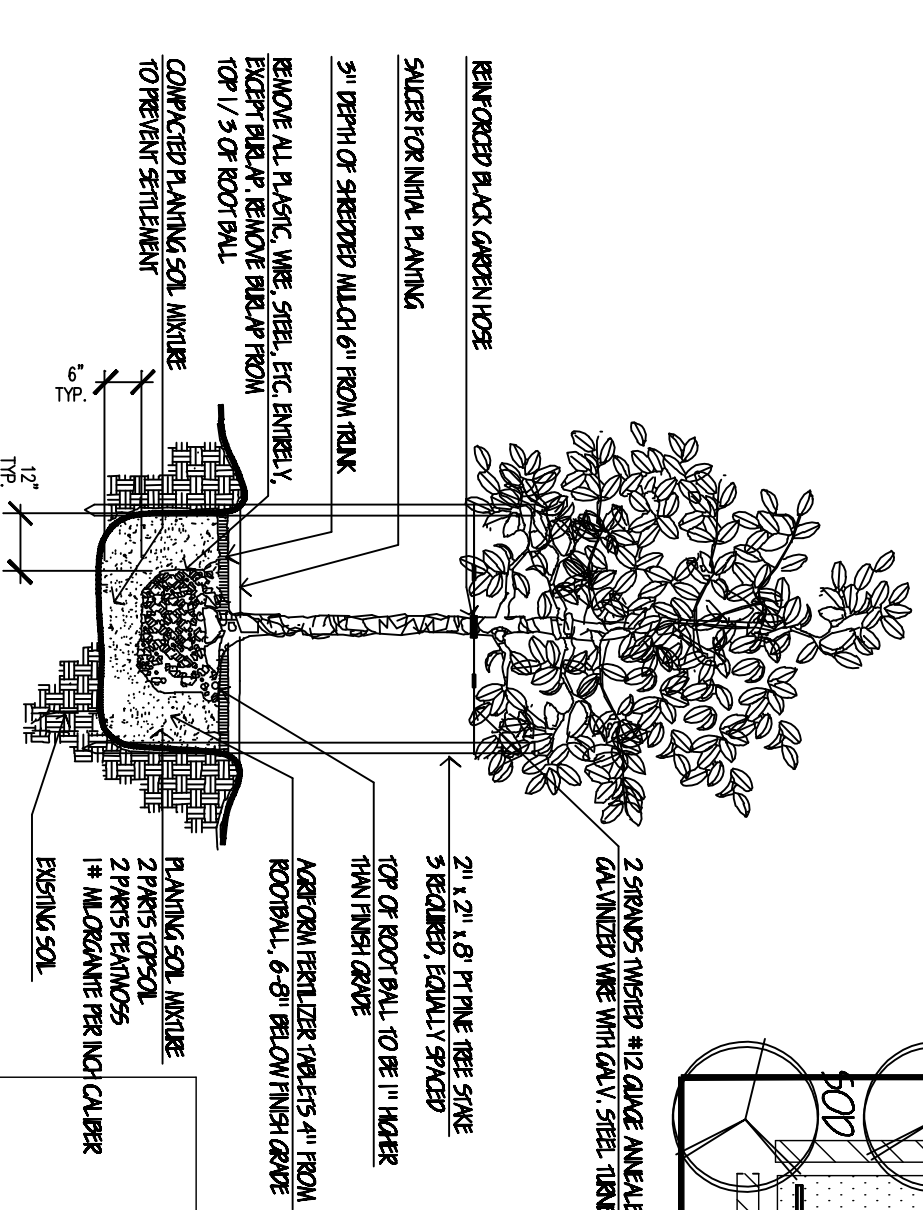


INDICATES OAK TREE TO BE PRESERVED



TREE PLANNING DETAIL

NS



MITIGATION

PINES TO BE REMOVED	0"
OK TREES TO BE PRESERVED	0"
TOTAL	0"
PINES TO BE PRESERVED	0"
OK TREES TO BE PRESERVED	84"
TOTAL	84"

REQUIRED MITIGATION:

NONE

O SMALL PALMS TO BE RELOCATED ON SITE

O SMALL PALMS TO BE PRESERVED

GENERAL NOTES

PROJECT NAME: FRESH WIND FRESH FIRE CHURCH

OWNER: Fresh Wind Fresh Fire Inc., 2000 N. 26th Street, Ft. Pierce, FL 34947, 365 N. 26th Street, Ft. Pierce, FL 34947

LOCATION: 365 N. 26th Street

CURRENT ZONING: R-4 & C-3

FUTURE LAND USE: VACANT

CURRENT USE: VACANT

BUILDING HEIGHT: 2408-507-0132-0008

NUMBER OF STORES: ONE

UTILITIES

ELECTRICAL: FPLA FOR WATER AND WASTEWATER

WATER & SEWER: BELL SOUTH

TELEPHONE: FORT PIERCE SOLID WASTE

SOLID WASTE: FORT PIERCE SOLID WASTE

NOTE: ALL UTILITIES SHALL BE INSTALLED UNDERGROUND

AREA TABULATION

SITE COVERAGE (PARCELS 2,3&4)	SF	ACREAGE	%OFSITE
PROP. BLDG.	5810	0.17288	6.38
PROP. DRIVE	4380	0.13005	5.14
SIDEWALKS/PADS	24334	0.55886	28.53
PAVED AREA	34504	0.7921	40.46
TOTAL IMPERVIOUS	17594	0.4039	20.63
GREEN AREA	33177	0.7616	38.91
TOTAL	85275	1.9976	100.00

MINIMUM TREE REQUIREMENTS

PERMIFFER VILLA ADJACENT TO STREET ROW: 999 LF. DN. BY 30' = 20 TREES REQUIRED

ALL TREES REQUIRED

PERMIFFER VILLA ADJACENT TO OTHER PROPERTY: 511 LF. DN. BY 20' = 26 TREES REQUIRED

ALL TREES REQUIRED

INTERIOR LANDSCAPE REQUIREMENTS: 41,928 SF. VILLA DN. BY 15' = 2199 SF. REQUIRED

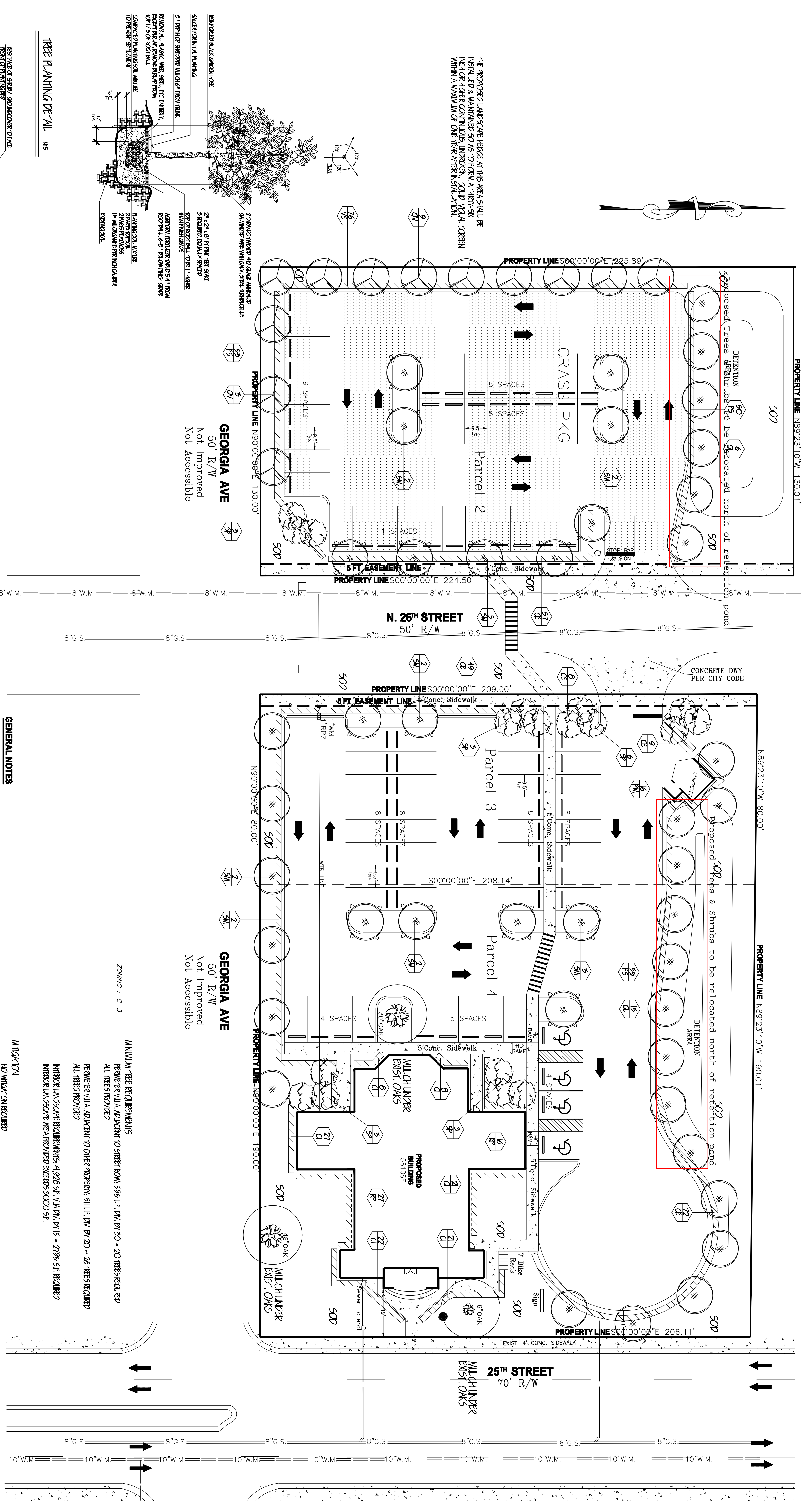
INTERIOR LANDSCAPE AREA PROVIDED: 9000 SF.

MITIGATION

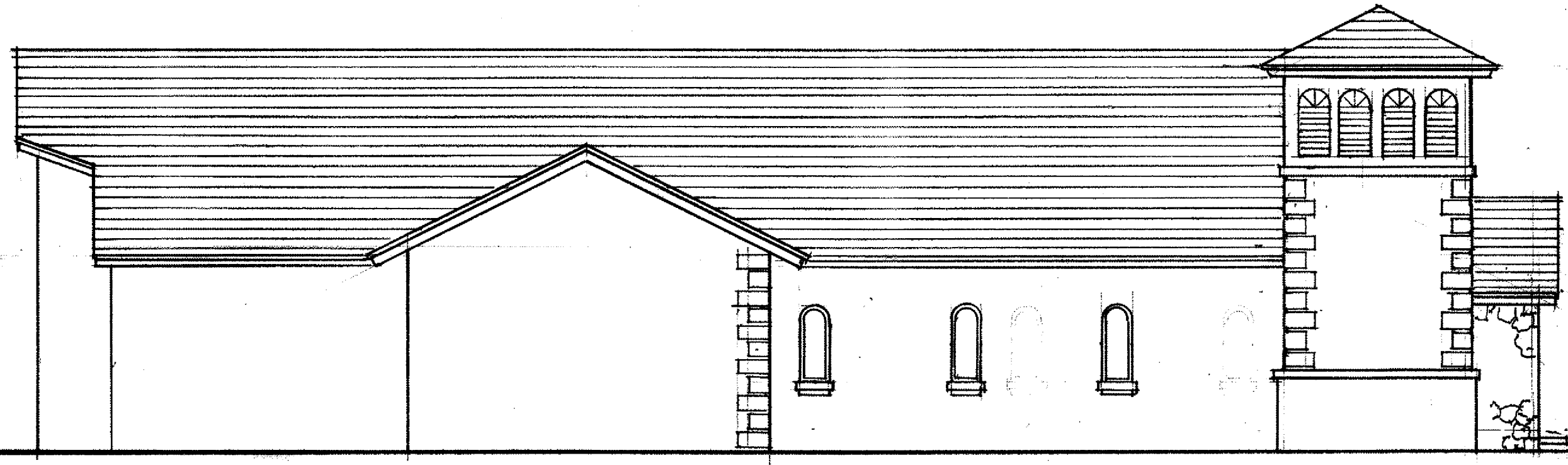
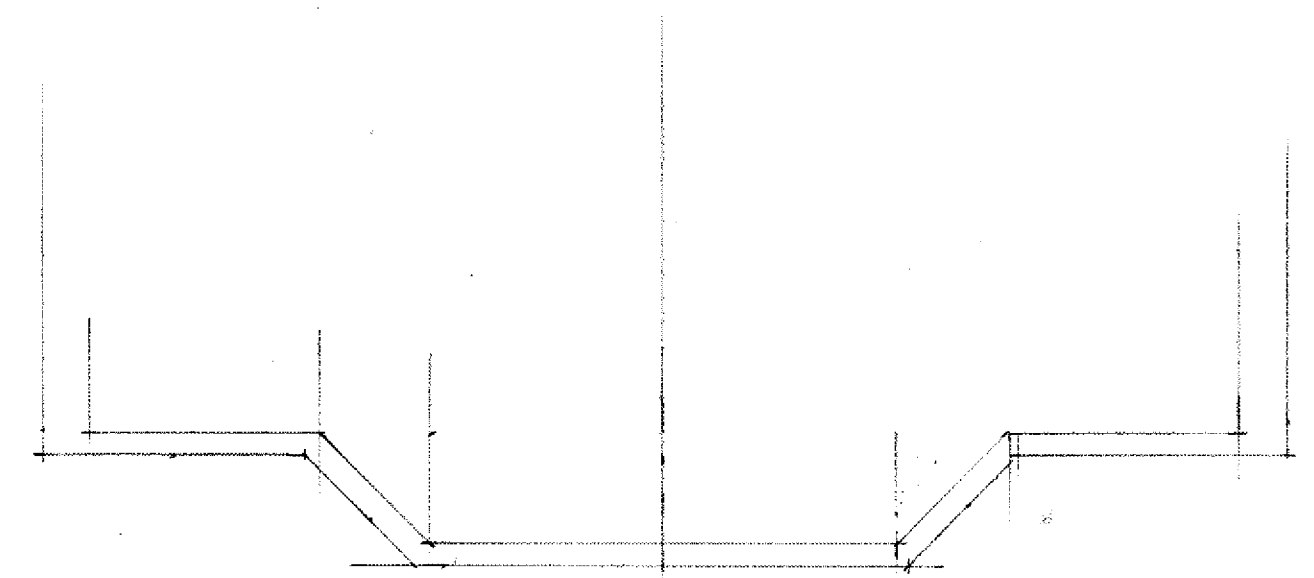
NO MITIGATION REQUIRED

PLANT & MATERIAL SCHEDULE

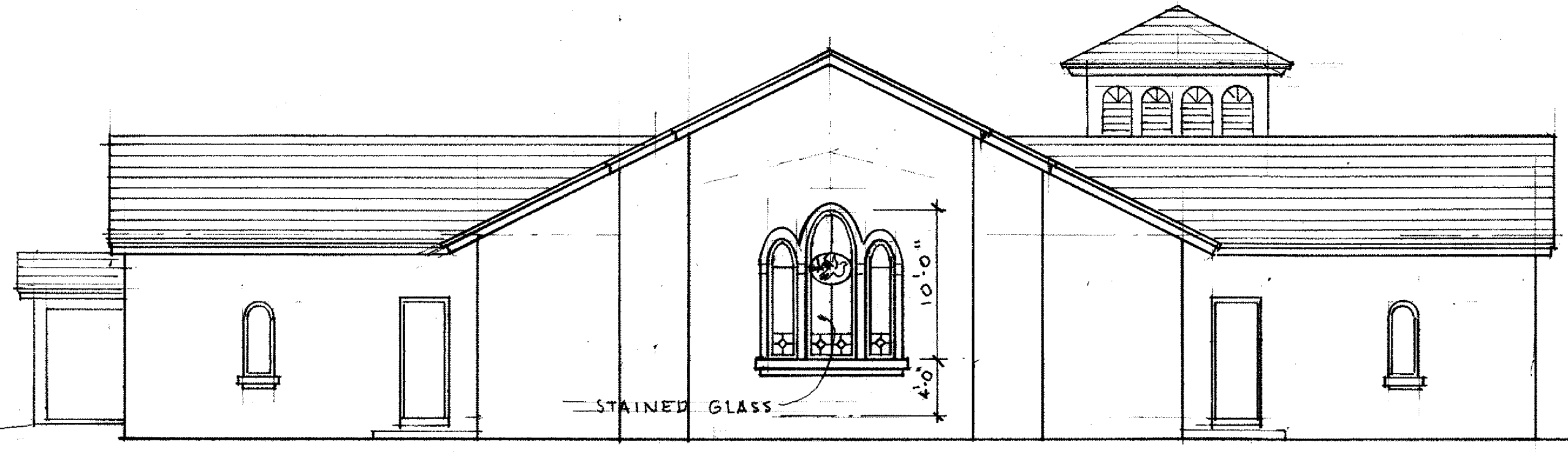
KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE (HT x SR)	CONTAINER
Q1	195	CONOCARPUS BECCARI	GREEN BUTTWOOD	24" x 18"	#5
Q2	107	CRYSOMALUS EUCO	COCCORUM	24" x 18"	#5
Q3	244	FORESTERA SELEGNEA	FLORIDA PALM	24" x 18"	#5
Q4	16	PROCARPUS MCDONNELL	JAPANESE YEW	24" x 18"	#5
Q5	27	CLERODENDRUM VIBICINA	LAYER OAK	12-14" x 5" - 2-1/2" DIA.	B 8 B
Q6	12	CLERODENDRUM VIBICINA	LAYER OAK	12-14" x 5" - 2-1/2" DIA.	B 8 B
Q7	16	SPIRALIS MAHOGONI	MAHOGANI	12-14" x 5" - 2-1/2" DIA.	B 8 B
Q8	5	SPIRALIS MAHOGONI	MAHOGANI	1/5 - 1/8" DIA. 20' 22' O.A.	B 8 B
Q9	45	RYNANEA PLACIDA	WINGS	24" x 18"	#5
Q10	76	VERBENUM SPICATUM	SANDWALNIA VERBENUM	24" x 18"	#5



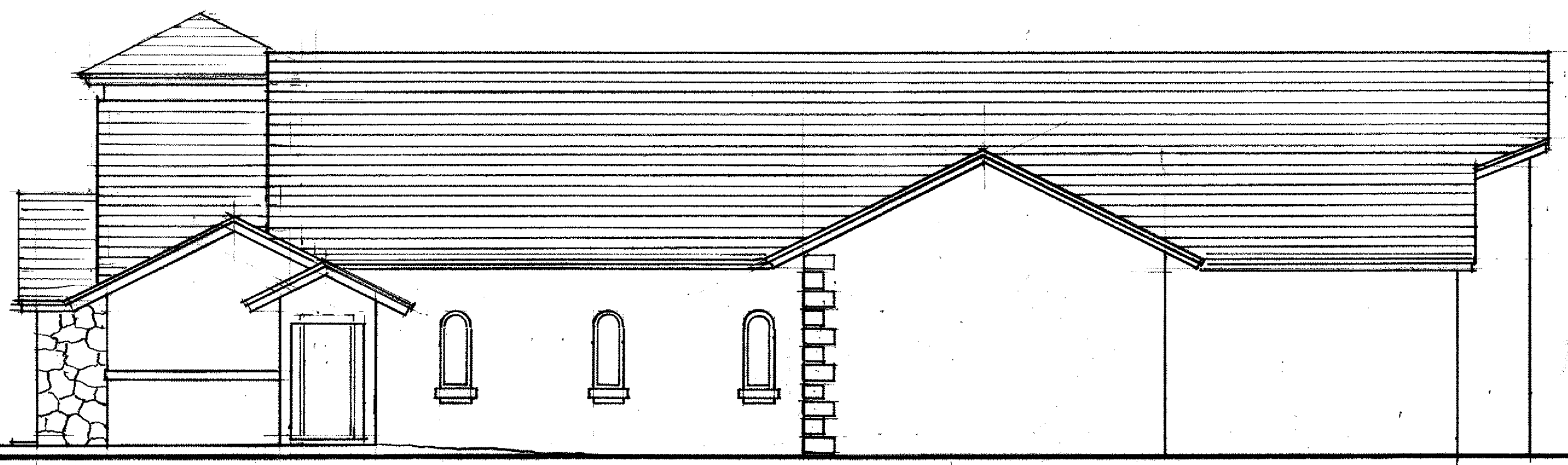
DATE: 02/12/2014	<p>FRESH WIND FRESH FIRE CHURCH</p> <p>N. 26TH STREET</p> <p>FT. PIERCE, FL</p> <p>LANDSCAPE PLAN</p>	<p>William A. Flint, III</p> <p>Landscape Architect</p> <p>Stuart, FL</p> <p>772.220.0424</p>	<p>FLA. Reg. #941</p> <p>fax 772.220.8915</p>
DRAWN: WAF			
CHECKED:			
SCALE: 1" = 20'			
PROJECT NO. 14-006			
SHEET 1 OF 1			



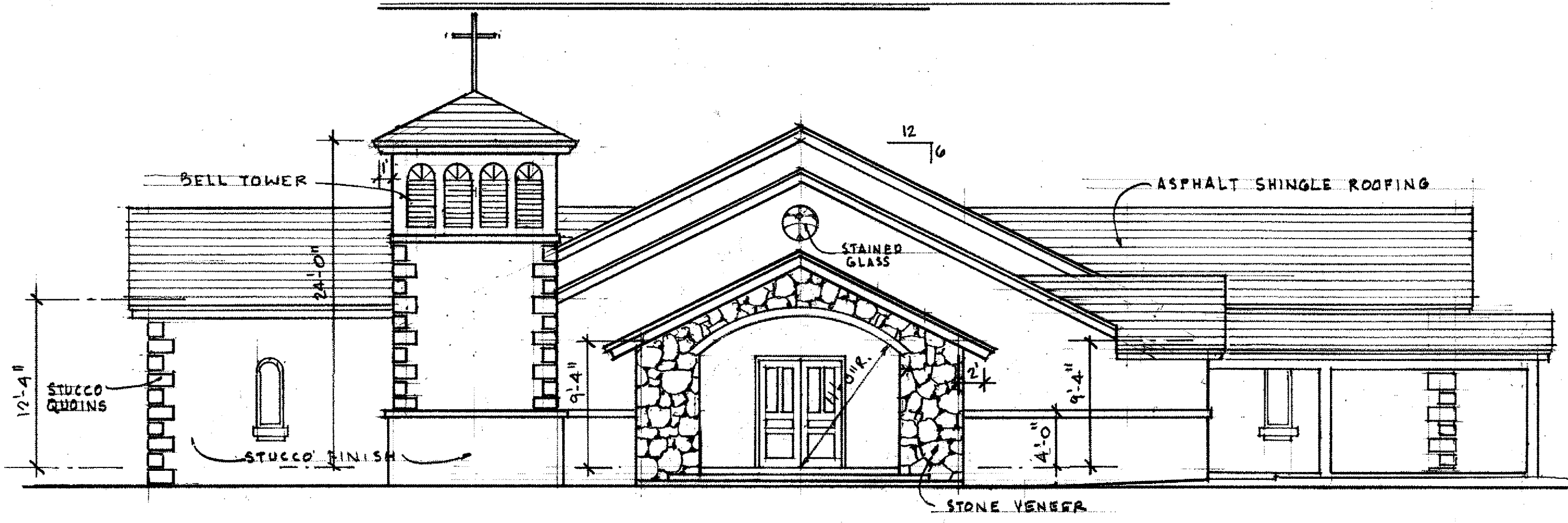
LEFT SIDE ELEVATION • 1/8" = 1'-0"



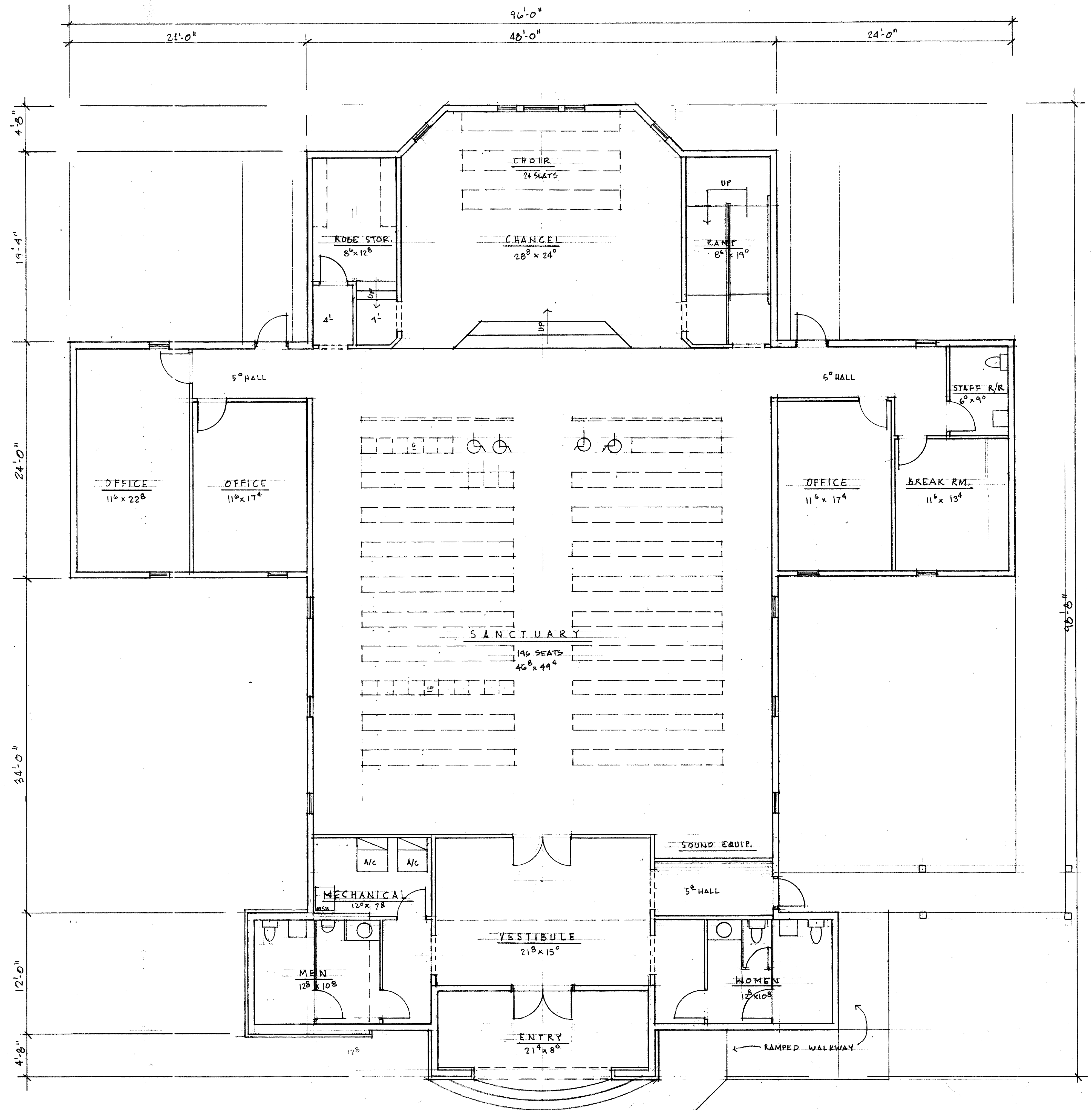
REAR ELEVATION • 1/8" = 1'-0"



RIGHT SIDE ELEVATION • 1/8" = 1'-0"



FRONT ELEVATION • 1/8" = 1'-0"



FLOOR PLAN. 3/16" = 1'-0"

REVIEW: 2/25/14

FRESH WIND FRESH FIRE
CHURCH OF GOD
FT. PIERCE, FLORIDA

PETER B. COOK

COOK & MENARD
ARCHITECTURE INC.
STATE OF FLORIDA REGISTRATION NO. AA000204
806 DELAWARE AVE.
FT. PIERCE, FLORIDA 34909
PHONE: (877) 468-7751
FAX: (877) 468-0244

SHEET
OF THREE
FRESH WIND
FRESH FIRE

City Commission Regular Meeting

Agenda Item # 10. b.

Meeting Date: 07/07/2014

Re: Ordinance 14-017 - Amending Chapter 22, Article Three, Basic Zoning Districts, Section 22-22, Amending the Allowed Uses in Various Zoning Districts

Submitted For: Rebecca Grohall, Planning & Zoning Manager, Planning & Zoning

SUBJECT:

Ordinance No. 14-017 - Amending City Code Section 22-22, Allowed Uses; Eliminating the differentiation of public and private elementary, middle or high schools.

SUMMARY:

- The City Commission, on November 4, 2013, adopted Ordinance L-295, which relocated all of the permitted and conditional uses for all of the zoning districts into a single, combined Use Table.
- The adoption of Ordinance L-295 separated public and private educational facilities into separate use categories, restricting application for private educational facilities in the E-1, C-1, C-2, C-4, C-5, C-6, and CP zoning districts, while public educational facilities were provided the capacity for conditional use consideration in these districts.
- St. Andrew's Episcopal Academy, Inc. is seeking a Zoning Text Amendment to Section 22-22(e) of the City of Fort Pierce Code of Ordinances to eliminate the differentiation of allowable uses for public and private educational facilities created by the adoption of Ordinance L-295 in order to pursue Conditional Use approval to expand their private school.
- The Planning Board, at their May 13, 2014 meeting, voted unanimously to recommend approval of the request.

RECOMMENDATION:

Approval

ALTERNATIVES:

- Approve Amendments to Various Zoning Districts
- Denial

RESPONSIBLE STAFF:

Kori Benton, Historic Preservation Officer

COORDINATED WITH:

Rebecca Grohall, AICP, Planning Manager

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

Staff Report

Ordinance 14-017

Application & Supporting Documents

Planning Board Minutes



CITY OF FORT PIERCE

PLANNING DEPARTMENT

REBECCA GROHALL, AICP, PLANNING MANAGER
COMPREHENSIVE PLANNING ♦ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING

TO: Robert J. Bradshaw, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Manager

FROM: Kori Benton, Historic Preservation Officer

SUBJECT: Abandonment of Right-of-way
Boston Avenue Extension – East of Indian River Drive

DATE: June 26, 2014

STAFF REPORT

Applicant: St. Andrews Episcopal Academy
210 S Indian River Dr
Fort Pierce FL 34950-4337

Representative: Trina Angelone, Head of School
210 S Indian River Dr
Fort Pierce FL 34950-4337

Requested Action:

Review and advancement of a recommendation to the City Commission regarding a proposed Ordinance amending City Code Section 22-22. Allowed uses; eliminating the differentiation of public and private elementary, middle or high schools,

Staff Analysis:

The City Commission, on November 4th, 2013, adopted Ordinance L-295, which relocated all of the permitted and conditional uses for all of the zoning districts into a single, combined Use Table. The Use Table is located in a newly created Section of the Code, offering a “one-stop-shop” for reviewing uses permitted within the City. The adopted table also provides several additional uses that were not previously listed within the City Code, further expanding some of the existing listed uses into additional zoning districts.

Prior to the adoption of Ordinance L-295, the City of Fort Pierce Code of Ordinances referred to both public and private educational facilities as schools and providing the same opportunity as semi-restricted and conditional use permission in select districts. The adoption of Ordinance L-295 effectively separated public and private educational facilities into separate use categories. The published table restricts application for private educational facilities in the E-1, C-1, C-2, C-4, C-5, C-6, and CP zoning districts, while public educational facilities were provided the capacity for conditional use consideration in these districts.

St. Andrew's Episcopal Academy, Inc. is seeking a Zoning Text Amendment to Section 22-22(e) of the City of Fort Pierce Code of Ordinances to eliminate the differentiation of allowable uses for public and private educational facilities created by the adoption of Ordinance L-295. The proposed amendment seeks to grant private educational facilities the same zoning privileges provided to public educational facilities.

The proposed amendment would enable the Planning Board and City Commission to consider private elementary, middle, and high schools as conditional use within the E-1, C-1, C-2, C-4, C-5, C-6, and CP zoning districts. This classification grants the ability to consider whether to allow, when desirable, this use, which would not be appropriate generally or without restriction throughout the listed zoning districts, but which, if controlled as to number, area, location or relation to the neighborhood, would not adversely affect the public health, safety, comfort, good order, appearance, convenience and the general welfare.

Planning Board Recommendation:

The Planning Board, at their May 13th, 2014 meeting, voted unanimously to recommend approval of the request.

Staff Recommendation:

The proposed amendment to Chapter 22, Zoning, of the City of Fort Pierce Code of Ordinances is consistent with the City's Comprehensive Plan and does not adversely affect the health, safety, and welfare of the community, therefore Staff recommends approval Ordinance and forward a recommendation of approval of the requested amendment.

ZONING DISTRICT	E1	E2	E3	R1	R2	R3	R4	R4A	R5	C1	C2	C3	C4	C5	C6	CP	I1	I2	I3	OS1	OS2	A1	A2
Day Care	-	-	-	-	C	C	C	C	C	C	C	C	-	C	-	-	-	-	-	-	-	-	-
-Adult Day Care Center	-	-	-	-	C	C	C	C	C	C	C	C	-	C	-	-	-	-	-	-	-	-	-
-Day Care Center	-	-	-	-	C	C	C	C	C	C	C	C	-	C	-	-	-	-	-	-	-	-	-
-Child Care Facility	-	-	-	-	C	C	C	C	C	C	C	C	-	C	-	-	-	-	-	-	-	-	-
-Family Day Care Home	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Educational Facilities																							
-College or University	-	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-	-	-	-
-Elementary, Middle or High School -Public	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-	-	-	-	-	-	-
-Elementary, Middle or High School -Private	-	-	€	€	€	€	€	€	€	-	-	€	-	-	-	-	-	-	-	-	-	-	-
-Marine Research/Education Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	C	-
Government Facilities (except as noted below)	-	-	-	-	-	-	-	-	-	C	C	P	P	C	-	C	-	-	-	-	-	C	C
-Post Office	-	-	-	-	-	-	-	-	-	C	C	P	P	C	-	C	-	-	-	-	-	-	-
-Safety Service	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	-	-	C	C
Medical Facilities (except as noted below)																							
-Hospital	-	-	-	-	C	C	C	-	C	C	-	C	C	-	-	-	-	-	-	-	-	-	-
-Nursing Home	-	-	-	-	C	C	C	-	C	C	-	C	C	-	-	-	-	-	-	-	-	-	-
Park and Open Space (except as noted below)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C	-
-Cemetery/Columbarium/Mausoleum	C	C	C	C	C	C	-	-	C	C	C	-	-	-	-	-	-	-	-	C	-	-	-
-Country Club/Golf Course	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-	-	-	C	-	-	-
-Game and Wildlife Management Preserves	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-
-Water Dependent Recreation Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	C
Passenger Terminal																							
-Airport/Heliport	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-
-Rail/Bus Terminal	-	-	-	-	-	-	-	-	-	C	C	C	-	C	C	C	C	C	C	-	-	-	-
-Bus Shelter	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-
-Taxi Terminal	-	-	-	-	-	-	-	-	-	C	C	C	-	C	C	C	C	C	C	-	-	-	-
Religious Institution	C	C	C	C	C	C	C	C	C	C	C	P	P	C	-	C	-	-	-	-	-	-	-
Social Service Institution (except as noted below)	-	-	-	-	-	-	-	-	-	C	-	C	C	-	-	-	C	C	-	-	-	-	-
-Halfway Houses	-	-	-	-	-	C	C	C	C	C	-	C	C	-	-	-	C	-	-	-	-	-	-
Utilities																							
-Minor, other	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	P	C	C	C	C
-Major	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	P	C	C	C	C
-Utility Cabinets, Above Ground	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C	C	C
COMMERCIAL																							
Eating and Drinking Establishments																							
-Brew Pub	-	-	-	-	-	-	-	-	C	P	C	P	P	P	P	C	C	C	-	-	-	-	-
-Coffee Shop	-	-	-	-	-	-	-	-	C	C	P	P	P	P	P	C	C	C	-	-	-	-	-
-Neighborhood Bistro	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	-	-	-	-
-Neighborhood Café	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	-	-	-	-
-Restaurants, Fast Food	-	-	-	-	-	-	-	-	C	-	-	P	P	P	P	C	C	C	-	-	-	-	-
-Restaurant and Bar	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	C	-	-	C
-Wine/Cigar Bar	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	-	-	-	-
Entertainment, Indoor (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	C	-	-	-
-Adult Establishment	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-
-Arcade Amusement Center	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	-	-	-	-
-Bar or Nightclub	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-
-Theater	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-
Entertainment, Outdoor (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	C	-	P	-	-	-	-	-	C	-	-	-
-Batting Cages, Driving Ranges	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-
-Stables or Equestrian Facilities	C	C	C	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	-	-	-	-	-
-Stadium or Arena	-	-	-	-	-	-	-	-	-	-	-	C	-	C	C	-	C	C	-	-	-	-	-
Marine-Related Commercial (except as noted below)	-	-	-	-	-	-	-	-	-	C	-	P	P	C	P	-	-	C	-	C	-	-	C
-Boat and Marine Equipment Sales	-	-	-	-	-	-	-	-	-	-	-	P	C	C	P	-	-	C	-	-	-	-	-
-Marina/Boat Livery	-	-	-	-	-	-	-	-	-	C	-	C	C	C	C	-	-	P	-	C	-	-	C
Office																							
-Administrative, Professional, General, Medical Office	-	-	-	-	-	-	C	C	C	P	P	P	P	P	P	P	C	C	-	-	-	-	-
-Day Labor Employment Agency	-	-	-	-	-	-	-	-	-	P	C	P	P	-	-	P	-	-	-	-	-	-	-
-Medical and Dental Clinic	-	-	-	-	-	-	-	-	-	P	C	P	P	C	-	P	-	C	-	-	-	-	-
-Television and Radio Studios	-	-	-	-	-	-	-	-	-	P	P	P	P	C	P	-	C	-	-	-	-	-	-

ZONING DISTRICT	E1	E2	E3	R1	R2	R3	R4	R4A	R5	C1	C2	C3	C4	C5	C6	CP	I1	I2	I3	OS1	OS2	A1	A2
Overnight Accommodations																							
-Bed & Breakfast	-	-	-	-	-	-	C	C	C	-	P	P	P	P	-	-	-	-	-	-	-	-	-
-Dwelling Rental	-	-	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-Hotel/Motel	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	C	-	-	-	-	-	-	-
-Recreational Vehicle Park	-	-	-	-	-	-	-	-	-	-	-	C	-	C	-	-	-	-	-	-	-	-	-
-Resort Hotel	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	-	-
Parking, Commercial	-	-	-	-	-	-	-	C	-	C	-	P	C	C	-	C	-	C	-	-	-	-	-
Retail Sales & Service, Sales-Oriented (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
-Art Gallery	-	-	-	-	-	-	-	-	-	C	C	P	P	P	-	C	-	-	-	-	-	-	-
-Farmers Market or Farm Stand	P	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	C	-	-	-	-	-	-
-Grocery or Liquor Store	-	-	-	-	-	C	-	C	-	P	P	P	C	-	C	-	-	-	-	-	-	-	-
-Neighborhood Commercial Sale	-	-	-	C	C	P	P	P	-	P	P	P	C	-	C	-	-	-	-	-	-	-	-
-Office Supplies & Electronics	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
-Pet Stores	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
Retail Sales & Service, Personal-Service Oriented (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
-Art Studio	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
-Animal Care Facilities & Service	-	-	-	-	-	-	-	-	-	-	-	C	-	P	-	C	-	-	-	-	-	-	-
-Animal Grooming Services	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
-Check Cashing/Loan Service	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-
-Educational Service Establishments	-	-	-	-	-	-	-	C	C	C	P	P	C	P	P	P	C	C	-	-	-	-	-
-Laundry & Dry Cleaners Pick-Up	-	-	-	-	-	C	C	C	C	P	P	P	P	-	C	-	-	-	-	-	-	-	-
-Laundromat	-	-	-	-	-	C	C	C	C	P	P	P	C	-	C	-	-	-	-	-	-	-	-
-Mortuaries or Funeral Homes	-	-	-	-	-	-	-	-	-	-	-	P	P	-	C	-	-	-	-	-	-	-	-
-Neighborhood Commercial Services	-	-	-	C	C	P	P	P	C	P	P	P	P	-	C	-	-	-	-	-	-	-	-
-Pawn Shop	-	-	-	-	-	-	-	-	-	-	-	P	P	C	-	C	-	-	-	-	-	-	-
-Personal Improvement Service	-	-	-	-	-	C	C	C	C	-	P	P	P	-	C	-	-	-	-	-	-	-	-
-Veterinary (Without Outdoor Runs)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
Retail Sales & Service, Repair-Oriented	-	-	-	-	-	-	P	-	C	-	P	P	P	-	P	-	-	-	-	-	-	-	-
Self-Service Storage	-	-	-	-	-	-	-	-	-	-	-	C	-	C	C	-	P	-	P	-	-	-	-
Vehicle Sales & Service																							
-Automobile Rentals	-	-	-	-	-	-	-	-	-	-	-	P	C	C	C	C	P	-	P	-	-	-	-
-Automobile Sales	-	-	-	-	-	-	-	-	-	-	-	P	C	C	C	C	P	-	P	-	-	-	-
-Boat Rentals	-	-	-	-	-	-	-	-	-	-	-	P	C	P	C	C	P	-	P	-	-	-	C
-Boat Sales	-	-	-	-	-	-	-	-	-	-	-	P	C	C	C	C	P	-	P	-	-	-	P
-Fueling Station	-	-	-	-	-	-	-	-	C	C	P	C	C	-	C	-	P	-	-	-	-	-	-
-Travel Plaza	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	C	-	-	-	-	-	-	-
-Truck Stop	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	C	-	-	-	-	-	-	-
-Vehicle Repair, General	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	C	-	-	-	-	-	-	-
-Vehicle Repair, Limited	-	-	-	-	-	-	-	-	-	-	-	P	C	-	-	P	-	-	-	-	-	-	-
-Vehicle Storage	-	-	-	-	-	-	-	-	-	-	C	-	-	C	-	P	C	P	-	-	-	-	-
INDUSTRIAL																							
Artisan	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	P	P	-	P	-	-	-	-
-Cabinet Shops, Woodworking	-	-	-	-	-	-	-	-	-	-	-	C	C	-	C	P	-	P	-	-	-	-	-
Light Industrial Service (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	-	P	-	-	-	-
-Catering Facility, Large-Scale	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	-	P	-	-	-	-
-Crematorium	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	-	-	-	-
-Building Maintenance Facilities And Services	-	-	-	-	-	-	-	-	-	-	-	C	-	-	C	-	-	-	-	-	-	-	-
-Contractors/Others Performing Services Off-Site	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	-	P	-	-	-	-
-Microbrewery	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	-	-	-	-	-	-	-	-
-Research Service	-	-	-	-	-	-	-	-	-	-	-	C	-	-	P	P	P	-	P	-	-	-	-
Marine-Related Industrial	-	-	-	-	-	-	-	-	-	-	-	C	-	-	P	-	C	P	P	-	-	-	P
Warehouse & Freight (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	C	P	-	-	-	-
-Parcel Service	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	C	P	-	-	-	-
Waste-Related Use (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-
-Solid Waste Separation, Transfer Station	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-
-Recycling Center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	-	-	-	-
-Wrecking or Salvage Yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-
Wholesale Trade	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	P	C	P	-	-	-	-
Heavy Industrial (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-

ZONING DISTRICT	E1	E2	E3	R1	R2	R3	R4	R4A	R5	C1	C2	C3	C4	C5	C6	CP	I1	I2	I3	OS1	OS2	A1	A2
-Heavy Equipment Sales & Rentals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	C	P	-	-	-	-
-Processing of Food & Related Products	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	P	P	-	-	-	-
OTHER																							
Aquaculture Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	C	C
Community Gardens	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-	-
Dock/Moorage Facility (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C
-Docks for Single Family Homes	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
- Docks for Single Family Homes on canals within Surfside or Jennings Cove	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C
Navigational Aids	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Telecommunication Facility																							
-Antenna Support Structure	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
-Antenna (on existing structure)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

SECTION 2. All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

SECTION 3. This Ordinance is and the same shall become effective immediately upon final passage.

APPROVED AS TO FORM
AND CORRECTNESS:

ROBERT V. SCHWERER, ESQ.
CITY ATTORNEY

STATE OF FLORIDA
ST. LUCIE COUNTY

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 14-017 was duly advertised by title only in the St. Lucie News Tribune on June 22, 2014 and July 14, 2014; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on July 7, 2014; and was duly introduced, read by title only, and passed on second and final reading on July 21, 2014 by the City Commission of the City of Fort Pierce, Florida.

In witness herewith, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 21st day of July, 2014.

LINDA HUDSON, MAYOR COMMISSIONER

LINDA W. COX, CITY CLERK

(CITY SEAL)



**CITY OF FORT PIERCE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

COMPREHENSIVE PLANNING ♦ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING



APPLICATION FOR ZONING TEXT AMENDMENT

1. Zoning Code Section to be amended: Section 22-22 (e) - Use table
2. Current Text: See attached Section 22-22(e)
3. Proposed Text: See attached redlined Section 22-22(e)
4. Reason for Amendment: Zoning Text Amendment to Section 22-22(e) of the City of Fort Pierce Code of Ordinances to eliminate the differentiation of allowable uses for public and private educational facilities created by the adoption of ordinance no. L-295. The proposed amendment seeks to allow private educational facilities the same zoning rights currently provided to public educational facilities.
5. Name of Applicant: St. Andrews Episcopal Academy, Inc. c/o John Liebler, Rector/Board Chair
 Signature of Applicant: *John S. Liebler*
 Mailing Address: 210 South Indian River Drive
 City Fort Pierce State FL Zip 34950
 Phone # 772-461-7689 Fax # 772-461-4683
 E-mail: frjohn@mystandrews.com
6. Name of Representative: Trina Angelone, Interim Head of School
 Signature of Representative: *Trina Angelone*
 Mailing Address: 210 South Indian River Drive
 City Fort Pierce State FL Zip 34950
 Phone # 772-461-7689 Fax # 772-461-4683
 E-mail: headofschool@staacademy.org

Please supply all backup material.

To be completed by the City of Fort Pierce	
Date Received <u>3/25/14</u>	By <u><i>Keri Benton</i></u>
Fee Paid: <u>\$3,980.00</u>	Receipt Number: <u>check # 13133</u>

March 25, 2014

Rebecca Grohall, AICP
Planning Manager
City of Fort Pierce
Planning Department
100 North US 1
Fort Pierce, FL 34954

Re: Application for Zoning Text Amendment
Section 22-22(e) City of Fort Pierce Code of Ordinances
Eliminate the Differentiation of Allowable Uses for Public and Private Educational
Facilities created by the Adoption of Ordinance No. L-295

Dear Ms. Grohall:

St. Andrew's Episcopal Academy, Inc. is seeking a Zoning Text Amendment to Section 22-22(e) of the City of Fort Pierce Code of Ordinances to eliminate the differentiation of allowable uses for public and private educational facilities created by the adoption of ordinance no. L-295. The proposed amendment seeks to allow private educational facilities the same zoning rights currently provided to public educational facilities.

Prior to the adoption of ordinance no. L-295 the City of Fort Pierce Code of Ordinances referred to both public and private educational facilities as schools and both had the same allowable uses. Upon adoption of ordinance no. L-295, public and private educational facilities were differentiated and private educational facilities were prohibited in E-1, C-1, C-2, C-4, C-5, C-6, and CP zoning districts, while public educational facilities were allowed as a conditional use in these districts.

St. Andrew's Episcopal Academy is launching a high school program and is in the process of acquiring nearby properties for the expansion. The properties of interest located immediately south of the existing school facilities are in the C-1 zoning district and 111 2nd Street is in the C-4 zoning district. St. Andrews Episcopal Academy is an extension of St. Andrew's Episcopal Church and is located in the C-4 zoning district. In our meeting on March 18, 2014, Trina Angelone, Interim Head of School, described her vision of expanding St. Andrew's Episcopal Academy into an urban academia which would function in cooperation with the local businesses, research facilities, and cultural facilities to provide a truly unique learning experience for the students.

Even though the zoning text amendment has been initiated based on the interests of St. Andrews's Episcopal School, this proposed code revision would correct an inconsistency created by the adoption of ordinance L-295. Additional reasons to consider for approval of this proposed amendment include the following:

1. Private Educational Facilities would have Less Impact than Public Educational Facilities on Public Infrastructure.

Private educational facilities are typically smaller in size, rely less on bus services, and are more appropriate in a commercial district than a public educational facility which is often fenced along the entire perimeter and has large playing fields. The fact that student transportation to and from a private educational facility is predominately provided by the parents, creates an additional source of customers benefitting downtown merchants, restaurants, and other businesses. There is an increase in potential benefits to the community by allowing private educational facilities the same allowable uses offered to public educational facilities.

2. Consistent with the Land Development Regulations of Similar Municipalities.

The land development regulations or code of ordinances for four nearby municipalities similar in size and character as the City of Fort Pierce were reviewed to determine if public and private educational facilities or schools were considered the same or different with respect to allowable use in the various zoning districts. The four municipalities included City of Sebastian, City of Vero Beach, Town of Jupiter, and Town of Juno Beach. In all cases, public and private schools were considered to be the same in all zoning districts in which they were allowed. A copy of the pertinent sections of the codes from each of these municipalities is included for reference in the Appendix.

Amending the City of Fort Pierce Code of Ordinances to allow private educational facilities the same development rights as public educational facilities would be consistent with the development regulations of similar nearby municipalities and would be consistent with the City of Fort Pierce policy prior to ordinance no. L-295.

3. Discrimination against Private Educational Facilities.

Appendix H includes a copy of the Marquette Law Review, Volume 38, Issue 4, Spring 1955, Article 7, "Constitutional Law – Validity of Zoning Ordinances Discriminating against Private Education Facilities". This article presents case studies with very similar circumstances as to what currently exists with respect to the City of Fort Pierce allowable uses for public and private educational facilities. In the example cases presented, the argument was made that private and public schools both serve the same purpose of educating the children of the community and therefore must receive equal treatment under the zoning laws.

Amending the City of Fort Pierce Code of Ordinances to eliminate the differentiation between public and private educational facilities would be consistent with past judicial opinions.

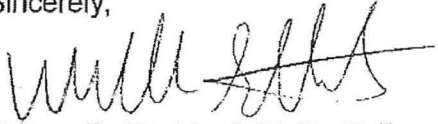
We respectfully request that you carefully consider this additional information presented in your evaluation of the Application for Zoning Text Amendment. Revising the allowable use Table in Section 22-22(e) as proposed would eliminate the differentiation of allowable uses for public and private educational facilities created by the adoption of ordinance no. L-295 and allow private educational facilities the same zoning rights currently provided to public educational facilities. This amendment would be consistent with the City of Fort Pierce policy prior to the adoption of ordinance no L-295, consistent with past court decisions, consistent with other local

municipalities, and would bring both an economic and development benefit to the Downtown Business and Entertainment Overlay District in Fort Pierce.

St. Andrew's Episcopal Academy along with St. Andrew's Episcopal Church has been an asset to the City of Fort Pierce for over 34 years. Without approval of the zoning text amendment, St. Andrew's Episcopal Academy would not have opportunity to expand to the next level and become one of the many focal points in the downtown community.

If you have any questions please do not hesitate to contact myself, Trina Angelone, or Father John Liebler.

Sincerely,

A handwritten signature in cursive script, appearing to read 'William P. Stoddard', written in black ink.

William P. Stoddard, Ph.D., P.E.

Cc: Trina Angelone
Fr. John Liebler

Appendix A

Current Zoning Text

City of Fort Pierce Code of Ordinances
Section 22-22. Allowed Uses

Appendix B

Proposed Zoning Text Amendment

City of Fort Pierce Code of Ordinances
Section 22-22. Allowed Uses

ZONING DISTRICT	E1	E2	E3	R1	R2	R3	R4	R4A	R5	C1	C2	C3	C4	C5	C6	CP	I1	I2	I3	OS1	OS2	A1	A2	
-Adult Day Care Center	-	-	-	-	C	C	C	C	C	C	C	C	-	C	-	-	-	-	-	-	-	-	-	
-Day Care Center	-	-	-	-	C	C	C	C	C	C	C	C	-	C	-	-	-	-	-	-	-	-	-	
-Child Care Facility	-	-	-	-	C	C	C	C	C	C	C	C	-	C	-	-	-	-	-	-	-	-	-	
-Family Day Care Home	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Educational Facilities																								
-College or University	-	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-	-	-	-	
-Elementary, Middle or High School - Public	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-	-	-	-	-	-	-	
-Elementary, Middle or High School - Private	-	C	C	C	C	C	C	C	C	-	-	C	-	-	-	-	-	-	-	-	-	-	-	
-Marine Research/Education Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		P	-	-	-	C	-	
Government Facilities (except as noted below)	-	-	-	-	-	-	-	-	-	C	C	P	P	C	-	C	-	-	-	-	-	C	C	
-Post Office	-	-	-	-	-	-	-	-	-	C	C	P	P	-	-	C	-	-	-	-	-	-	-	
-Safety Service	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	-	-	C	C	
Medical Facilities (except as noted below)	-	-	-	-	C	C	C	-	C	C	-	C	-	C	-	-	-	-	-	-	-	-	-	
-Hospital	-	-	-	-	C	C	C	-	C	C	-	C	C	-	-	-	-	-	-	-	-	-	-	
-Nursing Home	-	-	-	-	C	C	C	-	C	C	-	C	C	-	-	-	-	-	-	-	-	-	-	
Park and Open Space (except as noted below)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C	-
-Cemetery/Columbarium/Mausoleum	C	C	C	C	C	C	-	-	C	C	C	C	-	-	-	-	-	-	-	C	-	-	-	
-Country Club/Golf Course	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-	-	-	C	-	-	-	
-Game and Wildlife Management Preserves	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	
-Water Dependent Recreation Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	C	
Passenger Terminal																								
-Airport/Heliport	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-	
-Rail/Bus Terminal	-	-	-	-	-	-	-	-	-	C	C	C	C	-	C	C	C	C	C	-	-	-	-	
-Bus Shelter	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	
-Taxi Terminal	-	-	-	-	-	-	-	-	-	C	C	C	C	-	C	C	C	C	C	-	-	-	-	
Religious Institution	C	C	C	C	C	C	C	C	C	C	C	P	P	C	-	C	-	-	-	-	-	-	-	
Social Service Institution (except as noted below)	-	-	-	-	-	-	-	-	-	C	-	C	C	-	-	-	C	C	-	-	-	-	-	
-Halfway Houses	-	-	-	-	-	C	C	C	C	C	-	C	C	-	-	-	C	-	-	-	-	-	-	
Utilities																								
-Minor, other	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	P	C	C	C	C	
-Major	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	P	C	C	C	C	
-Utility Cabinets, Above Ground	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C	C	C	
COMMERCIAL																								
Eating and Drinking Establishments																								
-Brew Pub	-	-	-	-	-	-	-	-	C	P	C	P	P	P	P	C	C	C	-	-	-	-	-	
-Coffee Shop	-	-	-	-	-	-	C	-	C	C	P	P	P	P	P	C	C	C	-	-	-	-	-	
-Neighborhood Bistro	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	-	-	-	-	
-Neighborhood Café	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	-	-	-	-	
-Restaurants, Fast Food	-	-	-	-	-	-	-	-	C	-	-	P	P	P	P	C	C	C	-	-	-	-	-	
-Restaurant and Bar	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	C	-	-	C	
-Wine/Cigar Bar	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	-	-	-	-	
Entertainment, Indoor (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	C	-	-	-	
-Adult Establishment	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	
-Arcade Amusement Center	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	-	-	-	-	
-Bar or Nightclub	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-	
-Theater	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-	
Entertainment, Outdoor (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	C	-	P	-	-	-	-	-	C	-	-	-	
-Batting Cages, Driving Ranges	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-	
-Stables or Equestrian Facilities	C	C	C	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	-	-	-	-	-	
-Stadium or Arena	-	-	-	-	-	-	-	-	-	-	-	C	-	C	C	-	C	C	-	-	-	-	-	
Marine-Related Commercial (except as noted below)	-	-	-	-	-	-	-	-	-	C	-	P	P	C	P	-	-	C	-	C	-	-	C	
-Boat and Marine Equipment Sales	-	-	-	-	-	-	-	-	-	-	-	P	C	C	P	-	-	C	-	-	-	-	-	
-Marina/Boat Livery	-	-	-	-	-	-	-	-	-	C	-	C	C	C	C	-	-	P	-	C	-	-	C	
Office																								
-Administrative, Professional, General, Medical Office	-	-	-	-	-	-	C	C	C	P	P	P	P	P	P	P	C	C	-	-	-	-	-	
-Day Labor Employment Agency	-	-	-	-	-	-	-	-	-	P	C	P	P	-	-	P	-	-	-	-	-	-	-	
-Medical and Dental Clinic	-	-	-	-	-	-	-	-	-	P	C	P	P	C	-	P	-	C	-	-	-	-	-	
-Television and Radio Studios	-	-	-	-	-	-	-	-	-	P	P	P	P	P	C	P	-	C	-	-	-	-	-	

Zoning District	E1	E2	E3	R1	R2	R3	R4	R4A	R5	C1	C2	C3	C4	C5	C6	CP	I1	I2	I3	OS1	OS2	A1	A2
Overnight Accommodations																							
–Bed & Breakfast	-	-	-	-	-	-	C	C	C	-	P	P	P	P	-	-	-	-	-	-	-	-	-
–Dwelling Rental	-	-	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
–Hotel/Motel	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	C	-	-	-	-	-	-	-
–Recreational Vehicle Park	-	-	-	-	-	-	-	-	-	-	-	C	-	C	-	-	-	-	-	-	-	-	-
–Resort Hotel	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	-	-
Parking, Commercial	-	-	-	-	-	-	-	C	-	C	-	P	C	C	-	C	-	C	-	-	-	-	-
Retail Sales & Service, Sales-Oriented (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
–Art Gallery	-	-	-	-	-	-	-	-	-	C	C	P	P	P	-	C	-	-	-	-	-	-	-
–Farmers Market or Farm Stand	P	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	C	-	-	-	-	-	-
–Grocery or Liquor Store	-	-	-	-	-	-	C	-	C	-	P	P	P	C	-	C	-	-	-	-	-	-	-
–Neighborhood Commercial Sale	-	-	-	-	C	C	P	P	P	-	P	P	P	C	-	C	-	-	-	-	-	-	-
–Office Supplies & Electronics	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
–Pet Stores	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
Retail Sales & Service, Personal-Service Oriented (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
–Art Studio	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
–Animal Care Facilities & Service	-	-	-	-	-	-	-	-	-	-	-	C	-	P	-	C	-	-	-	-	-	-	-
–Animal Grooming Services	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
–Check Cashing/Loan Service	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-
–Educational Service Establishments	-	-	-	-	-	-	-	-	C	C	C	P	P	C	P	P	P	C	C	-	-	-	-
–Laundry & Dry Cleaners Pick-Up	-	-	-	-	-	-	C	C	C	C	P	P	P	P	-	C	-	-	-	-	-	-	-
–Laundromat	-	-	-	-	-	-	C	C	C	C	P	P	P	C	-	C	-	-	-	-	-	-	-
–Mortuaries or Funeral Homes	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	C	-	-	-	-	-	-	-
–Neighborhood Commercial Services	-	-	-	-	C	C	P	P	P	C	P	P	P	P	-	C	-	-	-	-	-	-	-
–Pawn Shop	-	-	-	-	-	-	-	-	-	-	-	P	P	C	-	C	-	-	-	-	-	-	-
–Personal Improvement Service	-	-	-	-	-	-	C	C	C	C	-	P	P	P	-	C	-	-	-	-	-	-	-
–Veterinary (Without Outdoor Runs)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
Retail Sales & Service, Repair-Oriented	-	-	-	-	-	-	-	P	-	C	-	P	P	P	-	P	-	-	-	-	-	-	-
Self-Service Storage	-	-	-	-	-	-	-	-	-	-	-	C	-	C	C	-	P	-	P	-	-	-	-
Vehicle Sales & Service																							
–Automobile Rentals	-	-	-	-	-	-	-	-	-	-	-	P	C	C	C	C	P	-	P	-	-	-	-
–Automobile Sales	-	-	-	-	-	-	-	-	-	-	-	P	C	C	C	C	P	-	P	-	-	-	-
–Boat Rentals	-	-	-	-	-	-	-	-	-	-	-	P	C	P	C	C	P	-	P	-	-	-	C
–Boat Sales	-	-	-	-	-	-	-	-	-	-	-	P	C	C	C	C	P	-	P	-	-	-	P
–Fueling Station	-	-	-	-	-	-	-	-	-	C	C	P	C	C	-	C	-	P	-	-	-	-	-
–Travel Plaza	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	C	-	-	-	-	-	-	-
–Truck Stop	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	C	-	-	-	-	-	-	-
–Vehicle Repair, General	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	C	-	-	-	-	-	-	-
–Vehicle Repair, Limited	-	-	-	-	-	-	-	-	-	-	-	P	C	-	-	P	-	-	-	-	-	-	-
–Vehicle Storage	-	-	-	-	-	-	-	-	-	-	-	C	-	-	C	-	P	C	P	-	-	-	-
INDUSTRIAL																							
Artisan	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	P	P	-	P	-	-	-	-
–Cabinet Shops, Woodworking	-	-	-	-	-	-	-	-	-	-	-	C	C	-	C	P	P	-	P	-	-	-	-
Light Industrial Service (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	-	P	-	-	-	-
–Catering Facility, Large-Scale	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	-	P	-	-	-	-
–Crematorium	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	-	-	-	-
–Building Maintenance Facilities And Services	-	-	-	-	-	-	-	-	-	-	-	C	-	-	C	-	-	-	-	-	-	-	-
–Contractors/Others Performing Services Off-Site	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	-	P	-	-	-	-
–Microbrewery	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	-	-	-	-	-	-	-
–Research Service	-	-	-	-	-	-	-	-	-	-	-	C	-	-	P	P	P	-	P	-	-	-	-
Marine-Related Industrial	-	-	-	-	-	-	-	-	-	-	-	C	-	-	P	-	C	P	P	-	-	-	P
Warehouse & Freight (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	C	P	-	-	-	-
–Parcel Service	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	C	P	-	-	-	-
Waste-Related Use (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-
–Solid Waste Separation, Transfer Station	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-
–Recycling Center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	-	-	-	-
–Wrecking or Salvage Yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-

Appendix C

City of Fort Pierce
Ordinance No. L-295

ORDINANCE NO. L-295

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING CHAPTER 22, ARTICLE THREE, BASIC ZONING DISTRICTS, CREATING SECTION 22-22, SPECIFYING ALLOWED USES; AMENDING CHAPTER 22, ARTICLE THREE, AMENDING SECTIONS 22-23 THROUGH 22-28, BASIC ZONING DISTRICTS; AMENDING CHAPTER 22, ARTICLE THREE; AMENDING SECTIONS 22-29 THROUGH 22-39, BASIC ZONING DISTRICTS; SPECIFYING UPDATED USES IN ALL ZONING DISTRICTS; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. Section 22-22 is hereby created so that the same shall read as follows:

Sec. 22-22. - Allowed Uses.

(a) Uses listed. Uses listed are allowed in each zoning district in accordance with the Use Table.

(b) Permitted uses. Uses identified with a “P” in the Use Table are permitted in the subject zoning district provided that the uses will not violate basic use standards specified in each zoning district, other applicable use standards, additional zoning ordinance provisions and other city laws.

(c) Conditional uses. Uses identified with a “C” in the Use Table are permitted in the subject zoning district, if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards and will not violate basic use standards specified in each zoning district, other applicable use standards, additional zoning ordinance provisions and other city laws.

(d) Prohibited uses. Uses identified with a “-” in the Use Table are expressly prohibited.

(e) Use table.

ZONING DISTRICT	E1	E2	E3	R1	R2	R3	R4	R4A	R5	C1	C2	C3	C4	C5	C6	CP	I1	I2	I3	OS1	OS2	A1	A2
RESIDENTIAL																							
Household Living																							
-Detached House	P	P	P	P	P	P	P	P	C	C	C	-	-	C	-	-	-	-	-	-	C	-	-
-Duplex	-	-	-	-	-	C	P	P	C	C	C	-	-	C	-	-	-	-	-	-	-	-	-
-Townhouse	-	-	-	-	-	C	P	P	P	C	C	-	-	C	-	-	-	-	-	-	-	-	-
-Multi-Dwelling Building	-	-	-	-	-	C	P	P	-	C	C	C	-	C	C	-	-	-	-	-	-	-	-
-Mobile or Manufactured Home	-	-	-	-	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-Manufactured Home Park or Subdivision	-	-	-	-	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-Mobile Home Park	-	-	-	-	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-Vertical Mixed-Use Building	-	-	-	-	-	C	C	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-
Home Occupations (per requirements of Section 22-63)	P	P	P	P	P	P	P	P	P	-	-	-	-	P	-	-	-	-	-	-	-	-	-
Group Living (except as noted below)	-	-	-	-	C	C	C	C	C	C	-	C	C	C	-	-	-	-	-	-	-	-	-
-Community Residential Home, Type 1 (1-6 residents)	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-Community Residential Home, Type 2 (7-14 residents)	-	-	-	-	-	C	-	C	C	C	-	C	C	-	-	-	-	-	-	-	-	-	-
-Dormitories, Fraternity and Sorority Houses	-	-	-	-	-	C	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-
PUBLIC AND CIVIC																							
Community/Cultural (except as noted below)	-	-	-	-	C	C	C	C	C	C	C	P	P	C	C	C	-	-	-	C	-	-	-
-Community Center	-	-	-	-	C	C	C	C	C	-	C	P	P	C	-	C	-	-	-	C	-	-	-
-Fraternal Organization/Lodge	-	-	-	-	C	C	C	C	C	-	C	P	P	C	-	C	-	-	-	C	-	-	-
-Library or Cultural Exhibit	-	-	-	-	C	C	C	C	C	-	C	P	P	C	-	C	-	-	-	C	-	-	-
-Environmental Research and Education Facilities	-	-	-	-	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Day Care	-	-	-	-	C	C	C	C	C	C	C	C	-	C	-	-	-	-	-	-	-	-	-
-Adult Day Care Center	-	-	-	-	C	C	C	C	C	C	C	C	-	C	-	-	-	-	-	-	-	-	-
-Day Care Center	-	-	-	-	C	C	C	C	C	C	C	C	-	C	-	-	-	-	-	-	-	-	-
-Child Care Facility	-	-	-	-	C	C	C	C	C	C	C	C	-	C	-	-	-	-	-	-	-	-	-
-Family Day Care Home	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-

ZONING DISTRICT	E1	E2	E3	R1	R2	R3	R4	R4A	R5	C1	C2	C3	C4	C5	C6	CP	I1	I2	I3	OS1	OS2	A1	A2
Educational Facilities																							
-College or University	-	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-	-	-	-
-Elementary, Middle or High School - Public	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-	-	-	-	-	-	-
-Elementary, Middle or High School - Private	-	C	C	C	C	C	C	C	C	-	-	C	-	-	-	-	-	-	-	-	-	-	-
-Marine Research/Education Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	C	-
Government Facilities (except as noted below)	-	-	-	-	-	-	-	-	-	C	C	P	P	C	-	C	-	-	-	-	-	C	C
-Post Office	-	-	-	-	-	-	-	-	-	C	C	P	P	-	-	C	-	-	-	-	-	-	-
-Safety Service	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	-	-	C	C
Medical Facilities (except as noted below)	-	-	-	-	C	C	C	-	C	C	-	C	-	C	-	-	-	-	-	-	-	-	-
-Hospital	-	-	-	-	C	C	C	-	C	C	-	C	C	-	-	-	-	-	-	-	-	-	-
-Nursing Home	-	-	-	-	C	C	C	-	C	C	-	C	C	-	-	-	-	-	-	-	-	-	-
Park and Open Space (except as noted below)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C	-
-Cemetery/Columbarium/Mausoleum	C	C	C	C	C	C	-	-	C	C	C	C	-	-	-	-	-	-	-	C	-	-	-
-Country Club/Golf Course	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-	-	-	C	-	-	-
-Game and Wildlife Management Preserves	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-
-Water Dependent Recreation Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	C
Passenger Terminal																							
-Airport/Heliport	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-
-Rail/Bus Terminal	-	-	-	-	-	-	-	-	-	C	C	C	C	-	C	C	C	C	C	-	-	-	-
-Bus Shelter	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-
-Taxi Terminal	-	-	-	-	-	-	-	-	-	C	C	C	C	-	C	C	C	C	C	-	-	-	-
Religious Institution	C	C	C	C	C	C	C	C	C	C	C	P	P	C	-	C	-	-	-	-	-	-	-
Social Service Institution (except as noted below)	-	-	-	-	-	-	-	-	-	C	-	C	C	-	-	-	C	C	-	-	-	-	-
-Halfway Houses	-	-	-	-	-	C	C	C	C	C	-	C	C	-	-	-	C	-	-	-	-	-	-
Utilities																							
-Minor, other	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	P	C	C	C	C
-Major	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	P	C	C	C	C
-Utility Cabinets, Above Ground	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C	C	C
COMMERCIAL																							
Eating and Drinking Establishments																							
-Brew Pub	-	-	-	-	-	-	-	-	C	P	C	P	P	P	P	C	C	C	-	-	-	-	
-Coffee Shop	-	-	-	-	-	-	C	-	C	C	P	P	P	P	P	C	C	C	-	-	-	-	
-Neighborhood Bistro	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	-	-	-	
-Neighborhood Café	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	-	-	-	
-Restaurants, Fast Food	-	-	-	-	-	-	-	-	C	-	-	P	P	P	P	C	C	C	-	-	-	-	
-Restaurant and Bar	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	C	-	C	
-Wine/Cigar Bar	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	-	-	-	
Entertainment, Indoor (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	C	-	-	
-Adult Establishment	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	
-Arcade Amusement Center	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	-	-	-	
-Bar or Nightclub	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	
-Theater	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	
Entertainment, Outdoor (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	C	-	P	-	-	-	-	-	C	-	-	
-Batting Cages, Driving Ranges	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	
-Stables or Equestrian Facilities	C	C	C	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	-	-	-	-	
-Stadium or Arena	-	-	-	-	-	-	-	-	-	-	-	C	-	C	C	-	C	C	-	-	-	-	
Marine-Related Commercial (except as noted below)	-	-	-	-	-	-	-	-	-	C	-	P	P	C	P	-	-	C	-	C	-	C	
-Boat and Marine Equipment Sales	-	-	-	-	-	-	-	-	-	-	-	P	C	C	P	-	-	C	-	-	-	-	
-Marina/Boat Livery	-	-	-	-	-	-	-	-	-	C	-	C	C	C	C	-	-	P	-	C	-	C	
Office																							
-Administrative, Professional, General, Medical Office	-	-	-	-	-	-	C	C	C	P	P	P	P	P	P	P	C	C	-	-	-	-	
-Day Labor Employment Agency	-	-	-	-	-	-	-	-	-	P	C	P	P	-	-	P	-	-	-	-	-	-	
-Medical and Dental Clinic	-	-	-	-	-	-	-	-	-	P	C	P	P	C	-	P	-	C	-	-	-	-	
-Television and Radio Studios	-	-	-	-	-	-	-	-	-	P	P	P	P	P	C	P	-	C	-	-	-	-	
Overnight Accommodations																							
-Bed & Breakfast	-	-	-	-	-	-	C	C	C	-	P	P	P	P	-	-	-	-	-	-	-	-	
-Dwelling Rental	-	-	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-Hotel/Motel	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	C	-	-	-	-	-	-	
-Recreational Vehicle Park	-	-	-	-	-	-	-	-	-	-	-	C	-	C	-	-	-	-	-	-	-	-	

ZONING DISTRICT	E1	E2	E3	R1	R2	R3	R4	R4A	R5	C1	C2	C3	C4	C5	C6	CP	I1	I2	I3	OS1	OS2	A1	A2
-Resort Hotel	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	-	-
Parking, Commercial	-	-	-	-	-	-	-	C	-	C	-	P	C	C	-	C	-	C	-	-	-	-	-
Retail Sales & Service, Sales-Oriented (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
-Art Gallery	-	-	-	-	-	-	-	-	-	C	C	P	P	P	-	C	-	-	-	-	-	-	-
-Farmers Market or Farm Stand	P	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	C	-	-	-	-	-	-
-Grocery or Liquor Store	-	-	-	-	-	-	C	-	C	-	P	P	P	C	-	C	-	-	-	-	-	-	-
-Neighborhood Commercial Sale	-	-	-	-	C	C	P	P	P	-	P	P	P	C	-	C	-	-	-	-	-	-	-
-Office Supplies & Electronics	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
-Pet Stores	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
Retail Sales & Service, Personal-Service Oriented (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
-Art Studio	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
-Animal Care Facilities & Service	-	-	-	-	-	-	-	-	-	-	-	C	-	P	-	C	-	-	-	-	-	-	-
-Animal Grooming Services	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
-Check Cashing/Loan Service	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-
-Educational Service Establishments	-	-	-	-	-	-	-	-	C	C	C	P	P	C	P	P	P	C	C	-	-	-	-
-Laundry & Dry Cleaners Pick-Up	-	-	-	-	-	-	C	C	C	C	P	P	P	P	-	C	-	-	-	-	-	-	-
-Laundromat	-	-	-	-	-	-	C	C	C	C	P	P	P	C	-	C	-	-	-	-	-	-	-
-Mortuaries or Funeral Homes	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	C	-	-	-	-	-	-	-
-Neighborhood Commercial Services	-	-	-	-	C	C	P	P	P	C	P	P	P	P	-	C	-	-	-	-	-	-	-
-Pawn Shop	-	-	-	-	-	-	-	-	-	-	-	P	P	C	-	C	-	-	-	-	-	-	-
-Personal Improvement Service	-	-	-	-	-	-	C	C	C	C	-	P	P	P	-	C	-	-	-	-	-	-	-
-Veterinary (Without Outdoor Runs)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
Retail Sales & Service, Repair-Oriented	-	-	-	-	-	-	-	P	-	C	-	P	P	P	-	P	-	-	-	-	-	-	-
Self-Service Storage	-	-	-	-	-	-	-	-	-	-	-	C	-	C	C	-	P	-	P	-	-	-	-
Vehicle Sales & Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-Automobile Rentals	-	-	-	-	-	-	-	-	-	-	-	P	C	C	C	C	P	-	P	-	-	-	-
-Automobile Sales	-	-	-	-	-	-	-	-	-	-	-	P	C	C	C	C	P	-	P	-	-	-	-
-Boat Rentals	-	-	-	-	-	-	-	-	-	-	-	P	C	P	C	C	P	-	P	-	-	C	P
-Boat Sales	-	-	-	-	-	-	-	-	-	-	-	P	C	C	C	C	P	-	P	-	-	-	P
-Fueling Station	-	-	-	-	-	-	-	-	-	C	C	P	C	C	-	C	-	P	-	-	-	-	-
-Travel Plaza	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	C	-	-	-	-	-	-	-
-Truck Stop	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	C	-	-	-	-	-	-	-
-Vehicle Repair, General	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	C	-	-	-	-	-	-	-
-Vehicle Repair, Limited	-	-	-	-	-	-	-	-	-	-	-	P	C	-	-	P	-	-	-	-	-	-	-
-Vehicle Storage	-	-	-	-	-	-	-	-	-	-	-	C	-	-	C	-	P	C	P	-	-	-	-
INDUSTRIAL																							
Artisan	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	P	P	-	P	-	-	-	-
-Cabinet Shops, Woodworking	-	-	-	-	-	-	-	-	-	-	-	C	C	-	C	P	P	-	P	-	-	-	-
Light Industrial Service (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	-	P	-	-	-	-
-Catering Facility, Large-Scale	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	-	P	-	-	-	-
-Crematorium	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	-	-	-	-
-Building Maintenance Facilities And Services	-	-	-	-	-	-	-	-	-	-	-	C	-	-	C	-	-	-	-	-	-	-	-
-Contractors/Others Performing Services Off-Site	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	-	P	-	-	-	-
-Microbrewery	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	-	-	-	-	-	-	-
-Research Service	-	-	-	-	-	-	-	-	-	-	-	C	-	-	P	P	P	-	P	-	-	-	-
Marine-Related Industrial	-	-	-	-	-	-	-	-	-	-	-	C	-	-	P	-	C	P	P	-	-	-	P
Warehouse & Freight (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	C	P	-	-	-	-
-Parcel Service	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	C	P	-	-	-	-
Waste-Related Use (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-
-Solid Waste Separation, Transfer Station	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-
-Recycling Center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-
-Wrecking or Salvage Yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-
Wholesale Trade	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	P	C	P	-	-	-	-
Heavy Industrial (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-
-Heavy Equipment Sales & Rentals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	C	P	-	-	-	-
-Processing of Food & Related Products	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	P	P	-	-	-	-
OTHER																							

ZONING DISTRICT	E1	E2	E3	R1	R2	R3	R4	R4A	R5	C1	C2	C3	C4	C5	C6	CP	I1	I2	I3	OS1	OS2	A1	A2
Aquaculture Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	C	C
Community Gardens	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-	-
Dock/Moorage Facility (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C
–Docks for Single Family Homes	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
–Docks for Single Family Homes on canals within Surfside or Jennings Cove	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C
Navigational Aids	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Telecommunication Facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
–Antenna Support Structure	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
–Antenna (on existing structure)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

SECTION 2. Sections 22-23(b) and 22-23(c) are hereby amended so that the same shall read as follows:

Sec. 22-23. - Single-Family Estate Density zone (E-1).

(a) *Purpose.* This classification is intended to provide for areas of single-family dwellings with an average net density of approximately one unit per acre.

~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an E-1 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Single family dwellings, except mobile homes.~~
- ~~(2) Home occupations which satisfy requirements in section 22-63~~
- ~~(3) Temporary uses which fulfill provisions in section 22-65~~
- ~~(4) Farmstand sales establishments.~~

~~(c) *Conditional use permitted.* The following uses and their accessory uses are permitted in an E-1 zone, if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Churches, excluding schools, except those that only provide religious instruction.~~
- ~~(2) Park or recreation areas.~~
- ~~(3) Cemeteries.~~
- ~~(4) Public utility structures, such as utility substations.~~

~~(d)~~ **(b)** *Basic use standards.* Uses in an E-1 zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

- (1) *Lot size.*
 - a. The minimum lot area for single-family dwellings shall be thirty thousand (30,000) square feet.
 - b. The minimum lot width shall be one hundred (100) feet.
 - c. The minimum lot depth shall be two hundred (200) feet.
- (2) *Yards.*
 - a. The minimum depth of the front yard will be eighty-five (85) feet.
 - b. The minimum depth of the side yards shall be fifteen (15) feet, except on corner lots the minimum side yard depth on a street side will be twenty (20) feet.

- c. The minimum depth of the rear yard shall be forty (40) feet for a distance equal to thirty (30) per cent of the length of a line which is parallel to the rear lot line, is forty (40) feet from the rear lot line and extends to the closest property lines. The minimum depth of the rear yard for the remainder of the lot will be fourteen (14) feet, except on double-frontage and waterfront lots it shall be forty (40) feet.

(3) *Lot coverage.* Buildings will not cover more than twenty-five (25) per cent of the lot.

(4) *Building heights.* No building shall exceed a height of thirty-five (35) feet above grade.

(e c) *Other applicable use standards.*

(1) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter, except that buildings not on double-frontage lots may be in the rear yard if they are at least seven (7) feet from the rear lot line.

(2) On any lot used for residential purposes, no more than one residential building will be allowed on the lot, except one building without kitchen facilities may be allowed as a guest house, provided that the lot on which such guest house is located is thirty thousand (30,000) square feet or more in size.

(3) Every lot shall abut a street other than an alley for at least twenty-five (25) feet, except the minimum frontage for a lot on a cul-de-sac shall be fifteen (15) feet.

(4) Materials or objects which would detract from open space character of an uncovered and unenclosed area will not be permitted in such an area.

(5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61

(6) Conditional uses will meet the requirements in sections 22-74 through 22-86

(7) Signs will comply with standards referred to in section 22-55

(8) All other applicable ordinance requirements will also be satisfied.

(f d) *Nonconforming situations.* Nonconforming structures and characteristics of farmstand sales establishments that have been damaged or destroyed by natural disaster or other catastrophic event, i.e., fire or other calamity, may be replaced or reconstructed provided that:

(1) The significance of the property owner's hardship is more compelling than, and reasonably overbalances, the public benefit resulting from not allowing the use or structure to be reestablished;

(2) Replacement or reconstruction of the use or structure is compatible with the character of the neighborhood and will not jeopardize future development of the area in compliance with the provisions and intent of the city's land development regulations;

(3) The value of properties in the vicinity of the replacement or reconstruction will not be adversely affected;

(4) No expansion of gross floor area occurs;

(5) The degree of nonconformity is not increased;

(6) The replacement structure is in compliance with the city's adopted building code, Coastal Construction Control Line, and FEMA regulations; and,

(7) A building permit is issued within twenty-four (24) months after the date of destruction and the construction is diligently pursued to completion.

SECTION 3. Sections 22-23.1(b) and 22-23.1(c) are hereby amended so that the same shall read as follows:

Sec. 22-23.1. - E-2 Residential Single-Family—Two units per acre.

(a) *Purpose.* This classification is primarily intended to provide for areas of single-family dwellings with an average net density of less than two (2) units per acre for conventional

developments. Regulations for the district are designed to promote sound neighborhoods and accommodate compatible nonresidential uses. Water and sewer service should be available.

~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an E-2 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

~~(1) Single-family dwellings, except mobile homes.~~

~~(2) Home occupations which satisfy requirements in section 22-63~~

~~(3) Temporary uses which fulfill provisions in section 22-65~~

~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an E-2 zone if the city commission, after a public hearing determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

~~(1) Churches.~~

~~(2) Schools.~~

~~(3) Park or recreation areas.~~

~~(4) Cemeteries.~~

~~(5) Public utility structures, such as utility substations.~~

~~(6) Dwelling rentals.~~

~~(d) *Basic use standards.* Uses in an E-2 zone, except innovative residential developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.~~

~~(1) *Lot size.*~~

~~a. The minimum lot area for single-family dwellings shall be fifteen thousand (15,000) square feet.~~

~~b. The minimum lot width shall be one hundred (100) feet.~~

~~c. The minimum lot depth shall be one hundred ten (110) feet.~~

~~(2) *Yards.*~~

~~a. The minimum depth of the front yard will be twenty-five (25) feet.~~

~~b. The minimum depth of the side yards shall be ten (10) feet, except on corner lots the minimum side yard depth on a street side will be twenty (20) feet.~~

~~c. The minimum depth of the rear yard shall be twenty (20) feet for a distance equal to thirty (30) per cent of the length of a line which is parallel to the rear lot line, is twenty (20) feet from the rear lot line and extends to the closest property lines. The minimum depth of the rear yard for the remainder of the lot will be seven (7) feet, except on double-frontage and waterfront lots it shall be twenty (20) feet.~~

~~(3) *Lot coverage.* Buildings will not cover more than twenty-five (25) per cent of the lot.~~

~~(4) *Building heights.* No building shall exceed a height of thirty-five (35) feet above grade.~~

~~(e) *Other applicable use standards.*~~

~~(1) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter, except that buildings not on double-frontage lots may be in the rear yard if they are at least seven (7) feet from the rear lot line.~~

~~(2) On any lot used for residential purposes, no more than one residential building will be allowed on the lot, except one building without kitchen facilities may be allowed as a~~

guest house, provided that the lot on which such guest house is located is thirty thousand (30,000) square feet or more in size.

- (3) Every lot shall abut a street other than an alley for at least twenty-five (25) feet, except the minimum frontage for a lot on a cul-de-sac shall be fifteen (15) feet.
- (4) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.
- (5) All uses will comply with applicable access, parking and loading standards sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 4. Sections 22-23.2(b) and 22-23.2(c) are hereby amended so that the same shall read as follows:

Sec. 22-23.2. - E-3 Residential Single-Family—Three units per acre.

- (a) *Purpose.* This classification is primarily intended to provide for areas of single-family dwellings with an average net density of less than three (3) units per acre for conventional developments. Regulations for the district are designed to promote sound neighborhoods and accommodate compatible nonresidential uses. Water and sewer service should be available.
- ~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an E-3 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Single family dwellings, except mobile homes.~~
 - ~~(2) Home occupations which satisfy requirements in section 22-63~~
 - ~~(3) Temporary uses which fulfill provisions in section 22-65~~
- ~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an E-3 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Churches.~~
 - ~~(2) Schools.~~
 - ~~(3) Park or recreation areas.~~
 - ~~(4) Cemeteries.~~
 - ~~(5) Public utility structures, such as utility substations.~~
 - ~~(6) Dwelling rentals.~~
- ~~(d) *Basic use standards.* Uses in an E-3 zone, except innovative residential developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.~~
 - (1) *Lot size.*
 - a. The minimum lot area for single-family dwellings shall be twelve thousand (12,000) square feet.
 - b. The minimum lot width shall be seventy-five (75) feet.
 - c. The minimum lot depth shall be one hundred ten (110) feet.

(2) *Yards.*

- a. The minimum depth of the front yard will be twenty-five (25) feet.
- b. The minimum depth of the side yards shall be ten (10) feet, except on corner lots the minimum side yard depth on a street side will be twenty (20) feet.
- c. The minimum depth of the rear yard shall be twenty (20) feet for a distance equal to thirty (30) per cent of the length of a line which is parallel to the rear lot line, is twenty (20) feet from the rear lot line and extends to the closest property lines. The minimum depth of the rear yard for the remainder of the lot will be seven (7) feet, except on double-frontage and waterfront lots it shall be twenty (20) feet.

(3) *Lot coverage.* Buildings will not cover more than twenty-five (25) per cent of the lot.

(4) *Building heights.* No building shall exceed a height of twenty-eight (28) feet above grade, except that conditional uses with buildings that have a maximum height of thirty-five (35) feet above grade may be approved.

(e) *Other applicable use standards.*

- (1) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter, except that buildings not on double-frontage lots may be in the rear yard if they are at least seven (7) feet from the rear lot line.
- (2) On any lot used for residential purposes, no more than one residential building will be allowed on the lot, except one building without kitchen facilities may be allowed as a guest house, provided that the lot on which such guest house is located is thirty thousand (30,000) square feet or more in size.
- (3) Every lot shall abut a street other than an alley for at least twenty-five (25) feet, except the minimum frontage for a lot on a cul-de-sac shall be fifteen (15) feet.
- (4) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.
- (5) All uses will comply with applicable access, parking and loading standards sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 5. Sections 22-24(b) and 22-24(c) are hereby amended so that the same shall read as follows:

Sec. 22-24. - Single-Family Low Density zone (R-1).

- (a) *Purpose.* This classification is primarily intended to provide for areas of single-family dwellings with an average net density of less than four (4) units per acre for conventional developments. Regulations for the district are designed to promote sound neighborhoods and accommodate compatible nonresidential uses. Water and sewer service should be available.
- ~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an R-1 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Single-family dwellings, except mobile homes.~~
 - ~~(2) Home occupations which satisfy requirements in section 22-63~~
 - ~~(3) Temporary uses which fulfill provisions in section 22-65~~
- ~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an R-1 zone if the city commission, after a public hearing, determines that the location and~~

~~development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

~~(1) Churches, excluding schools except those that only provide religious instruction.~~

~~(2) Park or recreation areas.~~

~~(3) Cemeteries.~~

~~(4) Public utility structures, such as utility substations.~~

~~(5) Dwelling rentals.~~

(db) *Basic use standards.* Uses in an R-1 zone, except innovative residential developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

(1) *Lot size.*

- a. The minimum lot area for single-family dwellings shall be twelve thousand (12,000) square feet.
- b. The minimum lot width shall be seventy-five (75) feet.
- c. The minimum lot depth shall be one hundred ten (110) feet.

(2) *Yards.*

- a. The minimum depth of the front yard will be twenty-five (25) feet.
- b. The minimum depth of the side yards shall be seven (7) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet.
- c. The minimum depth of the rear yard shall be twenty (20) feet for a distance equal to thirty (30) per cent of the length of a line which is parallel to the rear lot line, is twenty (20) feet from the rear lot line and extends to the closest property lines. The minimum depth of the rear yard for the remainder of the lot will be seven (7) feet, except on double-frontage and waterfront lots it shall be twenty (20) feet.

(3) *Lot coverage.* Buildings will not cover more than twenty-five (25) per cent of the lot.

(4) *Building heights.* No building shall exceed a height of twenty-eight (28) feet above grade, except that conditional uses with buildings that have a maximum height of thirty-five (35) feet above grade may be approved.

(ec) *Other applicable use standards.*

- (1) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter, except that buildings not on double-frontage lots may be in the rear yard if they are at least seven (7) feet from the rear lot line.
- (2) On any lot used for residential purposes, no more than one residential building will be allowed on the lot, except one building without kitchen facilities may be allowed as a guest house, provided that the lot on which such guest house is located is thirty thousand (30,000) square feet or more in size.
- (3) Every lot shall abut a street other than an alley for at least twenty-five (25) feet, except the minimum frontage for a lot on a cul-de-sac shall be fifteen (15) feet.
- (4) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.
- (5) All uses will comply with applicable access, parking and loading standards sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55

(8) All other applicable ordinance requirements will also be satisfied.

SECTION 6. Sections 22-25(b) and 22-25(c) are hereby amended so that the same shall read as follows:

Sec. 22-25. - Single-Family Intermediate Density zone (R-2).

(a) *Purpose.* This district is designed mainly for areas of single-family dwellings with an average net density of less than five (5) units per acre for conventional developments. In addition to housing, various public facilities and other nonresidential uses are permitted under the conditions and safeguards referred to in this section. Areas in this classification should have public water and sewer service.

~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an R-2 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Single-family dwellings, except mobile homes.~~
- ~~(2) Home occupations which satisfy requirements in section 22-63~~
- ~~(3) Temporary uses which fulfill provisions in section 22-65~~

~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an R-2 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Hospitals, sanitariums, rest homes, convalescent homes and adult congregate living facilities.~~
- ~~(2) Churches, schools and day care centers.~~
- ~~(3) Park or recreation areas.~~
- ~~(4) Community centers and nonprofit clubs.~~
- ~~(5) Cemeteries.~~
- ~~(6) Public utility structures, such as utility substations.~~
- ~~(7) Dwelling rentals.~~

~~(d)~~ *Basic use standards.* Uses in an R-2 zone, except innovative residential developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

- (1) *Lot size.*
 - a. The minimum lot area for single-family dwellings shall be nine thousand (9,000) square feet.
 - b. The minimum lot width shall be seventy (70) feet.
 - c. The minimum lot depth shall be one hundred ten (110) feet.

- (2) *Yards.*
 - a. The minimum depth of the front yard will be twenty-five (25) feet.
 - b. The minimum depth of the side yards shall be seven (7) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet.
 - c. The minimum depth of the rear yard shall be fifteen (15) feet for a distance equal to thirty (30) per cent of the length of a line which is parallel to the rear lot line, is fifteen (15) feet from the rear lot line and extends to the closest property lines. The

minimum depth of the rear yard for the remainder of the lot will be seven (7) feet, except on double-frontage and waterfront lots it shall be fifteen (15) feet.

- (3) *Lot coverage.* Buildings will not cover more than thirty (30) per cent of the lot area.
- (4) *Building heights.* No building shall exceed a height of twenty-eight (28) feet above grade, except that conditional uses with buildings that have a maximum height of thirty-five (35) feet above grade may be approved.

(ec) *Other applicable use standards.*

- (1) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter, except that buildings not on double-frontage lots may be in the rear yard if they are at least seven (7) feet from the rear lot line.
- (2) On any lot used for residential purposes, no more than one residential building will be allowed on the lot, except one building without kitchen facilities may be allowed as a guest house, provided that the lot on which such guest house is located is thirty thousand (30,000) square feet or more in size.
- (3) Every lot shall abut a street other than an alley for at least twenty-five (25) feet, except the minimum frontage for a lot on a cul-de-sac shall be fifteen (15) feet.
- (4) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.
- (5) All uses will comply with applicable access, parking and loading standards in section 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 7. Sections 22-26(b) and 22-26(c) are hereby amended so that the same shall read as follows:

Sec. 22-26. - Single-Family Moderate Density zone (R-3).

- (a) *Purpose.* The major purpose of this zoning district is to provide for areas of single-family dwellings with an average net density in conventional developments of approximately six (6) units per acre or less. Innovative residential developments, however, may have higher densities. Duplexes and certain nonresidential uses are allowed when appropriate conditions and safeguards indicated in this section are fulfilled. This classification can be effectively applied to areas serving as a transition between lower density single-family zones and residential districts with medium or high densities. Public water and sewer service should be available.
- ~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an R-3 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:
 - ~~(1) Single family dwellings, except mobile homes.~~
 - ~~(2) Home occupations which satisfy requirements in section 22-63~~
 - ~~(3) Temporary uses which fulfill provisions in section 22-65~~~~
- ~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an R-3 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:
 - ~~(1) Innovative residential developments which satisfy standards in section 22-82~~
 - ~~(2) Duplex subdivisions (not single duplexes) which fulfill provisions in section 22-83~~~~

- ~~(3) Mobile home subdivisions and conventional home/mobile home subdivisions which satisfy regulations in section 22-84~~
- ~~(4) Hospitals, sanitariums, rest homes, convalescent homes and adult congregate living facilities.~~
- ~~(5) Churches, schools and day care centers.~~
- ~~(6) Park or recreation areas.~~
- ~~(7) Cemeteries.~~
- ~~(8) Community centers and nonprofit clubs.~~
- ~~(9) Public utility structures, such as utility substations.~~
- ~~(10) Dwelling rentals.~~
- ~~(11) Student housing.~~

~~(db)~~ *Basic use standards.* Uses in an R-3 zone, except innovative residential developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

(1) *Lot size.*

- a. The minimum lot area for a single-family dwelling shall be seven thousand two hundred (7,200) square feet.
- b. The minimum lot area for a duplex will be twelve thousand (12,000) square feet.
- c. The minimum lot width shall be seventy-five (75) feet for a duplex.
- d. The minimum lot width for other uses will be sixty-five (65) feet.
- e. The minimum lot depth for a duplex will be one hundred twenty (120) feet.
- f. The minimum lot depth for other uses shall be one hundred (100) feet.

(2) *Yards.*

- a. The minimum depth of the front yard will be twenty-five (25) feet.
- b. The minimum depth of the side yards shall be seven (7) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet.
- c. The minimum depth of the rear yard shall be fifteen (15) feet for a distance equal to thirty (30) per cent of the length of a line which is parallel to the rear lot line, is fifteen (15) feet from the rear lot line and extends to the closest property lines. The minimum depth of the rear yard for the remainder of the lot will be six (6) feet, except on double-frontage and waterfront lots it shall be fifteen (15) feet.

(3) *Lot coverage.* Buildings will not cover more than thirty-five (35) per cent of the lot.

(4) *Building heights.* No building shall exceed a height of twenty-eight (28) feet above grade, except that conditional uses with buildings that have a maximum height of thirty-five (35) feet above grade may be approved.

~~(ec)~~ *Other applicable use standards.*

- (1) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter, except that buildings not on double-frontage lots may be in the rear yard if they are at least six (6) feet from the rear lot line.
- (2) On any lot used for residential purposes, no more than one residential building will be allowed on the lot, except one building without kitchen facilities may be allowed as a guest house, provided that the lot on which such guest house is located is thirty thousand (30,000) square feet or more in size.

- (3) Every lot shall abut a street other than an alley for at least twenty-five (25) feet, except the minimum frontage for a lot on a cul-de-sac shall be fifteen (15) feet.
- (4) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.
- (5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 8. Sections 22-27(b) and 22-27(c) are hereby amended so that the same shall read as follows:

Sec. 22-27. - Medium Density Residential zone (R-4).

- (a) *Purpose.* The medium density residential district is designed to accommodate a variety of housing types, including conventional single-family dwellings, duplexes and, where desirable, townhome dwellings, mobile homes or multifamily housing with three (3) or more dwelling units. Maximum gross densities should generally not exceed ten (10) units per acre for conventional developments and twelve (12) units per acre for innovative residential developments. This intensity of residential use is envisioned for locations which have public water and sewer service and which have adequate access to arterial or collector streets. Certain nonresidential uses are permitted under the parameters and safeguards set forth in this section.
- ~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an R-4 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Single-family dwellings, except mobile homes.~~
 - ~~(2) Duplexes.~~
 - ~~(3) Triplexes and quadraplexes.~~
 - ~~(4) Multifamily housing developments.~~
 - ~~(5) Townhome dwellings; including those approved prior to December 18, 2006, which conform to standards in subsection 22-27(e), are hereby exempt from subsections 18-11(g)(3) and (4), Design standards, lots, and subsections 22-27(d)(1)–(5), Basic use standards.~~
 - ~~(6) Home occupations which satisfy requirements in section 22-63~~
 - ~~(7) Temporary uses which fulfill provisions in section 22-65~~
- ~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an R-4 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Innovative residential developments which satisfy standards in section 22-82~~
 - ~~(2) Mobile home subdivisions and conventional home/mobile home subdivisions which satisfy regulations in section 22-84~~
 - ~~(3) Mobile home parks.~~
 - ~~(4) Boarding houses.~~
 - ~~(5) Hospitals, sanitariums, rest homes, convalescent homes and adult congregate living facilities.~~

- ~~(6) Churches, schools and day care centers.~~
- ~~(7) Park or recreation areas.~~
- ~~(8) Community centers and nonprofit clubs.~~
- ~~(9) Cemeteries.~~
- ~~(10) Public utility structures, such as utility substations.~~
- ~~(11) Neighborhood commercial uses listed in subsection 22-30(b).~~
- ~~(12) Dwelling rentals.~~
- ~~(13) Student housing.~~

(d) *Basic use standards.* Uses in an R-4 zone, except innovative residential developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

(1) *Lot size.*

- a. The minimum lot area for a single-family dwelling shall be five thousand (5,000) square feet.
- b. The minimum lot area for a duplex, triplex or a quadraplex shall be four thousand (4,000) square feet per unit.
- c. The minimum lot area for a townhome dwelling shall be one thousand five hundred (1,500) square feet.
- d. Multifamily housing developments will utilize a lot with a gross density that shall not exceed ten (10) units per acre.
- e. The minimum lot width for duplexes, triplexes, quadraplexes, and multifamily housing development shall be seventy-five (75) feet.
- f. The minimum lot width for townhome developments shall be two hundred (200) feet. Townhome developments shall be subdivided into a minimum lot width of sixteen (16) feet and maximum lot width of twenty-four (24) feet.
- g. The minimum lot width for other uses will be sixty (60) feet.
- h. The minimum lot depth for duplexes, triplexes, quadraplexes, townhomes and multifamily housing development shall be ninety (90) feet.
- i. The minimum lot depth for other uses will be seventy (70) feet.

(2) *Yards.*

- a. The minimum depth of the front yard for townhome developments will be ten (10) feet. The minimum depth of the front yard for other uses shall be twenty-five (25) feet.
- b. The minimum depth of the side yards for triplexes, quadraplexes and multifamily developments shall be ten (10) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet.
- c. The minimum depth of the side yards on the periphery of the townhome developments shall be ten (10) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet. The minimum depth of the side yard between individual townhome units or lots shall be zero (0) feet.
- d. The minimum depth of the side yards for other uses shall be six (6) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet.
- e. The minimum depth of the rear yard shall be twenty (20) feet for triplexes, quadraplexes and multifamily developments.

- f. The minimum depth of the rear yard for townhome lots that abut an alley shall be zero (0) feet. The minimum depth of the rear yard for townhome lots with all other conditions shall be fifteen (15) feet.
- g. The minimum depth of the rear yard for other uses shall be fifteen (15) feet for a distance equal to thirty (30) per cent of the length of a line which is parallel to the rear lot line, is fifteen (15) feet from the rear lot line and extends to the closest property lines. The minimum depth of the remainder of the rear yard will be five (5) feet, except on double-frontage and waterfront lots it shall be fifteen (15) feet.
- h. The minimum distance between residential buildings shall be twenty (20) feet except that screen porches located on the ground floor may project into the minimum distance, and except that screen porches in owner occupied condominium projects that maintain a minimum building separation of twenty-eight (28) feet or more may be enclosed with glass. The maximum combined projection between two (2) or more buildings shall be eight (8) feet.

(3) *Lot coverage.*

- a. Buildings in multifamily housing developments shall not cover more than fifty (50) per cent of the lot area.
- b. Buildings for principal residence in townhome developments and townhome dwelling lots shall not cover more than fifty (50) per cent of the lot area. Accessory buildings may cover an additional fifteen (15) per cent of the building site.
- c. Buildings in other developments shall not cover more than forty (40) per cent of the lot area.

(4) *Building heights.* No building shall exceed forty-five (45) feet above grade.

(5) *Additional requirements dwelling, townhome.*

- a. **Ownership:** One hundred (100) per cent of the total lot area shall be the minimum area conveyed to the lot owner, including the front yard, back yard and side yard. A homeowners maintenance shall be formed among the unit owners to assure compliance with exterior area maintenance regulations as may be adopted by the association.
- b. **Common area:** Any portion of the original lot not divided among and incorporated into the resulting individual townhome dwelling unit lots shall be held by either of the following or a combination of the following: Each lot owner shall have an undivided interest in the common area, which shall be appurtenant to that lot. The individual interest in the common areas shall not be conveyed separately from the ownership of the said lot; or, a property owners association (POA).
- c. **Parking:** Two (2) parking spaces per dwelling units shall be provided for townhome developments and shall be side-by-side parking and not in-line tandem parking. No off-street parking spaces shall be located between the front of the principal residence and the front property line.
- d. **Access:** When townhome lots abut an alley, the site plan shall include provisions to utilize the alley as a service corridor for the townhome units. When townhome lots do not abut an alley, the site plan shall include a twenty-foot-wide, unobstructed service corridor along the rear of the properties which shall be dedicated to service use. Garages, surface parking and garbage pickup shall be accessed and accommodated by the service corridor.
- e. **Yards:** Front yards of townhome units shall include a porch, stoop or covered entry. Rear yards shall be enclosed by a building wall or garden wall.

(e) *Other applicable use standards.*

- (1) All multifamily housing developments with twenty (20) or more dwelling units shall be subject to site plan review procedures specified in section 22-58

- (2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter, except that buildings not on double-frontage lots may be in the rear yard if they are at least five (5) feet from the rear lot line.
- (3) On any lot used for residential purposes, other than a multifamily housing development, no more than one residential building will be allowed on the lot, except one building without kitchen facilities may be allowed as a guest house.
- (4) Every lot shall abut a street other than an alley for at least twenty-five (25) feet, except the minimum frontage for a lot on a cul-de-sac shall be fifteen (15) feet, or the minimum frontage for a single townhome lot shall be sixteen (16) feet.
- (5) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.
- (6) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (7) Conditional uses will meet the requirements in section 22-74 through 22-86
- (8) Signs will comply with standards referred to in section 22-55
- (9) All other applicable ordinance requirements will also be satisfied.

SECTION 9. Sections 22-27.1(b) and 22-27.1(c) are hereby amended so that the same shall read as follows:

Sec. 22-27.1. - Hutchinson Island Medium Density Residential zone (R-4A).

- (a) *Purpose.* It is the purpose of this section to establish height and density regulations for lands located within the city which are situated east of the Indian River. The R-4A zone is compatible with the Medium Density Residential Hutchinson Island designation in the comprehensive plan. Permitted gross residential densities in this district may not generally exceed eight (8) units per acre. Bonus density of up to one additional unit per acre is available as provided for in this section. This district is established because Hutchinson Island is a sensitive barrier island which presents development considerations which are either unique to the area or are of added concern, such as environmental fragility, beach erosion, and hurricane evacuation.
- ~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an R-4A zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Single-family dwellings, except mobile homes.~~
 - ~~(2) Duplexes.~~
 - ~~(3) Triplexes and quadraplexes.~~
 - ~~(4) Multifamily housing developments.~~
 - ~~(5) Within multifamily housing developments the following uses are permitted, provided that all such uses located within an apartment structure and the area of the individual businesses combined does not comprise more than five (5) per cent of the total floor area:~~
 - ~~a. Personal service establishments such as a beauty parlor, barber shop, tailor and other similar uses, provided not more than three (3) persons are employed in any one establishment.~~
 - ~~b. Retail sales establishments intended primarily for the use of the tenants, provided that any one establishment does not exceed one thousand six hundred (1,600) square feet.~~

- ~~e. Doctors' offices and medical clinics primarily for the use of the tenants, provided that any one establishment does not exceed one thousand two hundred (1,200) square feet.~~
- ~~(6) Townhome dwellings.~~
- ~~(7) Home occupations which satisfy requirements in section 22-65~~
- ~~(8) Temporary uses which fulfill provisions in section 22-65~~
- ~~(e) Conditional uses permitted. The following uses and their accessory uses are permitted in an R-4A zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Sanitariums, rest homes, convalescent homes and adult congregate living facilities.~~
 - ~~(2) Churches, schools and day care centers.~~
 - ~~(3) Park or recreation areas.~~
 - ~~(4) Community centers and nonprofit clubs.~~
 - ~~(5) Public utility structures, such as utility substations.~~
 - ~~(6) Neighborhood commercial uses listed in subsection 22-30(b).~~
 - ~~(7) Dwelling rentals.~~
 - ~~(8) Commercial off-street parking lots.~~
- ~~(d) Basic use standards. Uses in an R-4A zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.~~
 - (1) *Lot size.*
 - a. The minimum lot area for a single-family dwelling shall be five thousand (5,000) square feet.
 - b. The minimum lot area for a townhome dwelling lot shall be one thousand five hundred (1,500) square feet.
 - c. The minimum lot area for a duplex, triplex or a quadraplex shall be five (5,000) square feet per unit.
 - d. Multifamily housing developments will utilize a lot with a gross density that shall not exceed eight (8) units per acre.
 - e. The minimum lot width for duplexes, triplexes, quadraplexes and multifamily housing developments shall be seventy-five (75) feet.
 - f. The minimum lot width for townhome developments shall be two hundred (200) feet. Townhome developments shall be subdivided into a minimum lot width of sixteen (16) feet and maximum lot width of twenty-four (24) feet.
 - g. The minimum lot width for other uses shall be sixty (60) feet.
 - h. The minimum lot depth for duplexes, triplexes and multifamily housing developments shall be ninety (90) feet.
 - i. The minimum lot depth for townhome development shall be ninety (90) feet.
 - j. The minimum lot depth for other uses shall be seventy (70) feet.
 - (2) *Yards.*

- a. The minimum depth of the front yard for townhome developments will be ten (10) feet. The minimum depth of the front yard for other uses shall be twenty-five (25) feet.
- b. The minimum depth of the side yards for triplexes, quadraplexes and multifamily developments shall be ten (10) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet.
- c. The minimum depth of the side yards on the periphery of the townhome developments shall be ten (10) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet. The minimum depth of the side yard between individual townhome units or lots shall be zero (0) feet.
- d. The minimum depth of the side yards for other uses shall be six (6) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet.
- e. The minimum depth of the rear yard shall be twenty (20) feet for triplexes, quadraplexes and multifamily developments.
- f. The minimum depth of the rear yard for townhome lots that abut an alley shall be zero (0) feet. The minimum depth of the rear yard for townhome lots with all other conditions shall be fifteen (15) feet.
- g. All other uses: The minimum depth of the rear yard shall be fifteen (15) feet for a distance equal to thirty (30) per cent of the length of a line which is parallel to the rear lot line, is fifteen (15) feet from the rear lot line and extends to the closest property lines. The minimum depth of the rear yard for the remainder of the lot will be five (5) feet, except on double-frontage and waterfront lots it shall be fifteen (15) feet.
- h. The minimum distance between residential buildings shall be twenty (20) feet except that screen porches located on the ground floor may project into the minimum distance, and except that screen porches in owner occupied condominium projects that maintain a minimum building separation of twenty-eight (28) feet or more may be enclosed with glass. The maximum combined projection between two (2) or more buildings shall be eight (8) feet.

(3) *Lot coverage.*

- a. Buildings in multifamily housing developments shall not cover more than forty-five (45) per cent of the lot area.
- b. Buildings for principal residence in townhome developments and townhome dwelling lots shall not cover more than fifty (50) per cent of the lot area. Accessory buildings may cover an additional fifteen (15) per cent of the building site.
- c. Buildings in other developments shall not cover more than forty (40) per cent of the lot area.

(4) *Buildings heights.* No building shall exceed forty-five (45) feet above grade.

(5) *Density.* Unless otherwise provided, densities on land within the city situated east of the Indian River may not exceed eight (8) units a gross acre, other provisions of this chapter notwithstanding. However, upon application in the manner provided for by section 22-58, the commission may allow one additional density bonus for landscaping, for a maximum allowable addition of one (1) density bonus unit per acre upon consideration by the commission of their compatibility with the natural features of the area and surrounding development and the availability of supporting infrastructure. The application shall demonstrate compliance with each of the following criteria depending upon the categories for which density bonuses are sought:

a. *Landscaping.*

- 1. Landscape area requirements as specified in section 22-59 shall be increased by twenty (20) per cent;

2. Landscape tree planting requirements as specified in section 22-59 shall be increased by twenty (20) per cent;
3. Minimum height levels of required trees at time of planting, as specified in subsection 22-59(b)(3)b.1. shall be increased by fifty (50) per cent;
4. Landscape irrigation/sprinkler systems shall be installed;
5. All plant species must be salt tolerant and meet with the approval of the director of development. An approved species list may be obtained from the director of development.

(6) *Additional requirements dwelling, townhome.*

- a. **Ownership:** One hundred (100) per cent of the total lot area shall be the minimum area conveyed to the lot owner, including the front yard, back yard and side yard. A homeowners maintenance shall be formed among the unit owners to assure compliance with exterior area maintenance regulations as may be adopted by the association.
- b. **Common Area:** Any portion of the original lot not divided among and incorporated into the resulting individual townhome dwelling unit lots shall be held by either of the following or a combination of the following. Each lot owner shall have an undivided interest in the common area, which shall be appurtenant to that lot. The individual interest in the common areas shall not be conveyed separately from the ownership of the said lot; or, a property owners association (POA).
- c. **Parking:** Two (2) parking spaces per dwelling units shall be provided for townhome developments and shall be side-by-side parking and not in-line tandem parking. No off-street parking spaces shall be located between the front of the principal residence and the front property line.
- d. **Access:** When townhome lots abut an alley, the site plan shall include provisions to utilize the alley as a service corridor for the townhome units. When townhome lots do not abut an alley, the site plan shall include a twenty-foot-wide, unobstructed service corridor along the rear of the properties which shall be dedicated to service use. Garages, surface parking and garbage pickup shall be accessed and accommodated by the service corridor.
- e. **Yards:** Front yards of townhome units shall include a porch, stoop or covered entry. Rear yards shall be enclosed by a building wall or garden wall.

(e) *Other applicable use standards.*

- (1) All multifamily housing developments with twenty (20) or more dwelling units shall be subject to site plan review procedures specified in section 22-58
- (2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter, except that buildings not on double-frontage lots may be in the rear yard if they are at least five (5) feet from the rear lot line.
- (3) On any lot used for residential purposes, other than a multifamily housing development, no more than one (1) residential building will be allowed on the lot, except one (1) building without kitchen facilities may be allowed as a guest house.
- (4) Every lot shall abut a street other than an alley for at least twenty-five (25) feet, except the minimum frontage for a lot on a cul-de-sac shall be fifteen (15) feet, or the minimum frontage for a townhome development shall be sixteen (16) feet.
- (5) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.
- (6) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (7) Conditional uses will meet the requirements in sections 22-74 through 22-86

- (8) Signs will comply with standards referred to in section 22-55
- (9) All other applicable ordinance requirements will also be satisfied.

SECTION 10. Sections 22-28(b) and 22-28(c) are hereby amended so that the same shall read as follows:

Sec. 22-28. - High Density Residential zone (R-5).

- (a) *Purpose.* This residential category is intended to encourage the development of multifamily dwellings. Maximum gross densities should generally not exceed fifteen (15) units per acre for conventional developments and eighteen (18) units per acre for innovative residential developments. This zone provides for high density residential uses in locations which have suitable utilities and have good access to arterial or collector streets. Single-family homes, townhomes, duplexes, other residential uses, and various nonresidential uses are allowed when parameters and safeguards in this section are satisfied.
- (b) ~~*Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an R-5 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - (1) ~~Triplexes and quadraplexes.~~
 - (2) ~~Multifamily housing developments.~~
 - (3) ~~Within multifamily housing developments the following uses are permitted, provided that all such uses are located within an apartment structure and the area of the individual businesses combined does not comprise more than five (5) per cent of the total floor area:~~
 - a. ~~Personal service establishments such as a beauty parlor, barber shop, tailor and other similar uses, provided not more than three (3) persons are employed in any one establishment.~~
 - b. ~~Retail sales establishments primarily for the use of the tenants, provided that any one establishment does not exceed one thousand six hundred (1,600) square feet.~~
 - c. ~~Doctors' offices and medical clinics primarily for the use of the tenants, provided that any one establishment does not exceed one thousand two hundred (1,200) square feet.~~
 - (4) ~~Townhome dwellings.~~
 - (5) ~~Home occupations which satisfy requirements in section 22-63~~
 - (6) ~~Temporary uses which fulfill provisions in section 22-65~~
- (c) ~~*Conditional uses permitted.* The following uses and their accessory uses are permitted in an R-5 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - (1) ~~Innovative residential developments which satisfy standards in section 22-82~~
 - (2) ~~Single-family dwellings and duplexes.~~
 - (3) ~~Mobile home parks.~~
 - (4) ~~Boarding houses.~~
 - (5) ~~Hospitals, sanitariums, rest homes, convalescent homes and adult congregate living facilities.~~
 - (6) ~~Churches, schools and day care centers.~~
 - (7) ~~Park or recreation areas.~~

- ~~(8) Community centers and nonprofit clubs.~~
- ~~(9) Cemeteries.~~
- ~~(10) Public utility structures, such as utility substations.~~
- ~~(11) Neighborhood commercial uses listed in subsection 22-30(b).~~
- ~~(12) Dwelling rentals.~~
- ~~(13) Restaurants that do not meet the criteria specified in subsection 22-28(b)(3).~~
- ~~(14) Student housing.~~

(d) *Basic use standards.* Uses in an R-5 zone, except innovative residential developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

- (1) *Lot size.*
 - a. The minimum lot area for a single-family dwelling shall be five thousand (5,000) square feet.
 - b. The minimum lot area for a townhome dwelling shall be one thousand five hundred (1,500) square feet.
 - c. The minimum lot area for a duplex shall be seven thousand (7,000) square feet.
 - d. The minimum lot area for a triplex and quadraplex shall be twenty-five hundred (2,500) square feet per unit.
 - e. Multifamily housing developments will utilize a lot with a gross density that shall not exceed fifteen (15) units per acre.
 - f. The minimum lot width for duplexes, triplexes, quadraplexes and multifamily housing developments shall be sixty (60) feet.
 - g. The minimum lot width for townhome developments shall be two hundred (200) feet. Townhome developments shall be subdivided into a minimum lot width of sixteen (16) feet and maximum lot width of twenty-four (24) feet.
 - h. The minimum lot width for other uses will be sixty (60) feet.
 - i. The minimum lot depth for duplexes, triplexes, quadraplexes and multifamily housing developments shall be eighty (80) feet.
 - j. The minimum lot depth for other uses will be seventy (70) feet.
 - k. The minimum lot depth for townhome development shall be ninety (90) feet.
- (2) *Yards.* The following yard requirements shall apply except when a lot has a building over forty-five (45) feet tall. In such cases, side and rear requirements and the minimum distance between residential buildings located on the same property will be increased by one foot for every foot the tallest building on the lot exceeds forty-five (45) feet in height.
 - a. The minimum depth of the front yard for townhome developments will be ten (10) feet. The minimum depth of the front yard for other uses shall be twenty-five (25) feet.
 - b. The minimum depth of the side yards for triplexes, quadraplexes and multifamily housing developments shall be ten (10) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet.
 - c. The minimum depth of the side yards on the periphery of the townhome developments shall be ten (10) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet. The minimum depth of the side yard between individual townhome units or lots shall be zero (0) feet.

- d. The minimum depth of the side yards for other uses shall be six (6) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet.
- e. The minimum depth of the rear yard shall be twenty (20) feet for triplexes, quadraplexes and multifamily housing developments.
- f. The minimum depth of the rear yard for townhome lots that abut an alley shall be zero (0) feet. The minimum depth of the rear yard for townhome lots with all other conditions shall be fifteen (15) feet.
- g. The minimum depth of the rear yard for other uses shall be fifteen (15) feet for a distance equal to thirty (30) per cent of the length of a line which is parallel to the rear lot line, is fifteen (15) feet from the rear lot line and extends to the closest property lines. The minimum depth of the remainder of the rear yard will be five (5) feet, except on double-frontage and waterfront lots it shall be fifteen (15) feet.
- h. The minimum distance between residential buildings shall be twenty (20) feet except that screen porches located on the ground floor may project into the minimum distance. The maximum combined projection between two (2) or more buildings shall be eight (8) feet.

(3) *Lot coverage.*

- a. Buildings in multifamily housing developments shall not cover more than fifty (50) per cent of the lot area.
- b. Buildings for principal residence in townhome developments and townhome dwelling lots shall not cover more than fifty (50) per cent of the lot area. Accessory buildings may cover an additional fifteen (15) per cent of the building site.
- c. Buildings in other developments shall not cover more than forty-five (45) per cent of the lot area.

(4) *Building heights.* No building shall exceed two hundred (200) feet above grade.

(5) *Additional requirements dwelling, townhome.*

- a. **Ownership:** One hundred (100) per cent of the total lot area shall be the minimum area conveyed to the lot owner, including the front yard, back yard and side yard. A homeowners maintenance shall be formed among the unit owners to assure compliance with exterior area maintenance regulations as may be adopted by the association.
- b. **Common area:** Any portion of the original lot not divided among and incorporated into the resulting individual townhome dwelling unit lots shall be held by either of the following or a combination of the following: Each lot owner shall have an undivided interest in the common area, which shall be appurtenant to that lot. The individual interest in the common areas shall not be conveyed separately from the ownership of the said lot; or, a property owners association (POA).
- c. **Parking:** Two (2) parking spaces per dwelling units shall be provided for townhome developments and shall be side-by-side parking and not in-line tandem parking. No off-street parking spaces shall be located between the front of the principal residence and the front property line.
- d. **Access:** When townhome lots abut an alley, the site plan shall include provisions to utilize the alley as a service corridor for the townhome units. When townhome lots do not abut an alley, the site plan shall include a twenty-foot-wide, unobstructed service corridor along the rear of the properties which shall be dedicated to service use. Garages, surface parking and garbage pickup shall be accessed and accommodated by the service corridor.
- e. **Yards:** Front yards of townhome units shall include a porch, stoop or covered entry. Rear yards shall be enclosed by a building wall or garden wall.

(e) *Other applicable use standards.*

- (1) All multifamily housing developments with twenty (20) or more dwelling units shall be subject to site plan review procedures specified in section 22-58
- (2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter, except that buildings not on double-frontage lots may be in the rear yard if they are at least five (5) feet from the rear lot line.
- (3) On any lot used for residential purposes, other than a multifamily housing development, no more than one residential building will be allowed on the lot, except one building without kitchen facilities may be allowed as a guest house.
- (4) Every lot shall abut a street other than an alley for at least twenty-five (25) feet, except the minimum frontage for a lot on a cul-de-sac shall be fifteen (15) feet, or the minimum frontage for a townhome development shall be sixteen (16) feet.
- (5) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.
- (6) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (7) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (8) Signs will comply with standards referred to in section 22-55
- (9) All other applicable ordinance requirements will also be satisfied.

SECTION 11. Sections 22-29(b) and 22-29(c) are hereby amended so that the same shall read as follows:

Sec. 22-29. - Office commercial zone (C-1).

- (a) *Purpose.* This commercial classification is intended primarily for uses involving business and institutional uses which do not involve the direct sale or display of goods, the production of goods or the storage or shipment of bulk or large volume materials. Convenience commercial facilities, restaurants and certain other uses are allowed when appropriate conditions and safeguards indicated in this section are fulfilled. Uses in this district should have good access to arterial or collector streets. This district is sometimes suitable for use as a buffer separating other commercial zones from residential districts.
- ~~(b) *Semi-restricted uses.* The following uses and their accessory uses are permitted in a C-1 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Finance, insurance and real estate establishments, such as banks, savings and loan associations, credit unions, security and commodity brokers, life insurance companies, car insurance companies and real estate companies.~~
 - ~~(2) Business service establishments, such as employment services, advertising services, consumer credit and reporting services, collection services, mailing services and building maintenance services.~~
 - ~~(3) Communication service establishments, such as newspaper and printing services, television and radio services (except transmission towers) and telephone and telegraph services (except transmission towers).~~
 - ~~(4) Professional service establishments, except hospitals, such as doctors' offices, medical clinics and laboratories, legal services, engineering and architectural services and accounting, auditing and bookkeeping services.~~
 - ~~(5) Administrative offices for businesses, public uses or semi-public uses.~~
 - ~~(6) Home occupations which satisfy requirements in section 22-63~~
 - ~~(7) Temporary uses meeting the requirements in section 22-65~~

~~(c) *Conditional uses.* The following uses and their accessory uses are permitted in a C-1 zone if the uses do not include drive-in purchase or service facilities which make it possible for a person to transact business from a vehicle and if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

~~(1) Any of the following uses which are located on the ground floor of a building with offices and which are intended primarily for employees of semi-restricted uses located in the C-1 zone:~~

~~a. Restaurants.~~

~~b. Barber shops.~~

~~c. Beauty shops.~~

~~d. Laundry and dry cleaning establishments.~~

~~e. Shoe repair services.~~

~~f. Small drug stores.~~

~~(2) Commercial off-street parking lots.~~

~~(3) Hospitals, convalescent or nursing homes, and adult congregate living facilities. Maximum residential density for an adult congregate living facility shall not exceed thirty (30) units per acre.~~

~~(4) Post offices.~~

~~(5) Park or recreation areas.~~

~~(6) Cemeteries.~~

~~(7) Public utility structures, such as utility substations.~~

~~(8) Multifamily housing developments which satisfy the standards for multifamily housing developments in an R-4 zone.~~

~~(9) Day care centers which are intended primarily for use by employees of permitted uses located in the C-1 zone.~~

~~(10) Residential uses, when located in the upper stories of a structure where the ground floor is developed as a semi-restricted use. Residential density shall not exceed eighteen (18) units an acre.~~

~~(d**b**) *Basic use standards.* Uses in a C-1 zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.~~

~~(1) Lot size.~~

~~a. The minimum lot area shall be ten thousand (10,000) square feet.~~

~~b. The minimum lot width shall be seventy (70) feet.~~

~~c. The minimum lot depth shall be ninety (90) feet.~~

~~(2) Yards.~~

~~a. The minimum depth of the front yard will be twenty-five (25) feet.~~

~~b. The minimum yard depth (if not the front yard) for portions of the property abutting a public right-of-way or residential district shall be fifteen (15) feet.~~

~~(3) Lot coverage. Buildings shall not cover more than sixty (60) per cent of the lot area.~~

~~(4) Building height. No building shall exceed a height of sixty-five (65) feet above grade.~~

(e) *Other applicable use standards.*

- (1) Site plan review shall be required for uses which have buildings with more than four thousand (4,000) square feet of floor area.
- (2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter.
- (3) Every lot shall abut a street other than an alley for at least fifty (50) feet.
- (4) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.
- (5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 12. Sections 22-30(b) and 22-30(c) are hereby amended so that the same shall read as follows:

Sec. 22-30. - Neighborhood commercial zone (C-2).

- (a) *Purpose.* This district is intended to be a restricted commercial zone which is designed to meet some of the commercial needs of the immediate residential neighborhood. Uses allowed are primarily those which provide convenience goods or frequently used services. Large business operations and extensions of strip commercial areas are not desired. Areas zoned C-2 should be located near the intersections of major streets and generally close to an R-4 zone.
- ~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in a C-2 zone if no more than five thousand (5,000) square feet of floor area is devoted to each use, if the uses do not include drive-in purchase or service facilities which make it possible for a person to transact business from a vehicle and if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Uses allowed as semi-restricted uses in a C-1 zone.~~
 - ~~(2) Grocery, meat, fruit and vegetable stores.~~
 - ~~(3) Bakeries.~~
 - ~~(4) Drugstores.~~
 - ~~(5) Hardware stores.~~
 - ~~(6) Beauty shops.~~
 - ~~(7) Barber shops.~~
 - ~~(8) Laundry and dry cleaning establishments.~~
 - ~~(9) Home occupations which satisfy requirements in section 22-63~~
 - ~~(10) Temporary uses which fulfill provisions in section 22-65~~
- ~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in a C-2 zone if no more than five thousand (5,000) square feet of floor area are devoted to each use and if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Restaurants, banks and savings and loan associations which do not include drive-in purchase or service facilities which make it possible for a person to transact business from a vehicle.~~
- ~~(2) Gasoline service stations and car washes.~~
- ~~(3) Neighborhood health centers.~~
- ~~(4) Churches and day care centers.~~
- ~~(5) Park or recreation areas.~~
- ~~(6) Libraries.~~
- ~~(7) Fire stations.~~
- ~~(8) Community centers and nonprofit clubs.~~
- ~~(9) Public utility structures, such as utility substations.~~
- ~~(10) Cemeteries.~~
- ~~(11) Multifamily housing developments which satisfy the standards for multifamily housing developments in an R-4 zone.~~

(db) Basic use standards. Uses in a C-2 zone, except multifamily housing developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

(1) *Lot size.*

- a. The minimum lot area shall be ten thousand (10,000) square feet.
- b. The minimum lot width shall be seventy (70) feet.
- c. The minimum lot depth shall be ninety (90) feet.

(2) *Yards.*

- a. The minimum depth of the front yard will be twenty-five (25) feet.
- b. The minimum yard depth (if not the front yard) for portions of the property abutting a public right-of-way or residential district shall be fifteen (15) feet.

(3) *Lot coverage.* Buildings shall not cover more than sixty (60) per cent of the lot area.

(4) *Building height.* No building shall exceed a height of forty-five (45) feet above grade.

(ec) Other applicable use standards.

- (1) Site plan review shall be required for multifamily housing developments with twenty (20) or more dwelling units and for other uses which have buildings with more than four thousand (4,000) square feet of floor area.
- (2) Accessory buildings shall comply with all yard, lot coverage, and building height requirements of this chapter.
- (3) Every lot shall abut a street other than an alley for at least fifty (50) feet.
- (4) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.
- (5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 13. Sections 22-31(b) and 22-31(c) are hereby amended so that the same shall read as follows:

Sec. 22-31. - General commercial zone (C-3).

- (a) *Purpose.* The district is intended to provide for a broad variety of business activities including shoppers' goods stores, convenience goods and service establishments, offices and tourist/entertainment facilities. Many public and semi-public uses are also appropriate. Compared to the C-4 zone, this district is more suitable for uses requiring a high degree of accessibility to vehicular traffic, low intensity uses on large tracts of land, most repair services and small warehousing and wholesaling operations. Although this zone should be located along or near arterial or collector streets, it is not the intent of this district to encourage the extension of strip commercial areas. Instead it should promote concentrations of commercial activities.
- ~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in a C-3 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
- ~~(1) Uses allowed as semi-restricted uses in a C-1 zone.~~
 - ~~(2) Retail sales establishments (including incidental manufacturing and repairing of goods on the premises, provided, however, that the space devoted to manufacturing and repairing does not exceed twenty (20) per cent of the gross floor area of the establishment) such as restaurants, bars, grocery stores, bakeries, department stores, clothing stores, fabric shops, luggage stores, gift shops, jewelry stores, florist shops, camera shops, record stores, toy stores, book stores, newsstands, stationery stores, drug stores, sporting goods stores, furniture stores, appliance stores, hardware stores, auto parts stores, gasoline service stations, bicycle shops and auto sales facilities.~~
 - ~~(3) Motels/hotels.~~
 - ~~(4) Personal service establishments, such as laundering and dry cleaning establishments (except those which primarily serve other businesses), beauty and barber services, garment alterations and funeral homes.~~
 - ~~(5) Repair service establishments which facilitate light repair work, including: Auto repair such as tune ups, transmissions, mufflers, reupholstering, pinstriping (excludes auto body and paint shops) and truck repair not to exceed trucks over one-ton capacity; radio and television repair services; watch, clock and jewelry repair services, and shoe repair services.~~
 - ~~(6) Educational service establishments, such as vocational and trade schools, business and stenographic schools, art and music schools, dancing schools and correspondence schools.~~
 - ~~(7) Public and semi-public facilities, except hospitals, sanitariums, rest homes, convalescent homes, public utility structures and public works maintenance facilities.~~
 - ~~(8) Private indoor amusement, entertainment and/or recreation establishments, such as theaters, bowling alleys, pool halls, dance halls and indoor tennis courts and handball and swimming pool facilities.~~
 - ~~(9) Taxi stations.~~
 - ~~(10) Commercial off-street parking lots.~~
 - ~~(11) Temporary uses meeting the requirements in section 22-65~~
 - ~~(12) Adult establishments, pursuant to Chapter 11.5~~
- ~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in a C-3 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Repair service establishments not allowed as a semi-restricted use in this zone.~~
- ~~(2) Wholesale trade, warehouse and distribution establishments (including trucking terminals).~~
- ~~(3) Contract construction service establishments.~~
- ~~(4) Kennels.~~
- ~~(5) Bus depots.~~
- ~~(6) Hospitals, sanitariums, rest homes, convalescent homes, and adult congregate living facilities. The maximum residential density for an adult congregate living facility shall not exceed thirty (30) units per acre.~~
- ~~(7) Public utility structures and public works maintenance facilities.~~
- ~~(8) Cemeteries.~~
- ~~(9) Amusement parks.~~
- ~~(10) Marinas, including marinas with charter fishing facilities.~~
- ~~(11) Expansion of a structure with a nonconforming commercial or industrial use if the structure is not enlarged by more than twenty (20) per cent and the structure being enlarged does not violate provisions in section 22-102~~
- ~~(12) Multifamily housing developments which satisfy the standards for multifamily housing developments in an R-5 zone.~~
- ~~(13) Reserved.~~
- ~~(14) Flea markets.~~
- ~~(15) Nonprofit bingo halls.~~
- ~~(16) Industrial, semi-restricted uses permitted in section 22-34(b) [Light industrial zone (I-1)] except the uses specified in sections 22-34(b)(6) and (7).~~
- ~~(17) Ship and boat building and repair facilities.~~
- ~~(18) Recreational vehicle parks.~~
- ~~(19) Day care centers and schools other than educational service establishments.~~
- ~~(20) Railroad passenger station.~~
- ~~(21) Amusement arcades and arcade amusement centers.~~

~~(d)~~ *Basic use standards.* Uses in a C-3 zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

- (1) Lot size.
 - a. The minimum lot area shall be ten thousand (10,000) square feet.
 - b. The minimum lot width shall be seventy (70) feet.
 - c. The minimum lot depth shall be ninety (90) feet.
- (2) Yards.
 - a. The minimum depth of the front yard will be twenty-five (25) feet.
 - b. The minimum yard depth (if not the front yard) for portions of the property abutting a public right-of-way or residential district shall be fifteen (15) feet.
- (3) Lot coverage. Buildings shall not cover more than sixty (60) per cent of the lot area.

- (4) Building height. No building shall exceed a height of sixty-five (65) feet above grade, except that multifamily developments in accordance with the requirements of the R-5 zone may be approved.

(ec) Other applicable use standards.

- (1) Site plan review shall be required for uses which have buildings with more than four thousand (4,000) square feet of floor area.
- (2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter.
- (3) Every lot shall abut a street other than an alley for at least fifty (50) feet.
- (4) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.
- (5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.
- (9) An adult establishment is not permitted in C-3 unless the adult establishment is at least:
 - a. One thousand (1,000) feet from any other adult establishment:
 - b. Four hundred (400) feet from any established church, public or private school, public playground or public park;
 - c. Four hundred (400) feet from any areas zoned E-1, R-1, R-2, R-3, R-4, or R-5.
- (10) For purposes of the distance limitations contained in subsection (e)(9) above, the measurement shall be made by extending a straight line from the main entrance of the building of the adult establishment to the:
 - a. Front door of the main building occupied by any other adult establishment or any established church; or
 - b. To the nearest property line of any residential district, playground, school or park.

SECTION 14. Sections 22-32(b) and 22-32(c) are hereby amended so that the same shall read as follows:

Sec. 22-32. - Central commercial zone (C-4).

- (a) *Purpose.* This district is intended to serve as a primary center of commercial and institutional activity and as a readily identifiable focal point of the community and surrounding area. It is intended to be an intensively used area catering primarily to the pedestrian. The district is not suitable for low intensity uses requiring a large tract of land, most types of repair services, warehouses and other uses which would detract from the character of the area.
- ~~(b) *Semi-restricted uses permitted.* Except for the following uses and their accessory uses, uses permitted in a C-3 zone as semi-restricted uses will be permitted in a C-4 zone as semi-restricted uses if the uses do not include drive-in purchase or service facilities which make it possible for a person to transact business from a vehicle and if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws.~~
 - ~~(1) Retail sales establishments selling automobiles or other large motorized vehicles.~~
 - ~~(2) Post offices, police stations and fire stations.~~
 - ~~(3) Taxi stations.~~

~~(4) Commercial off street parking lots.~~

~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in a C-4 zone as conditional uses if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

~~(1) Uses permitted in subsection (b) of this section that have drive in purchases or service facilities which make it possible for a person to transact business from a vehicle.~~

~~(2) Stores selling or repairing automobiles or other large motorized vehicles.~~

~~(3) Bus depots and taxi stations.~~

~~(4) Commercial off street parking lots.~~

~~(5) Hospitals, sanitariums, rest homes and convalescent homes.~~

~~(6) Post offices, police stations and fire stations.~~

~~(7) Multifamily housing developments which satisfy the standards for multifamily housing developments in an R-5 zone.~~

~~(8) Marinas, including marinas with charter fishing facilities.~~

~~(9) Manufacturing, other than that allowed as an accessory use in subsection (b) of this section, which provides an opportunity for safe public viewing of the manufacturing, and involves production of products for retail sale on the premises.~~

~~(10) Expansion of a structure with a nonconforming commercial or industrial use if the structure is not enlarged by more than twenty (20) per cent and the structure being enlarged does not violate provisions in section 22-102~~

~~(11) Public utility structures.~~

~~(12) Flea markets.~~

~~(13) Residential uses, when located in the upper stories of a structure where the ground floor is developed as a semirestricted use. Residential density shall not exceed thirty (30) units an acre.~~

~~(14) Railroad passenger station.~~

~~(d**b**) *Basic use standards.* Uses in a C-4 zone, except multifamily housing developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.~~

~~(1) Yards. The minimum yard depth for portions of the property abutting a residential district or across an existing street from a residential district will be fifteen (15) feet.~~

~~(2) Reserved.~~

~~(e**c**) *Other applicable use standards.*~~

~~(1) Uses identified as a permitted use within the Use Table are only permitted if they do not include drive-in purchase or service facilities which make it possible for a person to transact business from a vehicle. Uses identified as a permitted use within the Use Table that have drive-in purchase or service facilities which make it possible for a person to transact business from a vehicle shall be allowed as a Conditional Use.~~

~~(12) Site plan review shall be required for all uses which have buildings with more than four thousand (4,000) square feet of floor area.~~

~~(23) Indoor storage will not be the principal use of the ground floor of any building.~~

~~(34) Accessory buildings shall comply with yard, lot coverage and building height requirements of this chapter.~~

- (45) Every lot shall abut a street other than an alley for at least fifteen (15) feet.
- (56) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.
- (67) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (78) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (89) Signs will comply with standards referred to in section 22-55
- (910) All other applicable ordinance requirements will also be satisfied.

SECTION 15. Sections 22-33(b) and 22-33(c) are hereby amended so that the same shall read as follows:

Sec. 22-33. - Tourist commercial zone (C-5).

- (a) *Purpose.* The intent of this district is primarily to provide suitable locations for tourist facilities and certain tourist related establishments. In part, this means that areas in the zone should be in close proximity to an arterial or collector street. It also means that the uses allowed should be much more limited than those permitted in a C-3 or C-4 zone. Regulations for the district are designed to enhance the attractiveness and convenience of the facilities for tourist use.
- ~~(b) *Semi-restricted uses permitted.* The following uses are permitted in a C-5 zone as semirestricted uses if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Restaurants, delicatessens and bars.~~
 - ~~(2) Motels, hotels and resort hotels.~~
 - ~~(3) Retail sales and service establishments, provided that any one establishment does not exceed one thousand six hundred (1,600) square feet in area.~~
 - ~~(4) Service facilities which provide personal services in conjunction with and incidental to a motel.~~
 - ~~(5) Amusement, entertainment and/or recreation establishments.~~
 - ~~(6) Home occupations which satisfy requirements in section 22-63~~
 - ~~(7) Temporary uses which fulfill provisions in section 22-65~~
 - ~~(8) Single family homes which satisfy requirements in section 22-101(2)b.~~
- ~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in a C-5 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Retail foodstuff establishments, and drug stores not over five thousand (5,000) square feet in size.~~
 - ~~(2) Self service laundries.~~
 - ~~(3) Gasoline service stations.~~
 - ~~(4) Branch financial institutions.~~
 - ~~(5) Commercial off street parking lots.~~
 - ~~(6) Neighborhood health centers.~~
 - ~~(7) Hospitals, sanitariums, rest homes, convalescent homes and adult congregate living facilities.~~

~~(8) Churches and day care centers.~~

~~(9) Public and semi-public park or recreation areas.~~

~~(10) Libraries.~~

~~(11) Fire stations.~~

~~(12) Community centers and nonprofit clubs.~~

~~(13) Cemeteries.~~

~~(14) Public utility structures, such as utility substations.~~

~~(15) Multifamily housing developments which satisfy the standards for multifamily housing developments in an R-5 zone and standards for Hutchinson Island.~~

~~(16) Medical offices.~~

(db) Basic use standards. Uses in a C-5 zone, except multifamily housing developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

(1) Lot size.

- a. The minimum lot area shall be ten thousand (10,000) square feet.
- b. The minimum lot width shall be seventy (70) feet.
- c. The minimum lot depth shall be ninety (90) feet.

(2) Yards.

- a. The minimum depth of the front yard will be twenty-five (25) feet.
- b. The minimum yard depth (if not the front yard) for portions of the property abutting a public right-of-way or residential district shall be fifteen (15) feet.

(3) Lot coverage. Buildings shall not cover more than sixty (60) per cent of the lot area.

(4) Building height. No building shall exceed a height of forty-five (45) feet above grade, except that multifamily housing developments in accordance with the requirements of the R-5 zone may be approved.

(ec) Other applicable use standards.

- (1) Site plan review shall be required for multifamily housing developments and for other uses which have buildings with more than four thousand (4,000) feet of floor area.
- (2) Accessory buildings shall comply with all yard, lot coverage and building requirements of this chapter.
- (3) Every lot shall abut a street other than an alley for at least fifty (50) feet.
- (4) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.
- (5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 16. Sections 22-33.1(b) and 22-33.1(c) are hereby amended so that the same shall read as follows:

Sec. 22-33.1. - Marine commercial zone (C-6).

- (a) *Purpose.* The intent of this district is primarily to provide suitable locations for compatible marine commercial and tourist-related facilities. In part, this means that areas in the zone should be in close proximity to an arterial or collector street and should also be located in close proximity to the waterfront. The requirements in this zone recognize that certain marine oriented commercial activities can be compatible with activities that are more tourist-related and when combined can create a special environment. The uses laid out in this zone are not meant to be as inclusive as those found in a general commercial zone, but rather should be reserved for uses that are dependent on or benefit from proximity to the water.
- ~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are allowed in a C-6 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning provisions and other city laws:~~
- ~~(1) Restaurants and restaurants with bars.~~
 - ~~(2) Seafood retailers and markets.~~
 - ~~(3) Retail boat and marine equipment sales establishments.~~
 - ~~(4) Retail trade facilities used for the sale of products such as ice, bait, tackle, charts, gifts, groceries, and other products that are marine or tourist oriented.~~
 - ~~(5) Marinas, including marinas with charter fishing facilities.~~
 - ~~(6) Ship and boat repair facilities.~~
 - ~~(7) Charter fishing offices.~~
 - ~~(8) Marine regulatory agencies.~~
 - ~~(9) Offices for marine related businesses.~~
 - ~~(10) Marine research and educational facilities.~~
 - ~~(11) Motels and hotels.~~
 - ~~(12) Temporary uses which fulfill provisions in section 22-65~~
- ~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in a C-6 zone if the uses satisfy the criteria in subsection (e) of this section and if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning provisions and other city laws:~~
- ~~(1) Seafood receiving and processing facilities.~~
 - ~~(2) Warehousing, storage areas, wholesale facilities and distribution facilities for marine equipment, marine products, marine-related products and/or materials customarily shipped via waterborne transportation facilities.~~
 - ~~(3) Shipbuilding facilities.~~
 - ~~(4) Shipping and boat marine facilities.~~
 - ~~(5) Public utility structures and public works.~~
 - ~~(6) Maintenance facilities.~~
 - ~~(7) Multifamily housing developments which satisfy the standards for multifamily housing developments in an R-5 zone.~~
 - ~~(8) Expansion of a structure with a nonconforming commercial or industrial use if the structure is not enlarged by more than twenty (20) per cent and the structure being enlarged does not violate provisions of section 22-102~~
 - ~~(9) Parks or recreational areas.~~

~~(10) Resort hotels.~~

~~(11) Bars and lounges not otherwise allowed in section 22-33.1(b).~~

~~(d)~~ *Basic use standards.* Uses in a C-6 zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

(1) Lot size.

- a. The minimum lot area shall be ten thousand (10,000) square feet.
- b. The minimum lot width shall be seventy (70) feet.
- c. The minimum lot depth shall be ninety (90) feet.

(2) Yards.

- a. The minimum depth of the front yard will be twenty-five feet.
- b. The minimum yard depth (if not the front yard) for portions of the property abutting the public right-of-way or residential district shall be fifteen (15) feet.

(3) Lot coverage. Building shall not cover more than sixty (60) per cent of the lot area.

(4) Building height. No building shall exceed the height of sixty-five (65) feet above grade, except that multifamily housing developments in accordance with the requirements of the R-5 zone may be approved.

~~(e)~~ *Other applicable use standards.*

- (1) Site plan review shall be required for uses which have buildings with more than four thousand (4,000) square feet.
- (2) Accessory buildings shall comply with all yard, lot coverage and building requirements of this chapter.
- (3) Every lot shall abut a street other than an alley for at least fifty (50) feet.
- (4) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.
- (5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements of sections 22-74 through 22-87
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 17. Sections 22-34(b) and 22-34(c) are hereby amended so that the same shall read as follows:

Sec. 22-34. - Light industrial zone (I-1).

(a) *Purpose.* The purpose of this district is to provide for industrial and related uses with limited objectionable external effects in areas that are suitable for such operations due to the desirability of site characteristics, adequacy of utilities, appropriateness of transportation facilities and other factors. Acceptable manufacturing, warehousing, heavy commercial and similar uses are encouraged. Uses in the district may perform a support role for uses in other industrial areas.

~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are allowed in an I-1 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Facilities for the assembly of electronics equipment or electrical appliances.~~

- ~~(2) Facilities for the production, assembling and/or packaging of precision instruments.~~
 - ~~(3) Printing, lithography and publishing establishments.~~
 - ~~(4) Research, experimental, testing and film laboratories.~~
 - ~~(5) Bottling plants.~~
 - ~~(6) Wholesale trade, warehouse and distribution establishments, including trucking and railroad terminals.~~
 - ~~(7) Bulk storage yards, including bulk storage of flammable liquids and other hazardous materials if the location and treatment of the premises have been approved by the Chief of the Fort Pierce/Saint Lucie County Fire District, but excluding junkyards.~~
 - ~~(8) Retail sales establishments which sell building materials, agricultural equipment and/or mobile homes.~~
 - ~~(9) Welding or machine shops.~~
 - ~~(10) Contract construction service establishments.~~
 - ~~(11) Commercial and industrial laundries.~~
 - ~~(12) Cold storage and ice processing facilities.~~
 - ~~(13) Public utility structures and public works maintenance facilities.~~
 - ~~(14) Temporary uses meeting the requirements of section 22-65~~
 - ~~(15) Farmers market complexes, on publicly owned land.~~
- ~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an I-1 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
- ~~(1) Establishments not mentioned in subsection (b) of this section which are engaged in the production, assembling, packaging or treatment of materials, goods, foodstuff and other semi-finished or finished products from semi-finished or raw materials.~~
 - ~~(2) Junkyards.~~
 - ~~(3) Restaurants.~~
 - ~~(4) Credit unions and branch offices of banks or savings and loan associations.~~
 - ~~(5) Hiring halls, union halls and employment agencies.~~
 - ~~(6) Vocational, technical, trade and industrial schools.~~
 - ~~(7) Park or recreation areas.~~
 - ~~(8) Fire stations.~~
 - ~~(9) Security guard quarters.~~
 - ~~(10) Expansion of a structure with a nonconforming commercial or industrial use if the structure is not enlarged by more than twenty (20) per cent and the structure being enlarged does not violate provisions in section 22-102~~
 - ~~(11) Major utilities.~~
 - ~~(12) Any structure over sixty five (65) feet in height, except that conditional approval is not required where the structure is a vertical projection such as a chimney, spire, aerial, flagpole or other similar object.~~
 - ~~(13) Ship and boat building and repair facilities.~~
 - ~~(14) Railroad passenger station.~~

(db) *Basic use standards.* Uses in an I-1 zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

(1) Lot size.

a. The minimum lot width shall be one hundred (100) feet.

b. The minimum lot depth shall be one hundred (100) feet.

(2) Yards. The minimum yard depth for portions of the property abutting a public right-of-way or nonindustrial district will be fifteen (15) feet.

(ec) *Other applicable use standards.*

(1) Site plan review shall be required for uses which have buildings with more than four thousand (4,000) square feet of floor area.

(2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter.

(3) Every lot shall abut a street other than an alley for at least fifty (50) feet.

(4) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.

(5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61

(6) Conditional uses will meet the requirements in sections 22-74 through 22-86

(7) Signs will comply with standards referred to in section 22-55

(8) All other applicable ordinance requirements will also be satisfied.

SECTION 18. Sections 22-34.1(b) and 22-34.1(c) are hereby amended so that the same shall read as follows:

Sec. 22-34.1. - Heavy industrial zone (I-3).

(a) *Purpose.* The purpose of this district is to provide for heavy industrial and related uses with limited objectionable external effects in areas that are suitable for such operations due to the desirability of site characteristics, adequacy of utilities, appropriateness of transportation facilities and other factors. Acceptable manufacturing, warehousing, heavy commercial and similar uses are encouraged.

~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are allowed in an I-3 zone if the uses will not violate standards referred to in subsections (d) and (e); additional zoning ordinance provisions and other city laws:~~

~~(1) Any use permitted in subsection 22-34(b).~~

~~(2) Agricultural services.~~

~~(3) Construction services:~~

~~a. *Building construction*—General contractor;~~

~~b. *Other construction*—General contractors;~~

~~c. *Construction*—Special trade contractors.~~

~~(4) Docks and boathouses (private).~~

~~(5) Engineering services.~~

~~(6) Manufacturing.~~

- a.— ~~Food and kindred products.~~
- b.— ~~Tobacco products.~~
- c.— ~~Textile mill products.~~
- d.— ~~Apparel and other finished products.~~
- e.— ~~Lumber and wood products, except furniture.~~
- f.— ~~Furniture and fixtures.~~
- g.— ~~Printing and publishing and allied industries.~~
- h.— ~~Chemicals and allied products:~~
 - 1.— ~~Drugs.~~
 - 2.— ~~Soap, detergents and cleaning preparations; perfumes, cosmetics and other toilet preparations.~~
 - 3.— ~~Agricultural chemicals.~~
- i.— ~~Rubber and misc. plastic products.~~
- j.— ~~Leather and leather products.~~
- k.— ~~Glass:~~
 - 1.— ~~Flat glass.~~
 - 2.— ~~Glass and glassware—Pressed or blown.~~
 - 3.— ~~Glass products—Made of purchased glass.~~
- l.— ~~Fabricated metal products.~~
- m.— ~~Industrial/commercial machinery and computer equipment.~~
- n.— ~~Electronic and other electrical equipment and components, except computer equipment.~~
- o.— ~~Transportation equipment.~~
- p.— ~~Measuring, analyzing and controlling instruments.~~
- q.— ~~Miscellaneous manufacturing industries:~~
 - 1.— ~~Jewelry, silverware, and platedware.~~
 - 2.— ~~Musical instruments and parts.~~
 - 3.— ~~Dolls, toys, games and sporting goods.~~
 - 4.— ~~Pens, pencils and other office and artists' materials.~~
 - 5.— ~~Costume jewelry, costume novelties, and notions.~~
 - 6.— ~~Brooms and brushes.~~
 - 7.— ~~Signs and advertising displays.~~
 - 8.— ~~Morticians' goods.~~
 - 9.— ~~Manufacturing industries, NIC.~~
- r.— ~~Paper and allied products:~~
 - 1.— ~~Paperboard containers and boxes.~~
 - 2.— ~~Converted paper and paperboard products.~~

- ~~(7) Local and suburban transit.~~
- ~~(8) Water transportation.~~
- ~~(9) Transportation services.~~
- ~~(10) Communications.~~
- ~~(11) Motor freight transportation and warehousing.~~
- ~~(12) Motion pictures.~~
- ~~(13) Membership organizations.~~
- ~~(14) Personal and business services.~~
- ~~(15) Research, development, and testing services.~~
- ~~(16) Repair services:
 - ~~a.—Automotive and automotive parking.~~
 - ~~b.—Electrical.~~
 - ~~c.—Watch, clock and jewelry repair.~~
 - ~~d.—Reupholstery and furniture repair.~~
 - ~~e.—Miscellaneous repairs and services.~~~~
- ~~(17) Retail trade:
 - ~~a.—Lumber and other building materials.~~
 - ~~b.—Paint, glass and wallpaper.~~
 - ~~c.—Hardware.~~
 - ~~d.—Nurseries, lawn and garden supplies.~~
 - ~~e.—Mobile home dealers.~~
 - ~~f.—Automotive/boat/RV/motorcycle dealers.~~
 - ~~g.—Gasoline service.~~
 - ~~h.—Furniture and furnishings.~~~~
- ~~(18) Telecommunication towers.~~
- ~~(19) Wholesale trade—Durable goods:
 - ~~a.—Motor vehicle and automotive equipment.~~
 - ~~b.—Furniture and home furnishings.~~
 - ~~c.—Lumber and other building materials.~~
 - ~~d.—Professional and commercial equipment/supplies.~~
 - ~~e.—Metals and minerals, except petroleum.~~
 - ~~f.—Electrical goods.~~
 - ~~g.—Hardware, plumbing and heating equipment, and supplies.~~
 - ~~h.—Machinery, equipment, and supplies.~~
 - ~~i.—Miscellaneous durable goods:
 - ~~1.—Sporting and recreational goods.~~~~~~

- 2. ~~Toys and hobby goods.~~
- 3. ~~Jewelry, watches, precious stones and metals.~~
- 4. ~~Durable goods NEC.~~

~~(20) Wholesale trade—Nondurable goods:~~

- a. ~~Paper and paper products.~~
- b. ~~Drugs.~~
- c. ~~Dry goods and apparel.~~
- d. ~~Groceries and related products.~~
- e. ~~Farm products—Raw materials.~~
- f. ~~Chemicals and allied products.~~
- g. ~~Beer, wine, and distilled alcoholic beverages.~~
- h. ~~Miscellaneous nondurable goods:~~
 - 1. ~~Farm supplies.~~
 - 2. ~~Books, periodicals, and newspapers.~~
 - 3. ~~Flowers, nursery stock and florists' supplies.~~
 - 4. ~~Tobacco/tobacco products.~~
 - 5. ~~Paints, varnishes and supplies.~~
 - 6. ~~Nondurable goods, NEC.~~

~~(21) Mobile food vendors.~~

~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an I-3 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e), additional zoning ordinance provisions and other city laws:~~

- ~~(1) Any conditional use permitted in subsection 22-34(c).~~
- ~~(2) Airport, landing and takeoff fields—General aviation.~~
- ~~(3) Manufacturing:~~
 - a. ~~Paper and allied products.~~
 - b. ~~Chemicals and allied products.~~
 - c. ~~Petroleum refining and related products.~~
 - d. ~~Stone, clay, glass and concrete products.~~
 - e. ~~Primary metal industries.~~
 - f. ~~Ammunition and ordnance.~~
- ~~(4) Natural or manufactured gas storage and distribution points.~~
- ~~(5) Scrap, waste and land clearing and yard trash recycling operations.~~
- ~~(6) Warehousing and storage services—Stockyards.~~
- ~~(7) Wholesale trade—Nondurable goods:~~
 - a. ~~Petroleum and petroleum products.~~

~~(8) Co-generation facilities.~~

~~(9) Fueling facilities.~~

~~(10) Industrial wastewater disposal.~~

~~(11) One detached single family dwelling or mobile home for on-site security purposes per property.~~

~~(12) Retail:~~

~~a. Bottled gas.~~

~~b. Fuel oil.~~

~~c. Gasoline service stations.~~

~~d. Retail trade accessory to the primary manufacturing or wholesaling use.~~

~~(d)~~ *Basic use standards.* Uses in an I-3 zone must meet the requirements of this section. More-restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

(1) *Lot size.*

a. The minimum lot width shall be one hundred (100) feet

b. The minimum lot depth shall be one hundred (100) feet

(2) *Yards.* The minimum yard depth for portions of the property abutting a public right-of-way or nonindustrial district will be fifteen (15) feet.

~~(e)~~ *Other applicable use standards.*

(1) Site plan review shall be required for uses which have buildings with more than four thousand (25,000 square feet of floor area).

(2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter.

(3) Every lot shall abut a street other than an alley for at least fifty (50) feet

(4) Conditional uses will meet the requirements in sections 22-74 through 22-86

(5) Signs will comply with standards referred to in section 22-55

(6) All other applicable ordinance requirements will also be satisfied.

~~(f)~~ *Parking and loading standards.* The following are the off-street parking and loading standards for the I-3 zone:

(1) *Parking.*

a. Less than one hundred thousand (100,000) square feet = 2.0 spaces per one thousand (1,000) square feet of floor area.

b. More than one hundred thousand (100,000) square feet = 1.0 space per one thousand (1,000) square feet of floor area.

(2) *Loading.*

a. Zero to twenty-four thousand, nine hundred ninety-nine (24,999) square feet = one loading space.

b. Twenty-five thousand (25,000) to fifty-nine nine hundred ninety-nine (59,999) square feet = two (2) loading spaces.

c. Sixty thousand (60,000) to one hundred nineteen thousand, nine hundred ninety-nine (119,999) square feet = three (3) loading spaces.

- d. One hundred twenty thousand (120,000) to one hundred ninety-nine thousand nine hundred ninety-nine (199,999) square feet = four (4) loading spaces.
- e. Two hundred thousand (200,000) to two hundred ninety-nine thousand, nine hundred ninety-nine (299,999) square feet = five (5) loading spaces.

~~(ge)~~ *Annexed property assigned I-3 zoning.* This subsection shall apply to any annexed property that does not comply with subsections (d) and (e) at the time of annexation. Any property annexed and assigned I-3 zoning shall be allowed to continue all uses occurring on the property at the time of annexation. No modifications to any part of the property shall be required by the city. In the event the annexed property is damaged or destroyed due to fire or natural disaster, then the property owner shall be permitted to reconstruct the property to the form, manner and condition the property was in prior to the damage or destruction notwithstanding any non-compliance with subsections(d) and (e). Property annexed and assigned I-3 zoning is exempt from [section] 22-67

SECTION 19. Sections 22-35(b) and 22-35(c) are hereby amended so that the same shall read as follows:

Sec. 22-35. - Marine industrial zone (I-2).

- (a) *Purpose.* This zone is intended primarily to provide a location for port activities, marine industry and supporting uses. In addition, certain nonindustrial water-oriented uses and uses associated with them may be permitted. The district is designed to exclude uses which can be located equally well elsewhere and are inconsistent with the character of the district. Large areas with adequate waterfront, street and railroad access are appropriate for this type of zoning.
- ~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are allowed in an I-2 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Shipping and port marine facilities.~~
 - ~~(2) Seafood receiving and processing facilities.~~
 - ~~(3) Commercial fishing facilities.~~
 - ~~(4) Ship and boat building and repair facilities.~~
 - ~~(5) Petroleum receiving, dispensing and storage facilities.~~
 - ~~(6) Warehousing, storage areas, wholesale facilities and distribution facilities (including trucking terminals) for marine equipment, marine products, marine related products and/or materials customarily shipped via waterborne transportation facilities.~~
 - ~~(7) Cold storage and ice processing facilities.~~
 - ~~(8) Charter fishing offices.~~
 - ~~(9) Fish cleaning establishments.~~
 - ~~(10) Marine regulatory agencies.~~
 - ~~(11) Marine research and education facilities.~~
 - ~~(12) Aquaculture facilities permitted in conjunction with aquatic facilities in an adjacent A-1 or A-2 zone.~~
 - ~~(13) Temporary uses meeting the requirements of section 22-65~~
- ~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an I-2 zone if the uses satisfy the criteria in subsection (e) of this section and if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (f) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Establishments not mentioned in subsection (b) of this section which are engaged in the production, assembling, packaging or treatment of materials, goods, foodstuffs and other semi-finished or finished products from semi-finished or raw materials.~~
- ~~(2) Restaurants and bars.~~
- ~~(3) Seafood markets.~~
- ~~(4) Retail boat and marine equipment sales establishments.~~
- ~~(5) Retail trade facilities used for the sale of products such as ice, bait, tackle, charts, gifts, groceries and gasoline when the facilities are in conjunction with and incidental to other uses being allowed in the district.~~
- ~~(6) Commercial off-street parking lots.~~
- ~~(7) Marinas, including marinas with charter fishing facilities.~~
- ~~(8) Hiring halls, union halls and employment agencies.~~
- ~~(9) Park or recreation areas.~~
- ~~(10) Public utility structures and public works maintenance facilities.~~
- ~~(11) Fire stations.~~
- ~~(12) Security guard quarters.~~
- ~~(13) Expansion of a structure with a nonconforming commercial or industrial use if the structure is not enlarged by more than twenty (20) per cent and the structure being enlarged does not violate provisions in section 22-102~~
- ~~(14) Business, communication, finance and professional services.~~
- ~~(15) Major utilities.~~
- ~~(16) Any structure over sixty-five (65) feet in height, except that conditional approval is not required where the structure is a vertical projection such as a chimney, spire, aerial, flagpole or other similar object.~~

~~(d)~~ *Basic use standards.* Uses in an I-2 zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

- (1) Lot size.
 - a. The minimum lot width shall be one hundred (100) feet.
 - b. The minimum lot depth shall be one hundred (100) feet.
- (2) Yards. The minimum yard depth for portions of the property abutting a public right-of-way or nonindustrial district will be fifteen (15) feet.

~~(e)~~ *Special conditional use criteria.* No conditional use will be allowed in an I-2 zone unless it meets one or more of the following criteria:

- (1) The use is a water-dependent use, which means that it can only be carried out on, in or adjacent to water and the location or access is needed for:
 - a. Waterborne transportation (such as navigation; moorage, fueling and servicing of ships or boats; terminal and transfer facilities; fish or other resource and material receiving and shipping); or
 - b. Recreation (active recreation such as swimming, boating or fishing; passive recreation such as viewing or walking); or
 - c. A source of water (such as energy production, cooling of industrial equipment or wastewater or other industrial processes); or

- d. Marine research or education (such as viewing, sampling, recording information, conducting experiments or teaching).

(2) The use is a water-related use, which means that:

- a. It provides goods and/or services that are directly associated with water-dependent uses (supplying materials to, using products of or offering commercial or personal services to water-dependent uses); or
- b. If it were not located near the water, it would experience a public loss of quality in the goods and services offered (evaluation of public loss of quality will include a subjective consideration of economic, social and environmental consequences of the use).

(3) The use which is not the primary use of the structure, shares an existing structure with a water-dependent use or water-related use and the combination results in a multiple use facility.

(4) The project provides significant public access or recreation uses through the provision of waterfront seating, walkways, piers, street furniture or similar facilities.

(5) The use is an accessory use important to the operations of the principal use.

(6) The use is a temporary use which meets the requirements of section 22-65

~~(f)~~ *Other applicable use standards.*

(1) Site plan review shall be required for uses which have buildings with more than four thousand (4,000) square feet of floor area.

(2) Accessory buildings shall comply with all yard, lot coverage and building requirements of this chapter.

(3) Every lot shall abut a street other than an alley for at least fifty (50) feet.

(4) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.

(5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61

(6) Conditional uses will meet the requirements in sections 22-74 and 22-86

(7) Signs will comply with standards referred to in section 22-55

(8) All other applicable ordinance requirements will also be satisfied.

SECTION 20. Sections 22-35.1(b) and 22-35.1(c) are hereby amended so that the same shall read as follows:

Sec. 22-35.1. - Commercial parkway zone (CP-1).

(a) *Purpose.* The CP-1 district is established for the purpose of providing space for large lot development along principal vehicular approaches into the city. This is a mixed use district which should provide for certain types of office, commercial, and industrial operations which are typically characterized by a business park setting. This district may function as a transition zone between commercial/light industrial activities and uses which may be sensitive to nuisance such as residential land uses.

~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are allowed in the CP-1 zone if the uses will not violate standards referred to in subsections (d), (e), or (f) of this section, additional zoning ordinance provisions and other city laws:~~

~~(1) Uses allowed as semi-restricted uses in a C-1 zone.~~

~~(2) Printing, lithography and publishing establishments.~~

- ~~(3) Research, experimental and film laboratories.~~
- ~~(4) Wholesale trade, warehouse and distribution establishments, including trucking terminals.~~
- ~~(5) Repair service establishments (excluding auto body and paint shops) including, but not limited to, auto repair, pinstriping, truck repair, radio, and television, watch, clock, jewelry and shoe repair services.~~
- ~~(6) Contract construction service establishments.~~
- ~~(7) Commercial and industrial laundries.~~
- ~~(9) Facilities for the production, assembling and/or packaging of precision instruments.~~
- ~~(10) Manufacturing of finished products or parts, including processing, fabrication, assembly, treatment, packaging, and incidental storage of such products. Uses include, but are not limited to, food beverages, apparel (except leather and furs), textiles, pharmaceuticals, household appliances, and plastics.~~
- ~~(11) Temporary uses meeting the requirements in section 22-65~~
- ~~(e) *Conditional uses permitted.* The following uses and their accessory uses are permitted in a CP-1 zone if the city commission, after a public hearing, determines that the location and development of plans comply with applicable standards referred to in subsections (d), (e) and (f) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Reserved.~~
 - ~~(2) Public and semi-public facilities, except for the following uses: hospitals, sanitariums, rest homes, convalescent homes, and public works maintenance facilities.~~
 - ~~(3) Commercial off-street parking lots and/or parking garages when such facilities are principal uses.~~
 - ~~(4) Public or private utility structures.~~
 - ~~(5) Auto body and paint shops.~~
 - ~~(6) Recycling facilities.~~
 - ~~(7) Bottling plants.~~
 - ~~(8) Retail sales establishments including, but not limited to, restaurants, bars, grocery stores, bakeries, department stores, clothing stores, gift shops, jewelry stores, sporting goods stores, furniture stores, appliance stores, hardware stores, building materials stores, agricultural equipment stores, auto parts stores, gasoline service stations, bicycle shops and auto and mobile home sales facilities.~~
 - ~~(9) Any structure over sixty five (65) feet in height.~~
 - ~~(10) Hotels and motels.~~
- ~~(d) *Basic use standards.* Uses in a CP-1 zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.~~
 - (1) Lot size.
 - a. The minimum lot area shall be twenty thousand (20,000) square feet.
 - b. The minimum lot width shall be one hundred (100) feet.
 - c. The minimum lot depth shall be one hundred (100) feet.
 - (2) Yards.
 - a. The minimum depth of the front yard shall be twenty-five (25) feet.

- b. The minimum depth of the rear yard shall be twenty (20) feet.
- c. The minimum depth of the side yard shall be ten (10) feet, except on corner lots the minimum side yard depth on a street side will be twenty (20) feet.

(3) *Lot coverage.* Buildings will not cover more than sixty (60) per cent of the lot area.

(4) *Building heights.* No building shall exceed a height of sixty-five (65) feet above grade.

~~(e)~~ *Open space standards.*

- (1) A minimum of twenty (20) per cent of the gross area of land to be devoted to a commercial parkway development must be reserved for use as parks, recreation areas, marinas, open space, planting, or other public purposes other than rights-of-way, utility easements, and parking areas. At the request of the developer and subject to the approval of the city commission, use of recreational facilities may be offered to the general public. Areas that are natural or man-made floodways, lakes, and stormwater retention areas may be also be used to satisfy the total open space requirement.
- (2) All land dedicated for open space shall be under the legal control of the developer.

~~(f)~~ *Other applicable use standards.*

- (1) Site plan review shall be required for uses which have buildings with more than four thousand (4,000) square feet of floor area.
- (2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter.
- (3) Every lot shall abut a street other than an alley for at least sixty (60) feet.
- (4) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.
- (5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 21. Sections 22-36(b) and 22-36(c) are hereby amended so that the same shall read as follows:

Sec. 22-36. - General and recreational open space zone (OS-1).

- (a) *Purpose.* This zone is intended primarily for uses which, by their nature of development, contribute open space and visual relief, significant to the area's development pattern, in part, due to the scenic value or the buffering functions of the use. The zone is designed to achieve this by primarily allowing recreational uses.
- ~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are allowed in an OS-1 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Park or recreation areas, except amusement parks.~~
 - ~~(2) Temporary uses which fulfill provisions in section 22-65~~
- ~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an OS-1 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Indoor amusement, entertainment and/or recreation establishments.~~

- ~~(2) Restaurants.~~
- ~~(3) Gift shops.~~
- ~~(4) Cemeteries.~~
- ~~(5) Marinas, community buildings, amphitheaters and museums.~~
- ~~(6) Public utility structures, such as utility substations, and public and semipublic uses.~~
- ~~(7) Major utilities.~~

~~(d)~~ *Basic use standards.* Uses in an OS-1 zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses:

- (1) Lot size.
 - a. The minimum lot width shall be one hundred (100) feet.
 - b. The minimum lot depth shall be one hundred (100) feet.
- (2) Yards. The minimum yard depth for portions of the property abutting a public right-of-way or residential district will be fifteen (15) feet.
- (3) Lot coverage. Buildings shall not cover more than forty (40) per cent of the lot area.
- (4) Building height. No building shall exceed a height of thirty-five (35) feet above grade.

~~(e)~~ *Other applicable use standards.*

- (1) Site plan review shall be required for uses which have buildings with more than four thousand (4,000) square feet of floor area.
- (2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter.
- (3) Every lot shall abut a street other than an alley for at least fifty (50) feet.
- (4) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.
- (5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 22. Sections 22-37(b) and 22-37(c) are hereby amended so that the same shall read as follows:

Sec. 22-37. - Conservation open space zone (OS-2).

(a) *Purpose.* This district is for areas containing important natural environmental features which pose severe limitations on their suitability for development. It is the intent of the zone to retain to open character of the zone wherever possible by limiting the uses primarily to conservation, low intensity recreation and other compatible uses. Due to the sensitive environmental character of areas in the district, many users are allowed as conditional uses.

~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an OS-2 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Game and wildlife management preserves.~~

- ~~(2) Low intensity recreation.~~
- ~~(3) Water reservoirs and control structures.~~
- ~~(4) Fire control towers.~~
- ~~(5) Home occupations which satisfy requirements in section 22-63~~
- ~~(6) Temporary uses which fulfill provisions in section 22-65~~
- ~~(7) Ancillary structures less than five hundred (500) square feet in size.~~

~~(e) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an OS-2 zone if the city and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Environmental research and education facilities.~~
- ~~(2) Game and wildlife management preserves.~~
- ~~(3) Aquaculture facilities.~~
- ~~(4) Agriculture.~~
- ~~(5) Single family dwellings, excluding mobile homes.~~
- ~~(6) Innovative residential developments.~~
- ~~(7) Public utility structures, such as utility substations.~~
- ~~(8) Ancillary structures over five hundred (500) square feet in size.~~
- ~~(9) Major utilities.~~

~~(db) *Basic use standards.* Uses in an OS-2 zone, except innovative residential developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.~~

- (1) Lot size.
 - a. The minimum lot area for single-family dwelling shall be five (5) acres.
 - b. The minimum lot width shall be one hundred (100) feet.
 - c. The minimum lot depth shall be two hundred (200) feet.
- (2) Yards.
 - a. The minimum depth of the front yard will be forty (40) feet.
 - b. The minimum depth of the side yard will be twenty (20) feet.
 - c. The minimum depth of the rear yard shall be thirty (30) feet.
- (3) Lot coverage. Buildings will not cover more than five (5) per cent of the lot.
- (4) Height of buildings. No building shall exceed a height of twenty-eight (28) feet above grade, except fire control towers.

~~(ec) *Other applicable use standards.*~~

- (1) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter.
- (2) On any lot used for residential purposes, no more than one residential building will be allowed on a lot, except one building without kitchen facilities may be allowed as a guest house.

- (3) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.
- (4) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (5) Signs will comply with standards referred to in section 22-55
- (6) All other applicable ordinance requirements will also be satisfied.

SECTION 23. Sections 22-38(b) and 22-38(c) are hereby amended so that the same shall read as follows:

Sec. 22-38. - Aquatic conservation zone (A-1).

(a) *Purpose.* This district is intended to help assure that aquatic areas having exceptional biological, aesthetic, educational or scientific value are appropriately protected for future generations. The regulations are designed to encourage management of these areas for low to moderate intensities of use, with emphasis on maintaining the flow of aquatic resources and recreational benefits. To the extent practical, damage to the ecosystems of the affected aquatic and shoreland areas and adverse impacts on the public's use of the water should be minimized.

~~(b) *Semi-restricted uses permitted.*~~

- ~~(1) Navigational aids are allowed in an A-1 zone if no major alterations of the area are necessary and if other ordinance requirements are satisfied.~~
- ~~(2) Docks for single family homes located on the Indian River Lagoon, Inlet or other water bodies are allowed if other ordinance requirements are satisfied. Docks for single family homes that are located on canals within Surfside or Jennings Cove are subject to conditional use approval pursuant to subsection (c)(3).~~

~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an A-1 zone if they meet the criteria in subsection (e) of this section and if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Water dependent recreation facilities.~~
- ~~(2) Aquaculture facilities.~~
- ~~(3) Dock/moorage facilities, other than permitted in subsection (b)(2)~~
- ~~(4) Marine research and/or education facilities.~~
- ~~(5) Major utilities.~~
- ~~(6) Land transportation facilities.~~

~~(d) *Building heights.* No building will exceed a height of twenty-five (25) feet above the mean high tide line in tidal areas and the ordinary high water line in nontidal areas.~~

~~(e) *Special conditional use criteria.* No conditional use will be allowed in an A-1 zone unless it meets one or more of the following criteria:~~

- (1) The use is a water-dependent use, which means that it can only be carried out on, in or adjacent to water and the location or access is needed for:
 - a. Waterborne transportation (such as navigation; moorage, fueling and servicing of ships or boats; terminal and transfer facilities; fish or other resource and material receiving and shipping); or
 - b. Recreation (active recreation such as swimming, boating or fishing; passive recreation such as viewing or walking); or

- c. A source of water (such as energy production, cooling of industrial equipment or wastewater or other industrial processes); or
- d. Marine research or education (such as viewing, sampling, recording information, conducting experiments or teaching).

(2) The use is a water-related use, which means that:

- a. It provides goods and/or services that are directly associated with water-dependent uses (supplying materials to, or using products of or offering commercial or personal services to water-dependent uses); or
- b. If it were not located near the water, it would experience a public loss of quality in the goods and services offered (evaluation of public loss of quality will include a subjective consideration of economic, social and environmental consequences of the use).

(3) The use which is not the primary use of the structure, shares an existing structure with a water-dependent use or water-related use and the combination results in a multiple use facility.

(4) The project provides significant public access or recreation uses through the provision of waterfront seating, walkways, piers, street furniture or similar facilities.

(5) The use is an accessory use important to the operations of the principal use.

(6) The use is a temporary use which meets the requirements of section 22-65

~~(f)~~ *Other applicable use standards.*

(1) Accessory buildings shall comply with all building height requirements of this chapter.

(2) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.

(3) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61

(4) Conditional uses will meet the requirements in sections 22-74 and 22-86

(5) Signs will comply with standards referred to in section 22-55

(6) All other applicable ordinance requirements will also be satisfied.

~~(g)~~ *Unregulated activities.* The provisions of this district will not be interpreted to prohibit or regulate the following activities, unless the prohibition or regulation is specifically stated as a condition of approval of a conditional use:

(1) Filling.

(2) Dredging.

(3) Dredged material disposal.

(4) Bankline/stream alteration.

(5) Construction and repair of shoreline stabilization structures, mosquito control structures and dikes.

(6) Installing types of navigational structures not previously listed in this subsection.

SECTION 24. Sections 22-39(b) and 22-39(c) are hereby amended so that the same shall read as follows:

Sec. 22-39. - Aquatic development zone (A-2).

(a) *Purpose.* This district is intended for aquatic areas which should be managed primarily for navigation and other water-oriented uses, consistent with the need to minimize damage to

the ecosystem of the area. Water-dependent, water-related and other uses are allowed which are consistent with the character of nearby shoreland areas. Aquatic development areas may include areas suitable for navigation (including shipping and access channels and turning basins), areas adjacent to developed or developable shorelands which may need to be altered to provide navigational access or create new land for water-oriented uses and other appropriate areas.

~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are allowed in an A-2 zone as a semi-restricted use if: No dredging or filling is necessary; piers and/or similar facilities are not required in new locations; and the use will not violate standards referred to in subsections (d) and (f) of this section, additional zoning ordinance provisions and other city laws:~~

~~(1) Any of the following uses when access to the facilities is provided from property in an I-2 zone by piers or similar means:~~

~~a. Shipping and/or port marine facilities.~~

~~b. Ship and boat building and repair facilities.~~

~~(2) Any of the following uses when access to the facilities is provided from property in an I-2, C-3, C-4 or C-5 zone by piers or similar means:~~

~~a. Commercial fishing facilities.~~

~~b. Charter fishing facilities.~~

~~c. Petroleum receiving, dispensing and/or storage facilities for marine use.~~

~~d. Storage areas for marine equipment.~~

~~e. Cold storage and/or reprocessing facilities.~~

~~f. Fish cleaning establishments.~~

~~g. Marine regulatory agencies.~~

~~h. Marine research and education facilities.~~

~~(3) Navigational aids.~~

~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an A-2 zone if they meet the criteria in subsection (e) of this section and if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (f) of this section, additional zoning ordinance provisions and other city laws:~~

~~(1) Uses listed in subsection (b) of this section which require new piers or similar facilities, dredging and/or filling.~~

~~(2) Marinas.~~

~~(3) Water-dependent recreation.~~

~~(4) Aquaculture facilities.~~

~~(5) Major utilities.~~

~~(6) Land transportation facilities.~~

~~(7) Restaurants and bars.~~

~~(8) Seafood markets.~~

~~(9) Retail trade facilities used for the sale of products such as ice, bait, tackle, charts, gifts and groceries when the facilities are in conjunction with and incidental to other uses being allowed in the district.~~

(~~db~~) *Building heights.* No building will exceed a height of forty-five (45) feet above the mean high tide line in tidal areas and the ordinary high water line in nontidal areas.

(~~ec~~) *Special conditional use criteria.* No conditional use will be allowed in an A-2 zone unless it meets one or more of the following criteria:

- (1) The use is a water-dependent use, which means that it can only be carried out on, in or adjacent to water and the location or access is needed for:
 - a. Waterborne transportation (such as navigation; moorage, fueling and servicing of ships or boats; terminal and transfer facilities or fish or other resource and material receiving and shipping); or
 - b. Recreation (active recreation such as swimming, boating or fishing; passive recreation such as viewing or walking); or
 - c. A source of water (such as energy production, cooling of industrial equipment or wastewater or other industrial processes); or
 - d. Marine research or education (such as viewing, sampling, recording information, conducting experiments or teaching).
- (2) The use is a water-related use, which means that:
 - a. It provides goods and/or services that are directly associated with water-dependent uses (supplying materials to, or using products of or offering commercial or personal services to water-dependent uses); or
 - b. If it were not located near the water, it would experience a public loss of quality in the goods and services offered (evaluation of public loss of quality will include a subjective consideration of economic, social and environmental consequences of the use).
- (3) The use which is not the primary use of the structure, shares an existing structure with a water-dependent use or water-related use and the combination results in a multiple use facility.
- (4) The project provides significant public access or recreation uses through the provision of waterfront seating, walkways, piers, street furniture or similar facilities.
- (5) The use is an accessory use important to the operations of the principal use.
- (6) The use is a temporary use which meets the requirements of section 22-65

(~~fd~~) *Other applicable use standards.*

- (1) Uses identified as a permitted use within the Use Table are only permitted if no dredging or filling is necessary and piers or similar facilities are not required in new locations. If dredging and/or filling or new piers or similar facilities are required, said uses shall be allowed as a Conditional Use.
- (2) Uses identified as a permitted use within the Use Table are only permitted when access to the facilities are provided from a property in an I-2, C-3, C-4 or C-5 zone by piers or similar means.
- (~~43~~) Commercial or industrial uses situated on floating structures shall be located so they will be protected from currents and wave action and so they will not rest on the bottom at low water.
- (~~24~~) Accessory buildings shall comply with all building height requirements of this chapter.
- (~~35~~) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.
- (~~46~~) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (~~57~~) Conditional uses will meet the requirements in sections 22-74 through 22-86

(68) Signs will comply with standards referred to in section 22-55

(79) All other applicable ordinance requirements will also be satisfied.

(ge) *Unregulated activities.* The provisions of this district will not be interpreted to prohibit or regulate the following activities, unless the prohibition or regulation is specifically stated as a condition of approval of a conditional use:

- (1) Filling.
- (2) Dredging.
- (3) Dredged material disposal.
- (4) Bankline/stream alteration.
- (5) Construction and repair of shoreline stabilization structures, mosquito control structures and dikes.
- (6) Installing types of navigational structures not previously listed in this subsection.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

SECTION 3. This Ordinance is and the same shall become effective immediately upon final passage.

Linda Hudson, Mayor

ATTEST:

Linda W. Cox, City Clerk

APPROVED AS TO FORM & CORRECTNESS:

Robert V. Schwerer, Esq.,

City Attorney

DRAFT



CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, May 13, 2014, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. CALL TO ORDER

Chairman Burdge called the meeting to order at 6:00 PM.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Eduardo Mujica; Tim O'Connell; Robert Poitier; Eloise Cummings; Marcia Baker; Brian Paul; Bob Burdge, Chairman; Steve Weaver; Mike Dahan

Absent: Phyllis Castro; John George; Erica Ganzi

Staff Present: Rebecca Grohall, Planning Manager, AICP
James Walker, Assistant City Attorney
Sandra Ramseth, Senior Planner, AICP
Kori Benton, Historic Preservation Officer
Alicia Rosenthal, Administrative Assistant

4. CERTIFICATION OF ALTERNATE MEMBER VOTING STATUS

Mr. Weaver and Mr. Dahan may participate in discussions and voting.

5. APPROVAL OF MINUTES

a. Planning Board Minutes April 8, 2014

Motion was made by Steve Weaver, seconded by Eloise Cummings to approve minutes for the April 8, 2014 meeting.

AYE: Eduardo Mujica, Tim O'Connell, Robert Poitier, Eloise Cummings, Marcia Baker, Brian Paul, Chairman Bob Burdge, Steve Weaver, Mike Dahan

Passed

6. NEW BUSINESS

- a. Zoning Text Amendment - Request to amend City Code Section 22-22. Allowed uses; eliminating the differentiation of public and private elementary, middle or high schools.

Mr. Benton gave an overview of the application.

Ms. Baker asked about the differentiation for a kindergarten, pre-school or nursery school. Mr. Benton responded. Chairman Burdge asked if V-PK is considered part of kindergarten. Mr. Benton responded. Mr. Weaver asked if a concurrent conditional use application is being made and if there are any ramifications on how this overlaps with downtown business's that serve alcohol. Mr. Benton responded. Mr. Paul asked the reason why there was a differentiation in the city code between public and private schools. Mr. Benton responded.

Motion was made by Marcia Baker, seconded by Steve Weaver to approve the request to amend City Code Section 22-22.

AYE: Eduardo Mujica, Tim O'Connell, Robert Poitier, Eloise Cummings, Marcia Baker, Brian Paul, Chairman Bob Burdge, Steve Weaver, Mike Dahan

Passed

- b. Approval of a Conceptual Development Plan for Fresh Wind, Fresh Fire Church of God

Mr. Benton gave an overview of the application. Abraham Chabab, Agent, and Mike Menard of Cook and Menard Architecture commented. Mr. Benton responded.

Ms. Baker asked what provisions are being made to buffer Mr. Nelson's property from the proposed development and what kind of provisions are being made to protect the area around Moore's Creek. Mr. Benton responded.

Chairman Burdge asked if the church traffic will deposit on to 26th Street. Chairman Burdge asked what is being considered for the residential area, that is immediately south of the church, in regards to the number of vehicles that will be using the street. Mr. Benton responded. Chairman Burdge asked if any thought has been given to the city abandoning Avenue C from 25th Street to 27th Street, so the church could redesign how cars leave the parking lots. Mr. Benton responded. Chairman Burdge asked about the irrigation system for the landscaping. Mr. Benton responded.

Mr. Weaver asked if it is a city code requirement to light the grass parking area from dusk to dawn. Mr. Benton responded. Ms. Baker asked if the church would have to come back to the Planning Department if they wanted to have a full time school in the church. Mr. Benton responded. Mr. Weaver asked why 25th Street was not utilized as a point of ingress and egress for loading. Mr. Benton responded. Ms. Cummings addressed the parking spaces and the retention area that was listed in the Technical Review Committee comments. Mr. Benton responded. Ms. Baker asked if any security fencing will be around the property. Mr. Chabab responded. Chairman Burdge asked about abandoning Avenue C and North 26th Street so the traffic will move onto 25th Street sooner. Mr. Chabab and Mr. Benton responded. Ms. Baker asked what kind of material is being used on the walkway from the parking area to the church. Mr. Chabab responded.

Motion was made by Marcia Baker, seconded by Robert Poitier to approve the Conceptual Development Plan for Fresh Wind, Fresh Fire Church of God.

AYE: Eduardo Mujica, Tim O'Connell, Robert Poitier, Eloise Cummings, Marcia Baker, Brian Paul, Chairman Bob Burdge, Steve Weaver, Mike Dahan

Passed

c. Abandonment of Boston Avenue Extension East of S. Indian River Drive

Mr. Benton gave an overview of the application. Trina Angelone, Head of Schools, St. Andrews Academy, and Tod Mowery, St. Lucie County Commissioner commented.

Mr. Weaver asked if the applicant will maintain their riparian rights on the area east of the new extension of the north-south walkway. Mr. Benton responded. Mr. Weaver asked if the abandonment includes the east west element of the proposed walkway along Boston Avenue. Mr. Benton responded. Mr. Weaver asked if the blue area depicted on the aerial is an additional abandonment or if it is being proposed in another phase. Mr. Benton responded.

Chairman Burdge asked who owns the land immediately south of the walkway along Citrus Avenue. Mr. Benton responded. Chairman Burdge asked if the city owns any right-of-way property on the south side of the future river walk to Citrus Avenue. Mr. Benton responded. Chairman Burdge asked if there is any parking available for people to park and start walking along the riverfront. Mr. Benton responded. Chairman Burdge asked if the northern part of the riverfront walkway extension is where the city is contemplating putting the fishing pier. Mr. Benton responded. Chairman Burdge asked who owns the parking lot where # 7 is shown on the map. Mr. Benton responded. Chairman Burdge asked if staff has had discussions with the church regarding pedestrian easement. Mr. Benton responded.

Chairman Burdge asked the school's response to the request of the city getting the pedestrian access on Melody Lane for the right-of-way extension. Ms. Angelone responded. Chairman Burdge asked if the school considers having any problem as far as the crime situation. Ms. Angelone responded. Chairman Burdge asked if the county parking lot is lit at night. Ms. Angelone responded. Mr. Weaver asked about giving the city 25 feet of the school's property, to the south of the Melody Lane right-of-way, in exchange for the city abandoning the easement, so there is room for more public parking. Ms. Angelone responded.

Motion was made by Robert Poitier, seconded by Marcia Baker to approve the Abandonment of Boston Avenue Extension East of S. Indian River Drive.

AYE: Eduardo Mujica, Tim O'Connell, Robert Poitier, Eloise Cummings, Marcia Baker, Brian Paul, Chairman Bob Burdge, Steve Weaver, Mike Dahan

Passed

7. BOARD COMMENTS

8. ADJOURNMENT

Meeting was adjourned at 7:15 PM.

City Commission Regular Meeting

Agenda Item # 10. c.

Meeting Date: 07/07/2014

Re: Ordinance 14-018 - Right-of-way Abandonment - Boston Avenue Extension – East of South Indian River Drive

Submitted For: Rebecca Grohall, Planning & Zoning Manager, Planning & Zoning

SUBJECT:

Ordinance 14-018 - Right-of-way Abandonment - Boston Avenue Extension – East of South Indian River Drive

SUMMARY:

- The applicants are requesting the abandonment of a portion of City owned Right-of-way known as Boston Avenue, located between South Indian River Drive and the Indian River
- The request is filed concurrent to the preparation of an expansion plan for St. Andrew’s Episcopal Academy
- The Planning Board, at their May 13th, 2014 meeting, voted unanimously to recommend approval of the abandonment with the recommended conditions of Staff.
- Staff proposes the exchange of the subject right-of-way with a 15’ pedestrian access easement along the water front, from Melody Lane to the southern boundary of Boston Avenue.

RECOMMENDATION:

Approval with Conditions

ALTERNATIVES:

- Approval with Alternative Conditions
- Denial

RESPONSIBLE STAFF:

Kori Benton, Historic Preservation Board

COORDINATED WITH:

Tracy Telle, PE, Assistant City Engineer

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

Potential Compensation for the Sale or Transfer of Land

Attachments

Staff Report

Proposed Ordinance 14-018

Site Aerial

Applications

Property Record Cards

Transmittal Letter

Appraisal

Survey

Abandonment Distribution

Conceptual Plan with Boston Avenue & Proposed Easement Overlay

Planning Board Minutes

Planning Board Minutes



CITY OF FORT PIERCE

PLANNING DEPARTMENT

REBECCA GROHALL, AICP, PLANNING MANAGER
COMPREHENSIVE PLANNING ♦ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING

TO: Robert J. Bradshaw, City Manager
THROUGH: Rebecca Grohall, AICP, Planning Manager
FROM: Kori Benton, Historic Preservation Officer
SUBJECT: Abandonment of Right-of-way
Boston Avenue Extension – East of Indian River Drive
DATE: June 26, 2014

STAFF REPORT

Owner(s): St Andrews Episcopal Church St. Andrews Episcopal Academy
210 S Indian River Dr 210 S Indian River Dr
Fort Pierce FL 34950-4337 Fort Pierce FL 34950-4337

Applicant: St. Andrews Episcopal Church & School c/o John Liebler
210 S Indian River Dr
Fort Pierce FL 34950-4337

Representative: Trina Angelone, Head of School
210 S Indian River Dr
Fort Pierce FL 34950-4337

Requested Action: Abandonment of Boston Avenue Extension

Location: Boston Avenue East of S. Indian River Drive, West of the Indian River
Approximately 290 S. Indian River Drive

Parcel ID: 2410-804-0003-000-4, 2410-804-0004-000-1, &
2410-808-0001-000-2

Zoning: C-4, Central Commercial & C-1, Office Commercial

Surrounding Zoning:

North	East	South	West
C-4	A-2	C-1	C-4

Future Land Use: CBD, Central Business District & OP, Offices – Professional & Business

Land Area of Subject ROW: .22 acres

Staff Analysis:

The applicant is requesting the City Commission of the City of Fort Pierce vacate and abandon a 25 ft. by approximately 380 ft. extension of right-of-way known as Boston Avenue, as identified in Plat Book 5, Page 32, Public Records of St. Lucie County, Florida; said right-of-way lying east of South Indian River Drive and west of the Indian River, north of Citrus Avenue.

The subject right-of-way was created during the 1920s, after dredging and shoaling extended the bank of Indian River Drive east several hundred feet into the Indian River Lagoon. The private property lines expanded eastward, continuing the Boston Avenue right-of-way eastward as well. This section of Boston Avenue has never been formally paved, however the City Commission opened a portion of the right-of-way in 1975 to provide formal access to an apartment complex previously situated along the riverbank. Although this section of Boston Avenue remains unpaved, it provides legal access to a parcel of land and the former apartments, which is landlocked otherwise. The noted apartment complex was demolished in 2003.

The request is based upon St. Andrew's acquisition of land abutting this extension of Boston Avenue, and their preparation of a development plan in hopes of expanding their existing school in Downtown Fort Pierce. The abandonment and acquisition of this section of right-of-way provides greater flexibility and capacity for design when preparing plans for the potential expansion.

The abandonment of this section of Boston Avenue would effectively land lock Parcel# 2410-804-0004-000-1, rendering it a non-conforming lot, therefore the applicant must complete a Unity of Title with their currently held Parcel to the west, or to the north, prior to the recording of the proposed abandonment.

All affected Departments have reviewed the submittals, and provided approvals for the proposed abandonment based on compliance with the requirements of the City Code.

Property Value & Public Benefit

The applicants have provided a private real estate appraisal report for the portion of Boston Avenue that was previously opened by the City of Fort Pierce in 1975. The appraised value of this portion, measuring .073 acres, is \$65,000 pursuant to the provided report. The complete portion of Boston Avenue proposed for abandonment measures .22 acres; therefore this valuation is not accurate. The City Commission has the capacity to request a revised appraisal, if compensation is sought for the release of this property.

Comprehensive Plan

The adopted City of Fort Pierce Comprehensive Plan seeks to develop opportunities to provide the public with expanded access to the waterfront. The proposed request shall be reviewed based upon the appropriate Goals, Objectives, and Policies within the Comprehensive Plan that express this strategy, as the abandonment could eliminate a public access point to the water front, if provisions are not integrated into the approval of the request. The adopted Goals, Objectives and Policies are as follows:

1.8 Objective:

The City will coordinate with the Community Redevelopment Agency (CRA) to address blighted areas in the City, provide basic needs of the area, discourage urban sprawl, and take advantage of opportunities for economic, social, or aesthetic improvements.

1.8.2 Policy: The City will coordinate with the CRA to encourage redevelopment and reinvestment within the Community Redevelopment Area:

3. Enhance public open spaces, small community centers, amphitheatres, and address public access to the waterfront.

5.9 Objective:

The City shall increase the amount of public access to the beach or shoreline consistent with estimated public needs.

5.9.4 Policy:

The City shall implement development incentives for all development for waterfront sites to include design measures, to provide, enhance or preserve scenic views of the water from public rights-of-way.

7.4.3 Policy:

The City of Fort Pierce shall actively pursue the development of linear parks and integrated open space systems along waterfront properties. This shall be accomplished by collocating pathways, pedestrian accommodations and plantings alongside waterways and water bodies such as, but not limited to, canals, creeks, streams, rivers, lakes, channels and other water features. Public access to waterfront areas shall be secured through the recordation of access easements or land dedication as outlined in the Land Development Regulations.

The City of Fort Pierce Commission is encouraged to explore opportunities to maximize public benefit through the proposed request. The recommendation of staff is to forgo compensation for the land value in return for the retention and dedication of easements for the purpose of public access to the waterfront, in an effort to fulfill the identified Goals, Policies, and Objectives as they relate to the proposed abandonment of the subject right-of-way, which currently provides access to the Indian River. The proposed exchange of the subject right-of-way for an easement along the waterfront, extending from Melody Lane to the southern boundary of Boston Avenue, is designed to fulfill the commitment of the City of Fort Pierce to provide waterfront access to the public, while minimizing impacts to the proposed expansion of St. Andrew's Episcopal Academy.

Planning Board Recommendation:

The Planning Board, at their May 13th, 2014 meeting, voted unanimously to recommend approval of the request with the conditions recommended by Staff. It is noted that a previously recommended condition of approval sought the retention of utility easements for the benefit of the Fort Pierce Utilities Authority (FPUA), however FPUA has declared that the discussed easements are unnecessary to the absence of infrastructure.

Staff Recommendation:

Staff recommends that the City Commission grant the requested abandonment with the following conditions:

- 1) A 15' pedestrian access easement, from Melody Lane to the southeast corner of the right-of-way requested for abandonment is dedicated to the City of Fort Pierce to provide opportunity to expand access to the waterfront is recorded prior to the effective date of abandonment; and
- 2) The applicant records a Unity of Title between Parcel 2410-804-0004-000-1 and either Parcel 2410-804-0003-000-4 or Parcel 2410-808-0001-000-2, prior to the recording of the abandonment, as to prevent Parcel 2410-804-0004-000-1 from becoming non-conforming lot.

ORDINANCE NO. 14-018

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **ABANDONING A PORTION OF CITY RIGHT-OF-WAY KNOWN AS BOSTON AVENUE, LOCATED BETWEEN SOUTH INDIAN RIVER DRIVE AND THE INDIAN RIVER; PROVIDING FOR THE RESERVATION OF A FIFTEEN FOOT EASEMENT UNTO THE CITY OF FORT PIERCE, FLORIDA; FURTHER PROVIDING A REQUIREMENT FOR THE DEDICATION OF AN ADDITIONAL FIFTEEN FOOT EASEMENT UNTO THE CITY OF FORT PIERCE, FLORIDA; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City Commission of the City of Fort Pierce, has been requested to vacate and abandon a 25 foot right-of-way known as Boston Avenue, as identified in Plat Book 5, Page 32, Public Records of St. Lucie County, Florida; said right-of-way lying east of South Indian River Drive and west of the Indian River, north of Citrus Avenue; and

WHEREAS, the City of Fort Pierce has a certain right-of-way or thoroughfare as hereinafter described, which is not needed for roadway or thoroughfare purposes, therefore:

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA;

SECTION 1. That portion of right-of-way, more particularly described as follows, be and it is hereby vacated and abandoned as identified herein:

A PORTION OF CITY RIGHT-OF-WAY KNOWN AS BOSTON AVENUE, LOCATED BETWEEN SOUTH INDIAN RIVER DRIVE AND THE INDIAN RIVER, AS RECORDED IN PLAT BOOK 5, PAGE 32 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

As depicted on Exhibit "A", attached hereto and incorporated herein.

SECTION 2. The City shall retain an easement over the eastern fifteen feet of the area to be abandoned for the benefit of the public prior to any abandonment of this right-of-way.

As depicted on Exhibit "B", attached hereto and incorporated herein.

SECTION 3. The City shall receive the dedication of an easement over the eastern fifteen feet of two parcels of land, lying immediately to the north of said right-of-way to be abandoned, for the benefit of the public prior to any abandonment of this right-of-way, more particularly described as follows and identified herein:

A FIFTEEN (15) FOOT WIDE SIDEWALK EASEMENT LYING IN SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA,

**BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHWEST CORNER OF MARY ANN
SUBDIVISION AS RECORDED IN PLAT BOOK 7, PAGE 37, PUBLIC**

RECORDS OF ST.LUCIE COUNTY, FLORIDA, RUN NORTH 05°57'09" WEST (BASIS OF BEARINGS) ALONG THE EAST RIGHT OF WAY LINE OF INDIAN RIVER DRIVE, A 60 FOOT RIGHT OF WAY, A DISTANCE OF 177.04 FEET TO A FOUND 3/4" IRON PIPE AND THE NORTHWEST CORNER OF SAID MARY ANN SUBDIVISION AND THE SOUTH RIGHT OF WAY LINE OF MELODY LANE, A 25 FOOT RIGHT OF WAY; THENCE RUN NORTH 81°45'00" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 384.93 FEET TO THE POINT OF BEGINNING, THE WATERS EDGE OF THE INDIAN RIVER LAGOON AND THE EAST FACE OF A 1.00 FOOT WIDE SEAWALL; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE RUN SOUTH 04°39'56" EAST ALONG SAID WATERS EDGE AND EAST FACE OF SEAWALL, A DISTANCE OF 258.56 FEET TO A POINT; THENCE LEAVING SAID WATERS EDGE AND EAST FACE OF SEAWALL, RUN NORTH 89°47'36" WEST, A DISTANCE OF 15.06 FEET; THENCE RUN NORTH 04°39'56" WEST, A DISTANCE OF 256.34 FEET TO THE AFORESAID SOUTH RIGHT OF WAY LINE OF MELODY LANE; THENCE RUN NORTH 81°45'00" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 15.03 FEET TO THE POINT OF BEGINNING.

As depicted on Exhibit "B", attached hereto and incorporated herein.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. This ordinance shall be and become effective upon all conditions precedent being met.

APPROVED AS TO FORM & CORRECTNESS:

Robert V. Schwerer, Esq.
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 14-018 was duly advertised by title only in the St. Lucie News Tribune on June 27, 2014; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on July 7th, 2014; and was duly introduced, read by title only, and passed on second and final reading on July 21st, 2014, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 22nd day of July, 2014.

Linda Hudson,
Mayor Commissioner

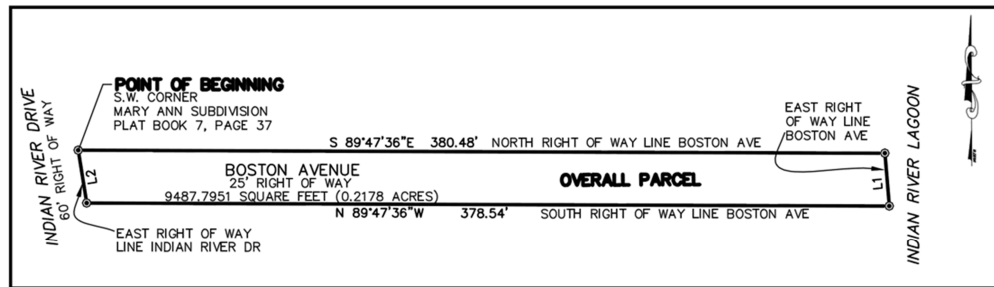
ATTEST:

Linda W. Cox,
City Clerk

(City Seal)

EXHIBIT A to ORDINANCE No. 14-018

Right-of-way for Abandonment



Legal Description:

A PORTION OF CITY RIGHT-OF-WAY KNOWN AS BOSTON AVENUE, LOCATED BETWEEN SOUTH INDIAN RIVER DRIVE AND THE INDIAN RIVER, AS RECORDED IN PLAT BOOK 5, PAGE 32 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, OR MORE PARTICULARLY DESCRIBED AS FOLLOWS:

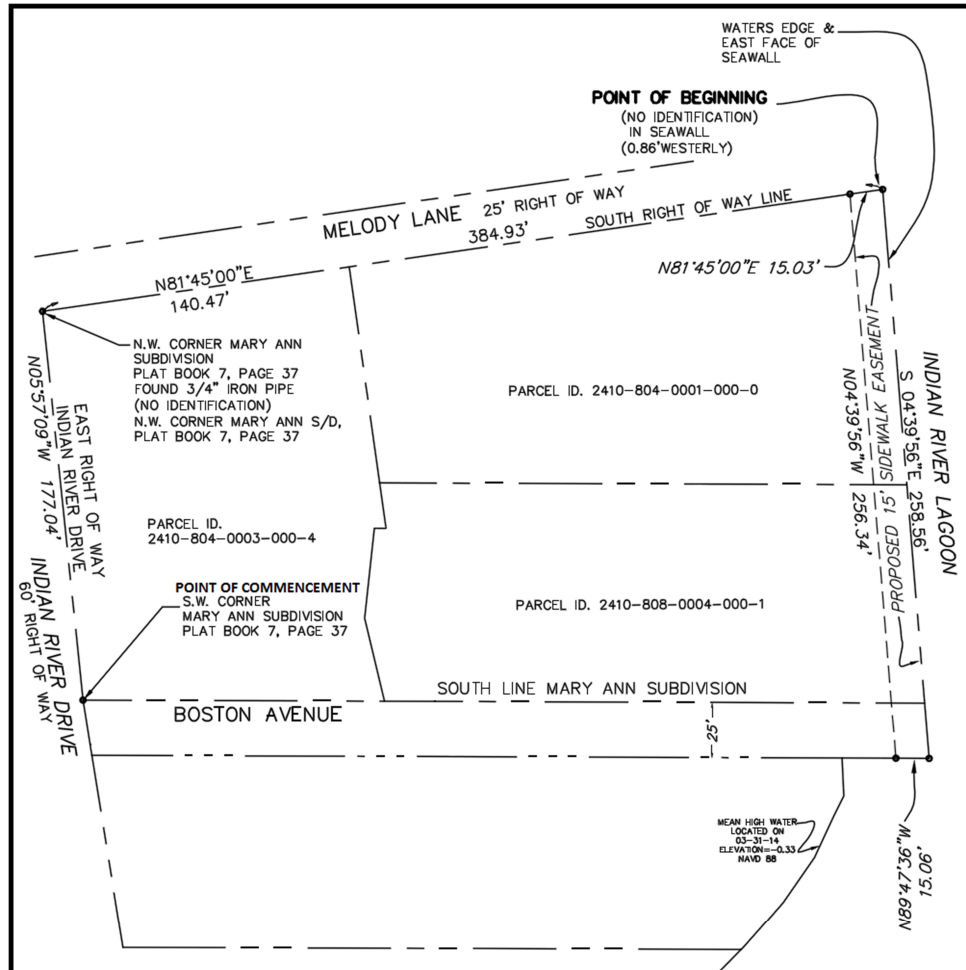
A PORTION OF BOSTON AVENUE LYING EASTERLY OF INDIAN RIVER DRIVE, SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF MARY ANN SUBDIVISION AS RECORDED IN PLAT BOOK 7, PAGE 37, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, THENCE RUN S 89°47'36"E (BASIS OF BEARINGS) ALONG THE SOUTH LINE OF SAID MARY ANN SUBDIVISION AND THE NORTH LINE OF SAID BOSTON AVENUE (25 FOOT RIGHT OF WAY), A DISTANCE OF 380.48 FEET MORE OR LESS TO THE EAST RIGHT OF BOSTON AVENUE; THENCE RUN S 0446'02"E ALONG SAID EAST RIGHT OF WAY OF BOSTON AVENUE, A DISTANCE OF 25.09 FEET TO THE SOUTH RIGHT OF WAY LINE OF SAID BOSTON AVENUE; THENCE LEAVING SAID EASTERLY LINE, RUN N 89°47'36"W ALONG THE SOUTH RIGHT OF WAY LINE OF SAID BOSTON AVENUE, A DISTANCE OF 378.54 FEET MORE OR LESS TO THE EAST RIGHT OF WAY LINE OF INDIAN RIVER DRIVE (A 60 FOOT RIGHT OF WAY); THENCE LEAVING SAID SOUTH LINE OF BOSTON AVENUE, RUN N 09°08'15"W ALONG SAID RIGHT OF WAY LINE OF INDIAN RIVER DRIVE, A DISTANCE OF 25.34 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 0.22 ACRES MORE OR LESS.

EXHIBIT B to ORDINANCE No. 14-018

Retention and Dedication of a Fifteen Foot Wide Easement



Legal Description:

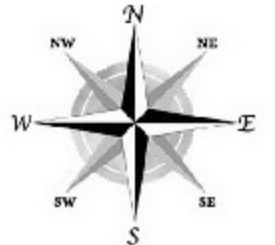
A FIFTEEN (15) FOOT WIDE SIDEWALK EASEMENT LYING IN SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

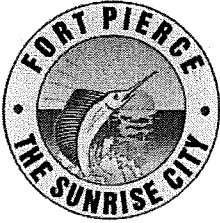
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Boston Avenue Extension

Site Aerial





CITY OF FORT PIERCE

PLANNING DEPARTMENT

Rebecca Grohall, AICP, Planning Manager
COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

Abandonment

Property address or Location 210 South Indian River Drive
Parcel ID #(s) 2410-804-0003-000-4
Project description Abandon right-of-way of Boston Avenue east of Indian River Drive, see attached legal and sketch for Parcel A

St. Andrews Episcopal Church
Property Owner(s)
210 South Indian River Drive
Street Address
Fort Pierce, FL 34950
City State Zip
772-461-7689
Phone Number
frjohn@mystandrews.com
Email Address

St. Andrews Episcopal Church c/o John Liebler, Rector/Board Chair
Applicant/Representative, Title, Company
210 South Indian River Drive
Street Address
Fort Pierce FL 34950
City State Zip
(772)461-7689
Phone Number
frjohn@mystandrews.com
Email Address

Property Owner(s) Acknowledgements: - This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or Representative to act in his/her behalf for the purposes of seeking approval for the application described herein.

John S. Liebler, Rector, St. Andrew's Episcopal Church
Property Owner(s) Signature(s)

STATE OF FLORIDA - St. Lucie COUNTY

The foregoing instrument was acknowledged before me this 15 day of April, 2014, by John S. Liebler who is personally known to me or has produced N/A as identification.

Barbara A. Bradford
Signature of Notary



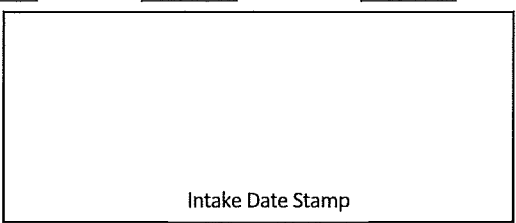
INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 467-3729

TO BE COMPLETED BY STAFF

Zoning	Future Land Use	Total Acres	Historic District	Historic Designation	
				Contributing	Individual
				Non-Contributing	None

Pre-Application Meeting Date _____ Fees _____ Control # _____ B. Permit # _____

Intake Planner _____
Planner Assigned _____
Approved By _____ Date _____
Comments _____



ABANDONMENT

Submit eight (8) hard copies and one (1) CD of the following for initial submittal, subsequent submittals will be required:

- Current survey, including property size
- Current Appraisal, Sketch, Size (in sq. ft.) & Legal Description of property for proposed abandonment
- Encumbrance Title Search
- Complete, notarized application

Application Type:

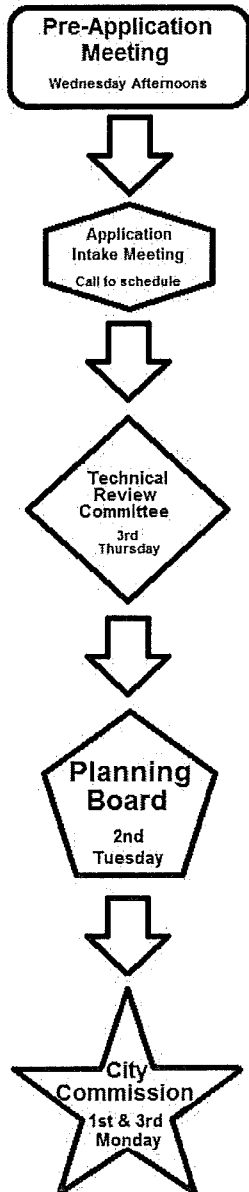
- Easement Abandonment Right-of-Way Abandonment

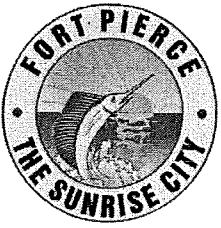
Reason for Abandonment Request: Related property owner north and south of Boston Avenue right-of-way. Right-of-way not currently being utilized.

List any utilities visible or known to exist in the right of way/easement: Existing FPUA water main in a portion of the right-of-way

Is the right of way in use or unopened? In Use Unopened

Application Outlook





CITY OF FORT PIERCE

PLANNING DEPARTMENT

Rebecca Grohall, AICP, Planning Manager
COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

Abandonment

Property address or Location South Indian River Drive
Parcel ID #(s) 2410-804-0004-000-1
Project description Abandon right-of-way of Boston Avenue east of Indian River Drive, see attached legal and sketch for parcel B

St. Andrew's Episcopal Academy
Property Owner(s)
210 South Indian River Drive
Street Address
Fort Pierce, FL 34950
City State Zip
(772) 461-7689
Phone Number
frjohn@mystandrews.com
Email Address

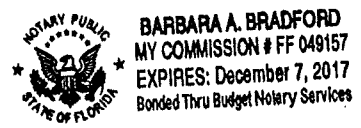
St. Andrew's Episcopal Academy, Inc. c/o John Leibler, Restor/Board Chair
Applicant/Representative, Title, Company
210 South Indian River Drive
Street Address
Fort Pierce, FL 34950
City State Zip
(772) 461-7689
Phone Number
frjohn@mystandrews.com
Email Address

Property Owner(s) Acknowledgements: - This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or Representative to act in his/her behalf for the purposes of seeking approval for the application described herein.

Cathy Ayelane
Property Owner(s) Signature(s)

STATE OF FLORIDA -- FL COUNTY St. Lucie
The foregoing instrument was acknowledged before me this 2nd day of June, 2014, by
N/A who is personally known to me or has produced
N/A as identification.

Barbara A. Bradford
Signature of Notary



INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 467-3729

TO BE COMPLETED BY STAFF

Zoning	Future Land Use	Total Acres	Historic District	Historic Designation	
				Contributing	Individual
				Non-Contributing	None

Pre-Application Meeting Date _____ Fees _____ Control # _____ B. Permit # _____

Intake Planner _____
Planner Assigned _____
Approved By _____ Date _____
Comments _____

Intake Date Stamp

ABANDONMENT

Submit eight (8) hard copies and one (1) CD of the following for initial submittal, subsequent submittals will be required:

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- Current Appraisal, Sketch, Size (in sq. ft.) & Legal Description of property for proposed abandonment
- Encumbrance Title Search
- Complete, notarized application

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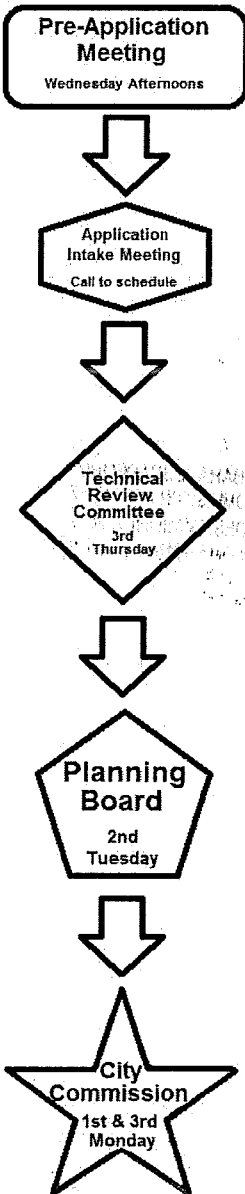
- Easement Abandonment Right-of-Way Abandonment

Reason for Abandonment Request: Common property owner north and south of Boston Avenue right-of-way. Right-of-way is not currently being utilized.

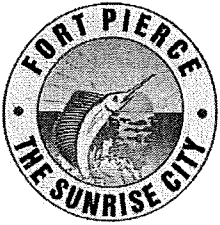
List any utilities visible or known to exist in the right of way/easement: Existing FPUA water main in a portion of the right-of-way.

Is the right of way in use or unopened? In Use Unopened

Application Outlook



Handwritten signature



CITY OF FORT PIERCE

PLANNING DEPARTMENT

Rebecca Grohall, AICP, Planning Manager
COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

Abandonment

Property address or Location South Indian River Drive
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frjohn@mystandrews.com
Email Address

Property Owner(s) Acknowledgements: - This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or Representative to act in his/her behalf for the purposes of seeking approval for the application described herein.

Celt Ayelaw
Property Owner(s) Signature(s)

STATE OF FLORIDA -- COUNTY
The foregoing instrument was acknowledged before me this 3rd day of June, 20 14, by
_____ who is personally known to me or has produced
N/A as identification.

Barbara A. Bradford
Signature of Notary



BARBARA A. BRADFORD
MY COMMISSION # FF 049157
EXPIRES: December 7, 2017
Bonded Thru Budget Notary Services

INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 467-3729

TO BE COMPLETED BY STAFF

Zoning	Future Land Use	Total Acres	Historic District	Historic Designation
				Contributing Individual Non-Contributing None

Pre-Application Meeting Date _____ Fees _____ Control # _____ B. Permit # _____

Intake Planner _____

Planner Assigned _____

Approved By _____ Date _____

Comments _____

Intake Date Stamp

ABANDONMENT

Submit eight (8) hard copies and one (1) CD of the following for initial submittal, subsequent submittals will be required:

- Current survey, including property size
- Current Appraisal, Sketch, Size (in sq. ft.) & Legal Description of property for proposed abandonment
- Encumbrance Title Search
- Complete, notarized application

Application Type:

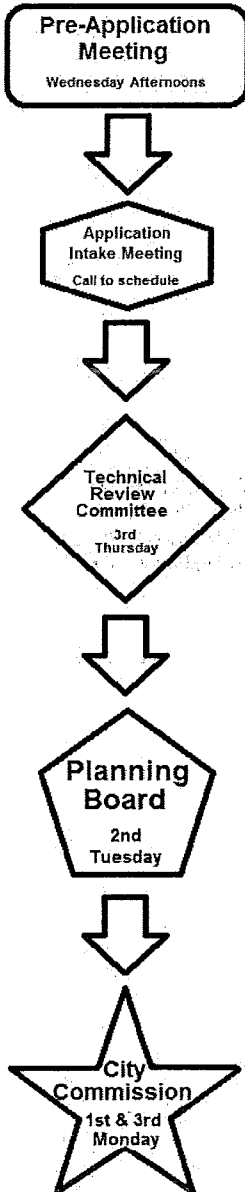
- Easement Abandonment Right-of-Way Abandonment

Reason for Abandonment Request: Common property owner north and south of Boston Avenue right-of-way. Right-of-way is not currently being utilized.

List any utilities visible or known to exist in the right of way/easement: Existing FPUA water main in a portion of the right-of-way.

Is the right of way in use or unopened? In Use Unopened

Application Outlook



Handwritten signature or initials

PROPERTY RECORD CARD

St Andrews Episcopal Academy Inc Record: 1 of 1 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: S INDIAN RIVER DR ParcelID: 2410-804-0004-000-1
 Sec/Town/Range: 10 :35S :40E Account #: 23862
 Map ID: 24/10G Use Type: Vac Comm
 Zoning: C4 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: St Andrews Episcopal Academy Inc
 Address: 210 S Indian River Dr
 Fort Pierce FL 34950-4337

Legal Description

MARY ANN S/D FROM SW COR OF S/D RUN ELY 136.98 FT FOR
 POB, TH CONT E 247.35 FT TO SE COR OF S/D, TH
More...

Sales Information

Date	Price	Code	Deed	Book/Page
4/28/2014	900000	0205	SP	3626 / 2190
7/3/2012	100	0311	CT	3408 / 0072
12/1/1985	1050000	00	CV	0487 / 1043
12/1/1985	0	01	CV	0484 / 2006

Assessment 2013

2013 Final: 426500
 Assessed: 426500
 Ag.Credit: 0
 Exempt:
 Taxable: 10901.04

Total Land and Building

Land Value: 426500 Acres: 0.54
 Building Value: 0
 Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch
 Available



Exterior Features

View: -	RoofCover: -	RoofStruct: -
ExtType: -	YearBlt: -	Frame: -
Grade: -	EffYrBlt: -	PrimeWall: -
StoryHght: -	No.Units: -	SecWall: -

Interior Features

BedRooms: -	Electric: -	PrmIntWall: -
FullBath: -	HeatType: -	AvgHt/Ft: -
1/2Bath: -	HeatFuel: -	Prm.Flors: -
%A/C: -	%Heated: -	%Sprinkled: -

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.	No.	Use Type	Type	Measure	Depth
							1	1000-Vac Comm	310 -SqFeetRate	23694	
									2		

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

PROPERTY RECORD CARD

St Andrews Episcopal Academy Inc Record: 1 of 1 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 300 St Andrews Ln ParcelID: 2410-808-0001-000-2
 Sec/Town/Range: 10 :35S :40E Account #: 23882
 Map ID: 24/10G Use Type: Vac Comm
 Zoning: C1 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: St Andrews Episcopal Academy Inc
 Address: 210 S Indian River Dr
 Fort Pierce FL 34950-4337

Legal Description

ANDREWS AND RICHARDS S/D BLK A THAT PART OF LOT 1 LYG
 E OF S IND RIV DR AS DESC IN DBK 215-39WITH AL
More...

Sales Information

Date	Price	Code	Deed	Book/Page
4/28/2014	900000	0205	SP	3626 / 2190
7/3/2012	100	0311	CT	3408 / 0072
12/1/1986	250000	00	CV	0530 / 0030
7/1/1973	31000	00	CV	0217 / 0304

Assessment 2013

2013 Final: 539900
 Assessed: 539900
 Ag.Credit: 0
 Exempt:
 Taxable:
 Taxes: 13799.46

Total Land and Building

Land Value: 539900 Acres: 0.69
 Building Value: 0
 Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch
 Available



Exterior Features

View: -	RoofCover: -	RoofStruct: -
ExtType: -	YearBlt: -	Frame: -
Grade: -	EffYrBlt: -	PrimeWall: -
StoryHght: -	No.Units: -	SecWall: -

Interior Features

BedRooms: -	Electric: -	PrmIntWall: -
FullBath: -	HeatType: -	AvgHt/Ft: -
1/2Bath: -	HeatFuel: -	Prm.Flors: -
%A/C: -	%Heated: -	%Sprinkled: -

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.	Land Information		Type	Measure	Depth
							No.	Use Type	310 -SqFeetRate	29993	
							1	1000-Vac Comm	2		

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

PROPERTY RECORD CARD

St Andrews Episcopal Church Record: 1 of 1 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print
 Property Identification

Site Address: 210 S INDIAN RIVER DR ParcelID: 2410-804-0003-000-4
 Sec/Town/Range: 10 :35S :40E Account #: 23861
 Map ID: 24/10G Use Type: Vac Comm
 Zoning: C4 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: St Andrews Episcopal Church
 Address: 210 S Indian River Dr
 Fort Pierce FL 34950-4337

Legal Description

MARY ANN S/D BEG AT SW COR OF MARY ANN S/D RUN ELY
 ALG S LI OF S/D 148.78 FT, TH WITH BA OF 81 DEG 2
[More...](#)

Sales Information

Date	Price	Code	Deed
12/1/1986	215000	00	CV
1/1/1982	233900	01	CV

Assessment 2013

2013 Final:	475400
Assessed:	475400
Ag.Credit:	0
Exempt:	475400
Taxable:	0
Taxes:	0

Total Land and Building

Land Value:	472500	Acres: 0.6
Building Value:	2900	
Finished Area:	0	SqFt

BUILDING INFORMATION

No Sketch

No Image

Available

Available

Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:	-	Frame:	-
Grade:	-	EffYrBlt:	-	PrimeWall:	-
StoryHght:	-	No.Units:	-	SecWall:	-

Interior Features

BedRooms:	-	Electric:	-	PrmIntWall:	-
FullBath:	-	HeatType:	-	AvgHt/FI:	-
1/2Bath:	-	HeatFuel:	-	Prm.Flors:	-
%A/C:	-	%Heated:	-	%Sprinkled:	-

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.
FEN6 - CHAINLINK 6'	Y	1	575	AV	AV	2005

Land Information

No.	Use Type	Type	Measure	Depth
1	1000-Vac Comm	310 -SqFeetRate	26250	
2				

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

April 16, 2014

Rebecca Grohall, AICP
Planning Manager
City of Fort Pierce
Planning Department
100 North US 1
Fort Pierce, FL 34954

Re: Application for Abandonment of Boston Avenue Right-of-Way
East of South Indian River Drive

Dear Ms. Grohall:

St. Andrew's Episcopal Academy, Inc. is seeking an abandonment of the Boston Avenue right-of-way east of South Indian River Drive. According to the title commitment for the properties, it appears that ownership rights for all but a 20 ft wide by 160 ft long portion of Boston Avenue right-of-way has been assigned to parcel 2 as defined by the survey. However, rights for the use of the right-of-way still exist over the entire platted right-of-way.

We have reviewed the existing utility records and have found a three inch water main in a portion of the right-of-way, which was filled with grout in 2007.

Enclosed please find one (1) original and (7) seven copies of the following:

1. Notarized applications from the three (3) property owners abutting the right of way
 - a. St. Andrew's Episcopal Church Parcel ID# 2410-804-0003-000-4
 - b. SB Florida CRE Holdings, LLC Parcel ID# 2410-804-0004-000-1
 - c. SB Florida CRE Holdings, LLC Parcel ID# 2410-808-0001-000-2
2. Sketch and legal descriptions for
 - a. Parcel A to be conveyed to Parcel ID# 2410-804-0003-000-4
 - b. Parcel B to be conveyed to Parcel ID# 2410-804-0004-000-1
 - c. Parcel C to be conveyed to Parcel ID# 2410-808-0001-000-2
 - d. Parcel D Boston Avenue right-of-way east of South Indian River Drive
3. Survey of Boston Avenue right of way and abutting properties
4. Commitment of title Insurance including Parcel ID# 2410-804-0004-000-1 and 2410-808-0001-000-2
5. FPUA As-Built Utility plans for Boston Avenue area east of South Indian River Drive
6. Appraisal of Boston Avenue right-of-way east of South Indian River Drive

7. Encumbrance title search for Boston Avenue – To be submitted under separate cover

If you have any questions please do not hesitate to contact myself, Trina Angelone, or Father John Liebler.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Stoddard', with a long horizontal flourish extending to the right.

William P. Stoddard, Ph.D., P.E.

Cc: Trina Angelone
Fr. John Liebler

AN APPRAISAL OF
**THE BOSTON AVENUE RIGHT-OF-WAY
LOCATED
EAST OF INDIAN RIVER DRIVE
IN FORT PIERCE, FLORIDA**

FILE #14-70822

PREPARED FOR
ST. ANDREWS EPISCOPAL CHURCH

AS OF
APRIL 15, 2014

BY
HARRY D. GRAY, MAI, SRA
CALLAWAY & PRICE, INC.



Callaway & Price, Inc.

Real Estate Appraisers And Consultants

www.callawayandprice.com

Licensed Real Estate Brokers

**Please respond to Treasure Coast office
E-Mail: h.gray@callawayandprice.com**

TREASURE COAST

1803 South 25th Street, Suite 1
Fort Pierce, FL 34947
772.464.8607 | 772.461.0809 Fax
Stuart: 772.287.3330

Harry D. Gray, MAI, SRA
Cert Gen RZ662
h.gray@callawayandprice.com

Stephen G. Neill, Jr., MAI
Cert Gen RZ2480
s.neill@callawayandprice.com

SOUTH FLORIDA

1410 Park Lane South, Suite 1
Jupiter, FL 33458
561.686.0333 | 561.686.3705 Fax

Michael R. Slade, MAI, SRA, CRE
Cert Gen RZ116
mrs@cpwpb.com

Stephen D. Shaw, MAI
Cert Gen RZ1192
sds@cpwpb.com

CENTRAL FLORIDA

114 6th Avenue, Suite 3
Indialantic, FL 32903
321.726.0970 | 321.726.0384 Fax

Curtis L. Phillips, MAI
Cert Gen RZ2085
clp@cpmel.com

April 16, 2014

Ms. Trina Angelone
St. Andrews Episcopal Church
210 South Indian River Drive
Fort Pierce, FL 34950

Dear Ms. Angelone:

We have made an investigation and analysis of the Boston Avenue Right of Way located east of Indian River Drive in Fort Pierce, Florida. The Subject Property will be further described both narratively and legally within the following Appraisal Report. The purpose of this investigation and analysis was to provide our opinion of the current Market Value of the Fee Simple Interest of the Subject Property as of April 15, 2014. The Subject Property is considered to be the road right-of-way for Boston Avenue totaling 3,200 square feet located east of Indian River Drive. Given the property type associated with the Subject Property, we have incorporated the across the fence methodology for valuing the Subject Property.

This report has been prepared for our client, St. Andrews Episcopal Church. The intended use was to assist the client in evaluation for abandonment and possible purchase. The scope of work performed is specific to the needs of the intended user and the intended use. No other use is intended, and the scope of work may not be appropriate for other uses.

The scope of work performed included a complete analysis of the Subject Property with no omitted approaches to value. A detailed scope of work description can be found in the body of this report.

Based upon the scope of the assignment, our investigation and analysis of the information contained within this report, as well as our general knowledge of real estate valuation procedures and market conditions, it is our opinion that the Market Value of the Fee Simple of the Subject Property as of April 15, 2014 was:

\$65,000

Ms. Trina Angelone
April 16, 2014
Page 2

A description of the property appraised, together with an explanation of the valuation procedures utilized, is contained in the body of the attached report. For your convenience, an Executive Summary follows this letter. Your attention is directed to the Limiting Conditions and underlying assumptions upon which the value conclusions are contingent.

Respectfully submitted,

CALLAWAY & PRICE, INC.

A handwritten signature in black ink, appearing to read "Harry D. Gray". The signature is fluid and cursive, with a large initial "H" and "G".

Harry D. Gray, MAI, SRA
Cert Gen RZ662

A handwritten signature in black ink, appearing to read "Bryan A. Neill". The signature is cursive and somewhat stylized.

Bryan A. Neill
Cert Gen RZ2609

HDG/BAN/clw:14-70822
Attachments



Executive Summary

PROPERTY TYPE	:	Road Right-of-Way
LOCATION	:	The Subject Property is located east of Indian River Drive along the Boston Avenue Right-of-Way in Fort Pierce, Florida.
DATE OF VALUATION	:	April 15, 2014
PROPERTY DESCRIPTION:		
LAND	:	The Subject Property contains 3,200 square feet.
BUILDING	:	None.
ZONING	:	Surrounding properties are zoned C-4, Central Commercial & C-1, Office Commercial Zone by the City of Fort Pierce
LAND USE PLAN	:	Surrounding properties have a future land use of CBD, Central Business District by the City of Fort Pierce
HIGHEST AND BEST USE		
AS IF VACANT	:	Future commercial development in conjunction with neighboring properties
THE MARKET VALUE OF THE FEE SIMPLE ESTATE OF THE SUBJECT PROPERTY AS OF APRIL 15, 2014	:	\$65,000



Table of Contents

	<u>Page No.</u>
CERTIFICATION	1
LIMITING CONDITIONS	3
DEFINITION OF THE APPRAISAL PROBLEM	8
Purpose, Date of Value, and Interest Appraised	8
Intended Use and User of Appraisal	8
Legal Description	8
Market Value	8
Hypothetical Conditions or Extraordinary Assumptions	9
Exposure Time and Marketing Time	9
Across the Fence Method	10
Across the Fence (ATF) Value	10
SCOPE OF WORK	11
NEIGHBORHOOD ANALYSIS	12
Access	13
Surrounding Land Uses	14
Public Utilities	16
Neighborhood Housing	16
Recent and Future Developments	16
Conclusion	17
DOWNTOWN FORT PIERCE MARKET STUDY	18
PROPERTY DATA	20
Zoning	20
Land Use	21
Concurrency	22
Site Size, Shape and Access	22
Utilities	23
Topography	23
Census Tract	23
Flood Hazard Zone	23
Assessed Value and Taxes	24
Property History	24
HIGHEST AND BEST USE	25
Conclusion	25
LAND-VALUE ANALYSIS	27
Discussion of Vacant Land Sales	27
Discussion of Adjustments	39
Expenditures Made	40
Conclusion – Land-Value Analysis	42
ADDENDA	
Qualifications:	
Harry D. Gray, MAI, SRA	
Bryan A. Neill	



CERTIFICATION

We certify that, to the best of our knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. We have no present or prospective interest in the property that is the subject of this report, and we have no personal interest or bias with respect to the parties involved.
4. We have not performed services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
5. We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
6. Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
7. Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
8. The analyses, opinions, and conclusion were developed, and this report was prepared, in conformity with the Uniform Standards of Professional Appraisal Practice (USPAP) and The Interagency Appraisal and Evaluation Guidelines, December 10, 2010.
9. Harry D. Gray, MAI, SRA and Bryan A. Neill have made a personal inspection of the property that is the subject of this report.
10. No one provided significant real property appraisal assistance to the persons signing this certification.
11. The use of this report is subject to the requirements of the State of Florida relating to review by the Florida Real Estate Appraisal Board.
12. The reported analyses, opinions and conclusion were developed, and this report was prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.



13. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
14. As of the date of this report, Harry D. Gray, MAI, SRA has completed the continuing education program of the Appraisal Institute.

Harry D. Gray, MAI, SRA
Cert Gen RZ662

Bryan A. Neill
Cert Gen RZ2609

HDG/BAN clw:14-70822



LIMITING CONDITIONS

1. Unless otherwise stated, the value appearing in this appraisal represents the opinion of the Market Value or the Value Defined AS OF THE DATE SPECIFIED. Market Value of real estate is affected by national and local economic conditions and consequently will vary with future changes in such conditions.
2. The value estimated in this appraisal report is gross, without consideration given to any encumbrance, restriction or question of title, unless specifically defined.
3. This appraisal report covers only the property described and any values or rates utilized are not to be construed as applicable to any other property, however similar the properties might be.
4. It is assumed that the title to the premises is good; that the legal description is correct; that the improvements are entirely and correctly located on the property described and that there are no encroachments on this property, but no investigation or survey has been made.
5. This appraisal expresses our opinion, and employment to make this appraisal was in no way contingent upon the reporting of predetermined value or conclusion.
6. No responsibility is assumed for matters legal in nature, nor is any opinion of title rendered. In the performance of our investigation and analysis leading to the conclusions reached herein, the statements of others were relied on. No liability is assumed for the correctness of these statements.
7. Neither all nor any part of the contents of this report (especially any conclusions, the identity of the appraiser or the firm with which he is connected, or any reference to the Appraisal Institute or any of its designations) shall be disseminated to the public through advertising media, public relations media, news media, sales media or any other public means of communication without our prior written consent and approval.
8. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures which would render it more or less valuable. The appraiser assumes no responsibility for such conditions or the engineering which might be required to discover these factors.



9. Unless otherwise stated in this report, the existence of hazardous substances, including without limitation stachybotrys chartarum (mold), asbestos, polychlorinated biphenyls, petroleum leakage, "Chinese drywall", or agricultural chemicals, which may or may not be present on the property, or other environmental conditions, was not called to the attention of, nor did the appraiser become aware of such during the appraiser's inspection. The appraiser has no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraiser, however, is not qualified to test for such substances or conditions. If the presence of such substances, such as asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions, may affect the value of the property, the value estimated is predicated on the assumption that there is no such proximity thereto that would cause a loss in value. We are unaware of very wet conditions that may have existed for days or weeks which are required to grow mold. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them.
10. The Americans with Disabilities Act ("ADA") became effective January 26, 1992. The appraisers have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since the appraisers have no direct evidence relating to this issue, possible noncompliance with the requirements of ADA in estimating the value of the property has not been considered.
11. Our opinion of value was based on the assumption of competent marketing and management regarding the Subject Property. If there is no competent marketing and management, then the value contained herein may not apply.



VIEW OF SUBJECT PROPERTY



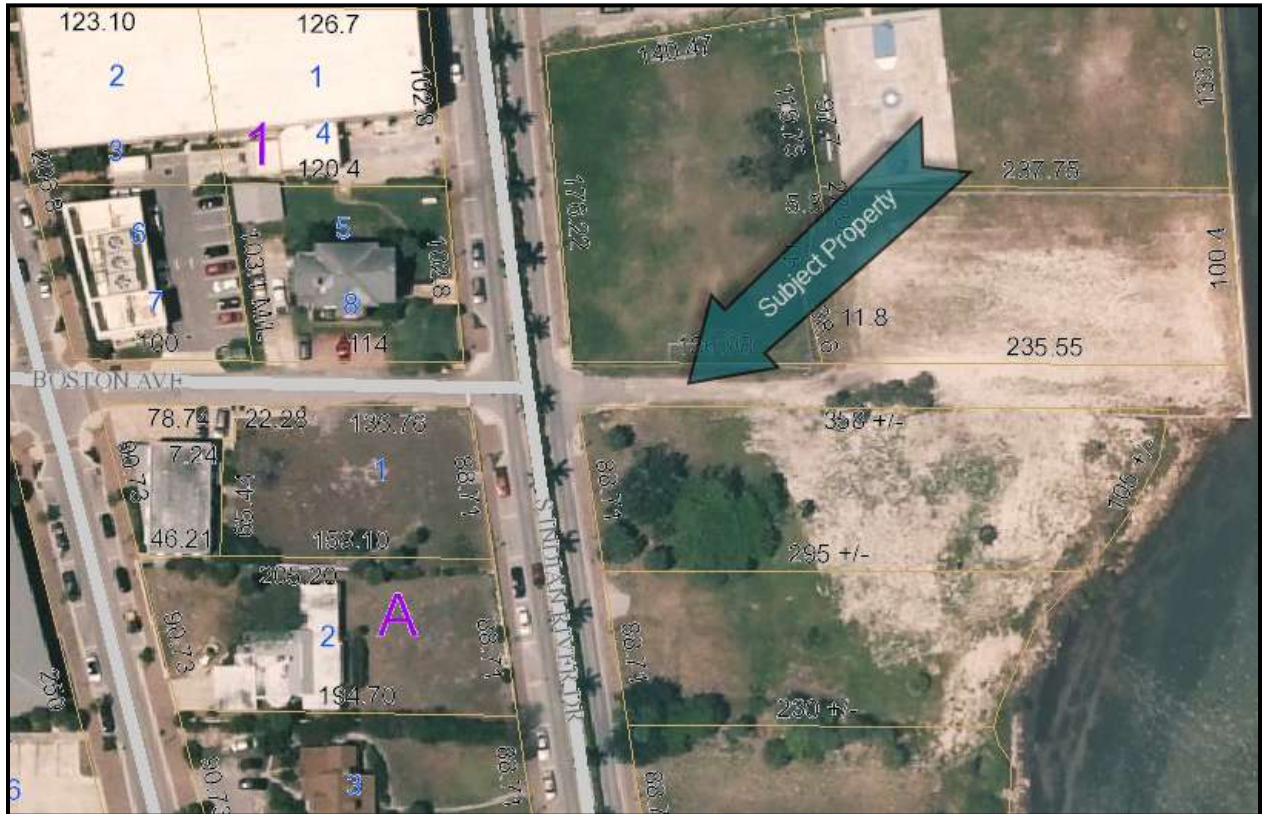
VIEW OF SUBJECT PROPERTY



RIVER VIEW FROM SUBJECT PROPERTY



STREET SCENE ALONG SOUTH INDIAN RIVER DRIVE



AERIAL PHOTO



Definition of the Appraisal Problem

DEFINITION OF THE APPRAISAL PROBLEM

Purpose, Date of Value, and Interest Appraised

The purpose of this investigation and analysis was to provide our opinion of the Market Value of the Fee Simple Interest of the Subject Property as of April 15, 2014.

Intended Use and User of Appraisal

This report has been prepared for our client, St. Andrews Episcopal Church. The intended use was to assist the client in evaluation for abandonment and possible purchase. The scope of work performed is specific to the needs of the intended user and the intended use. No other use is intended, and the scope of work may not be appropriate for other uses.

Legal Description

PARCEL 2 (NOT INCLUDED)

THAT PORTION OF LOT 3, BLOCK A, ANDREWS AND RICHARDS ADDITION TO FT. PIERCE, AS RECORDED IN PLAT BOOK 1, PAGE 191 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LYING EAST OF INDIAN RIVER DRIVE.
LESS AS DESCRIBED IN DEED BOOK 76, PAGE 231 AND LESS ROAD RIGHT OF WAY DESCRIBED IN OFFICIAL RECORDS BOOK 2931, PAGE 1323

Market Value

Section 1110 of Financial Institutions Reform, Recovery, and Enforcement Act's (FIRREA) instructions to the Office of Thrift Supervision uses the definition of Market Value below as developed by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, and adopted by the Appraisal Foundation's Uniform Standards of Professional Appraisal Practice.

"The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- a. buyer and seller are typically motivated;
- b. both parties are well informed or well advised, and acting in what they consider their own best interests;
- c. a reasonable time is allowed for exposure in the open market;



Definition of the Appraisal Problem

- d. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- e. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

Hypothetical Conditions or Extraordinary Assumptions

No Hypothetical Conditions or Extraordinary Assumptions were made for the valuation of the Subject Property.

Exposure Time and Marketing Time

The Dictionary of Real Estate Appraisal, Fifth Edition 2010, by the Appraisal Institute, defines **Exposure Time** on page 73 as follows:

"The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based on an analysis of past events assuming a competitive and open market.

There is a requirement under Standard Two to report exposure time according to the latest USPAP publication. "Exposure Time" is different for various types of property under different market conditions.

We have reviewed the exposure time on the sales contained in the Sales Comparison Approach in this appraisal. Based on that data and the current market, it is our opinion that the Subject Property would have had an exposure time of approximately 12 months or less.

The Dictionary of Real Estate Appraisal, Fifth Edition 2010, by the Appraisal Institute, defines **Marketing Time** on page 121 as follows:

"An opinion of the amount of time it might take to sell a real or personal property interest at the concluded market value level during the period immediately after the effective date of an appraisal. Marketing time differs from exposure time, which is always presumed to precede the effective date of an appraisal."

Based on the comparable sales and our knowledge of the market it is our opinion that a marketing time of 12 months would have been needed for the Subject Property.



Definition of the Appraisal Problem

Across the Fence Method

The Dictionary of Real Estate Appraisal, Fifth Edition 2010, by the Appraisal Institute, defines **Across the Fence Method** on page 3 as follows:

“A land valuation method often used in the appraisal of corridors. The across the fence method is used to develop a value opinion based on comparison to abutting land.”

Across the Fence (ATF) Value

The Dictionary of Real Estate Appraisal, Fifth Edition 2010, by the Appraisal Institute, defines **Across the Fence Value** on page 3 as follows:

“In corridor valuation, a value opinion based on comparison with adjacent lands including the consideration of adjustment factors such as market conditions, real property rights conveyed, and location.”



SCOPE OF WORK

According to the 14th Edition of The Appraisal of Real Estate, page 38, "Scope of work encompasses all aspects of the valuation process, including which approaches to value will be used; how much data is to be gathered, from what sources, from which geographic area, and over what time period; the extent of the data verification process; and the extent of property inspection, if any.

The scope of work decision is appropriate when it allows the appraiser to arrive at credible assignment results and is consistent with the expectations of similar clients and the work that would be performed by the appraiser's peers in a similar situation."

The first step in the appraisal process involved defining the appraisal problem which included the purpose and date of value, determining the interest being appraised, intended use and user of the appraisal, and identifying the real estate (legal description). This step also determined if the appraisal were subject to any extraordinary assumptions or hypothetical conditions. In this case of the Subject Property, there were none.

The next step involved the inspection of the Subject Property on April 15, 2014 by Harry D. Gray, MAI, SRA and Bryan A. Neill. The inspection allowed us to understand the physical components of the Subject Property. In addition to the inspection of the Subject Property, we also began the data collection process and, subsequently, an analysis of the factors that affect the market value of the Subject Property, including a market area analysis, neighborhood analysis, and property data analysis. We gathered and reviewed information from the St. Lucie County Property Appraiser's Office and the City of Fort Pierce Planning Department.

The third step in the process was to determine the Highest and Best Use of the Subject Property as vacant and as improved. Through the Highest and Best Use analysis, we determined the issues that have an effect on the final opinion of value. To determine the Highest and Best Use, we relied on information obtained from the data collection process.

The fourth step was the application of the appropriate approaches to value. *No approaches were specifically omitted from this appraisal by the client.* However, for this assignment the Sales Comparison Approach was used to value raw land.

Since only one approach was used, no reconciliation of value was necessary.



NEIGHBORHOOD ANALYSIS

The relationship of the Subject Property with surrounding properties forms the basis of neighborhood analysis. The Appraisal of Real Estate, 14th Edition on page 165 states: "The boundaries of market areas, neighborhoods, and districts identify the areas that influence a subject property's value. These boundaries may coincide with observable changes in land use or demographic characteristics. Physical features such as structure types, street patterns, terrain, vegetation, and lot sizes help to identify land use districts. Transportation arteries (highways, major streets, and railroads), bodies of water (rivers, lakes, and streams), and changing elevation (hills, mountains, cliffs, and valleys) can also be significant boundaries."

Neighborhood Map



In the case of this appraisal assignment, neighborhood boundaries are identified by physical boundaries and surrounding land uses. The neighborhood boundaries are considered to be as follows:

- North - North Causeway
- South - Citrus Overpass
- East - Indian River
- West - U.S. Highway 1

The above neighborhood coincides with area delineated in the Redevelopment and Revitalization Plan for the City of Fort Pierce. The neighborhood contains office, retail and service businesses that support the business and government district.

Like many older downtown areas, Fort Pierce had become stagnant with no new growth occurring due to the lack of vacant land. Most of the buildings were constructed in the 1930s, 1940s, and 1950s. As a result, the downtown area was



in a downward period of decay. However, such neighborhoods are noted to experience stages of a life cycle. A typical neighborhood usually goes through four distinct periods in its life: growth, equilibrium (stability), decline, and revitalization. Over the past fifteen years, downtown Fort Pierce has been actively involved in a period of revitalization.

Projects that have been completed include an \$8,000,000 courthouse expansion and parking garage, and a new city hall. In addition, renovation of the old city hall located at the southeast corner of Avenue A and U.S. Highway 1 has been completed. The Renaissance on the River Project was also completed with retail and office units on the lower levels and residential units on the upper level. The Sunrise Theater underwent extensive renovations recently. The theater is currently finished with the renovations and is now open.

In addition to the major thoroughfares, many of the streets meeting the downtown area have been modified. Some of the modifications have been adding brick pavers and landscaping the center medians. This has created a more favorable appearance to the downtown district.

Access

Access to downtown Fort Pierce is provided by numerous east/west streets that intersect with U.S. Highway 1, the major north/south roadway providing access into the Subject neighborhood. The corridor from Sunrise Boulevard to Avenue F was improved into four and five lanes. Other north/south streets providing access within the Subject neighborhood include South 2nd Street and Indian River Drive. Both are paved two lane roadways. Orange Avenue and the Citrus Avenue Overpass are the major east/west arterials within the Subject neighborhood. Orange Avenue, also known as State Road 68 (SR 68), is a three lane, one way, paved road which interchanges with I-95 approximately four miles west of U.S. Highway 1. Orange Avenue becomes a two-way road at North 7th Street, approximately three blocks west of U.S. Highway 1. Orange Avenue ultimately leads to U.S. Highway 441 in Okeechobee County. Citrus Avenue is a four-lane paved roadway, which runs from Indian River Drive west to North 13th Street.

The Florida East Coast Railroad (FEC) serves the Subject Neighborhood directly. The FEC has two tracks within the boundaries of the City of Fort Pierce. One track runs across the southeast portion of the city and ties into the track running north/south along the Indian River. The FEC provides service between Jacksonville and Miami. Additionally, there have been serious discussions of Fort Pierce being a stop on the proposed Florida high-speed rail line between Tampa and Miami. This stop would facilitate passenger movements between the statewide populations' centers and Fort Pierce.



Surrounding Land Uses

The north portion of the Subject Neighborhood, from Fisherman's Wharf north to Taylor Creek, is the land area designated for the Port of Fort Pierce. The county has purchased 20 acres of this area, which is known as Harbour Pointe. The Indian River Terminal was sold by Egan Grove Company and the other portion of the Port of Fort Pierce is the Plant leased by Marconis Industries which is used to import aragonite.

Commodity trade data for the Port of Fort Pierce reflects that fresh citrus was the primary export commodity, although recent sales transactions have changed that. The aragonite plant is still running and is the primary import commodity.

Two marina facilities are located in this north area. They are Harbor Town Marina and Taylor Creek Marina. Harbor Town offers primarily "in water" boat storage, while Taylor Creek caters to smaller boats with their in/out storage facilities.

The primary uses along the east/west Orange Avenue and Avenue A corridor, as well as, the north/south U.S. Highway 1 corridor is commercial in nature. The areas located behind the commercial uses represent residential development.

New City Marina

The new city marina is currently under construction. From start to finish, it has been anticipated to be an 18-month project to rebuild the Fort Pierce marina and create several tiny man-made islands that will provide habitat for birds and other animals. Most of the small islands and main barrier island work has been completed on the project.

City officials say the marina project could attract more boaters and tourists to downtown Fort Pierce, leading to busier restaurants, increased theatre ticket sales and improved nature tours. "This is a local stimulus project we've been waiting on for a very long time," Mayor Bob Benton said in a statement. After hurricanes destroyed the Treasure Coast in 2004, the storms left the marina in shambles. Fort Pierce was unable to acquire funds from the Federal Emergency Management Agency for repairs until the city developed a way to protect the docks from future hurricanes.

City engineers managed to come with a protection plan involving buffer islands so as to help prevent massive waves from crashing into the docks. To help ease environmental fears, the city set aside underwater land near the proposed buffer islands for environmental protection. The city also tested models of the islands for the 21.75-acre site to see how the islands would affect the surroundings. These islands will not be open to the public. "The city feels it has developed an innovative idea for shoreline protection outside the typical methods for this type of protection," says City Engineering Project Coordinator Ed Seissiger. "The aim was to develop shoreline protection that would benefit its residents as well as the environment."



Neighborhood Data

Followed by years of design tweaking to satisfy environmental impact questions, the city finally received a key permit from the U.S. Army Corps of Engineers in December 2013 after receiving a separate permit in 2009 from the Florida Department of Environmental Protection. The Fort Pierce marina stayed open throughout, although lost over 100 dock slips. When finished, the new dock will consist of 287 slips. The price tag for the marina project has of yet to be determined, but in 2005, the city expected the plan to cost nearly \$20 million for the islands and docks, Seissiger said. Plans also call for 13 new islands in the river to protect the marina, said Ed Seissiger, who has overseen the project for the city of Fort Pierce since 2005. If all goes well, the work will be completed between January and March 2014.

Seissiger said the money is coming from insurance and FEMA. If Fort Pierce officials agree on upgrades, there could be costs to the city. According to city officials, Fort Pierce lost \$1.5 million in annual taxes, and the county has lost \$8.5 million per year since the storm damage. City officials are hopeful that the new marina will bring back the lost money. Located below is the conceptual plan for the new city marina.





Public Utilities

Electric and telephone service is available to all properties. The entire Subject neighborhood is served by a central water and sewer system.

Neighborhood Housing

Within the Subject neighborhood residential areas are located between North 2nd Street and U.S. Highway 1 from the former Fort Pierce Utilities Authority's Power Plant to the north to Avenue H (Fisherman's Wharf Road). This small residential area contains a few old single-family residences in poor condition with deferred maintenance evident. Similar single-family residential development is located between South 2nd Street and Indian River Drive south of the Citrus Avenue Overpass. Overall, residential development of the immediate Subject neighborhood has been slow over the last several years.

Recent and Future Developments

The new federal courthouse opened in late 2011. This site is one and half blocks at the southwest corner of U.S. Highway 1 and Orange Avenue (one block west of the Subject).

The City of Fort Pierce's new library on South Indian River Drive and Orange Avenue is completed. The library contains 20,000 square feet in a two-story structure. The idea of locating the new library on riverfront parcel originated during a "charrette", which is a community brainstorming session. At this public meeting, it was decided that a new library should be constructed on the waterfront, tied to the riverwalk with a riverview. This plan has also been subsequently drafted into the Redevelopment and Revitalization Plan adopted by the City of Fort Pierce. According to an article in the Fort Pierce Tribune, the new 20,000 square foot library cost an estimated \$2.65 million, which included \$750,000 in city funds, \$1,000,000 million from St. Lucie County, a \$500,000 state grant, plus an estimated \$400,000.

Additionally, a Manatee Observation Center containing approximately 1,375 square feet was completed on the northeast corner of Moore's Creek and Indian River Drive, just north of the Fort Pierce Yachting Center. The Manatee Observation Center features an exhibition building, an exhibition hall, lab/classroom, gift shop, office/storage area, restroom and covered terrace. The center will offer open-air classrooms.

Additionally, Renaissance on the River has been recently completed. Renaissance on the River is a condominium project with 38 residential units and 27,500 square feet of retail/office space. One Marina Place was a proposed condominium project with 41 residential units and 8,750 square feet of retail space, however this project is no longer being developed due to the current market conditions. Another project that has fallen through was the development of the 6.87-acre site of the old H.D.



King Power Plant. This project "Atocha Village" was reported in the news as a \$90 million mix of retail, restaurants, homes, and a hotel. The reason this project fell apart was due to language in the deed which stipulates the property reverts back to state ownership if it's used for private development.

Lastly, many of the larger commercial buildings in the downtown are vacant. The former SunTrust Building recently was leased as a gym use. The two Harbor Federal Buildings located between 100 and 116 North 2nd Street are primarily vacant due to the bank selling to out of state buyers.

Conclusion

The Subject neighborhood is considered to be part of the Redevelopment and Revitalization Plan for the City of Fort Pierce. Much of the downtown area to the east of U.S. Highway 1 has been completed or is still in the process of being completed. Downtown areas on the west side of U.S. Highway 1 are also being revitalized and completed, and include several projects underway. In our opinion, property values within the Subject neighborhood will eventually increase proportionately as the Redevelopment and Revitalization Plan for the City of Fort Pierce are administered. This is especially true for the west side as the Federal Courthouse recently completed in November 2011. Property values have decreased in the area primarily due to the downturn in the residential market with most plans for mixed use developments. Limited financing has also had an impact on property values and resulted in minimal sales.



DOWNTOWN FORT PIERCE MARKET STUDY

The downtown area of Fort Pierce offers a mixture of both office and retail uses. A majority of the office space is located along North 2nd Street and consists of professional office space. Within the area from the Citrus Overpass to Avenue A along North 2nd Street there is a total of 183,543 square feet of professional office space not including the 109,666 square foot court house facility and the 32,666 square foot office building adjacent to the courthouse owned by St. Lucie County. Included in this area is the large 22,906 square foot PNC Branch bank building and the 33,634 square foot former SunTrust Building. It is important to note PNC Bank vacated the 22,906 square foot building along Orange Avenue and 2nd Street and moved in to a smaller condo office with drive-thru along 2nd Street near Seaway Drive.

Of the total 183,543 square foot of office space currently 45,000 square feet is vacant and available for rent. This equates to approximately 25% of the private owned office space. The largest portion of this vacant space is the former Harbor Federal Buildings located at 100 and 116 North 2nd Street. These buildings formerly consisted primarily of the Harbor Federal Operations Center. A majority of this space is large open space suitable for a single tenant. The vacant area within these buildings totals 23,599 square feet. The Lloyd Office building located at 201 South 2nd Street is currently 100% vacant and consists of 8,840 square feet. This space was previously owner occupied and is now available for rent or sale.

Within this same general area there is currently 82,454 square feet of retail space not including the 48,435 square foot Sunrise Theater building owned by the City of Fort Pierce. Of this space approximately 11,154 square feet is vacant and available for lease. This equates to approximately 14% of the private owned retail space.

Conclusion

The Downtown Area of Fort Pierce has suffered recently as a result of the recent downturn in the real estate market for St. Lucie County. Retail uses have fared better compared to office in the immediate area, however the restaurant industry has struggled as a result of the poor economy. The office space within the Downtown Area has a higher vacancy rate, but a majority of the vacant space is due to large single tenant availability. Market participants reported limited demand for space over 2,000 to 3,000 square feet. Some of the vacant space may be absorbed if the single tenant space is divided into smaller units. Market participants have also reported rental concessions to help struggling tenants over the past four to five years. While demand is currently low, the Downtown Area appears to be the biggest focal point of the retail and office market for Fort Pierce. Once local and national economies recover demand should increase in this market.



Market Analysis

The retail portion in this area is a mixture of restaurants, cafes, boutiques and specialty stores. A majority of the customer base are island residents, seasonal residences, and tourist with some pedestrian patrons.



Typical Shop Views in District



PROPERTY DATA

Location

The Subject Property is located along the Boston Avenue Right-of-Way east of Indian River Drive in Fort Pierce, Florida. The Subject is located in the downtown Fort Pierce Market. This location is near the Indian River. A location map is located below for the reader's convenience.

Location Map



Zoning

The surrounding parcels are zoned C-1, Office Commercial, and C-4, Central Commercial by the City of Fort Pierce.

The C-1 zoning is intended primarily for uses involving business and institutional uses which do not involve the direct sale or display of goods, the production of goods or the storage or shipment of bulk or large volume materials. Convenience commercial facilities, restaurants and certain other uses are allowed when appropriate conditions and safeguards are fulfilled. Uses in this district should have good access to arterial or collector streets. This district is sometimes suitable for use as a buffer separating other commercial zones from residential districts.

The following uses and their accessory uses are permitted in a C-1 Zone:

- Finance, insurance and real estate establishments
- Business service establishments
- Communication service establishments, except transmission towers
- Professional service establishments, except hospitals
- Administrative offices for businesses
- Home occupations
- Temporary uses



Lot Size and Dimensional Requirements

Lot size requirements for the C-1 District are shown below:

MAXIMUM GROSS DENSITY (Du/Ac)	MINIMUM LOT SIZE (Sq Ft)	MINIMUM LOT WIDTH (Ft)	MINIMUM LOT DEPTH (Ft)	MINIMUM YARD (Ft)				MAXIMUM HEIGHT (Ft)	MAXIMUM LOT COVERAGE BY BLDGS
				FRONT	REAR	SIDE	SIDE @ CORNER		
	10,000	70	90	25	15*	15*	15*	65	60%

*Minimum yard depth (if not the front yard) for portions of the property abutting a public right-of-way or residential district shall be fifteen (15) feet.

The C-4, Central Commercial, by the City of Fort Pierce and is intended to serve as a primary center of commercial and institutional activity and as a readily identifiable focal point of the community and surrounding area. It is intended to be an intensively used area catering primarily to the pedestrian. The district is not suited for low intensity uses requiring a large tract of land, most types of repair services, warehouses and other uses which would detract from the character of the area.

The following uses and their accessory uses are permitted in a C-4 Zone:

- Uses allowed as semi-restricted uses in C-3 Zone
- Retail sales establishments selling automobiles or other large motorized vehicles
- Post offices, police stations and fire stations
- Commercial off-street parking lots

Lot Size and Dimensional Requirements

Uses in a C-4 Zone, except multifamily housing developments, must meet the requirements show below. More restrictive requirements, set forth in accordance with other provisions, must be satisfied by some conditional uses. Lot size requirements for the C-4 District are shown below:

MAXIMUM GROSS DENSITY (Du/Ac)	MINIMUM LOT SIZE (Sq Ft)	MINIMUM LOT WIDTH (Ft)	MINIMUM LOT DEPTH (Ft)	MINIMUM YARD (Ft)				MAXIMUM HEIGHT (Ft)	MAXIMUM LOT COVERAG E BY BLDGS
				FRONT	REAR	SIDE	SIDE @ CORNER		
				15*	15*	15*	15*		

*Minimum yard depth for portions of the property abutting a residential district or across an existing street from a residential district will be fifteen (15) feet.

Land Use

The surrounding properties have a land-use classification of CBD, Central Business District, by the City of Fort Pierce. This land-use classification conforms to the zoning classification.



Concurrency

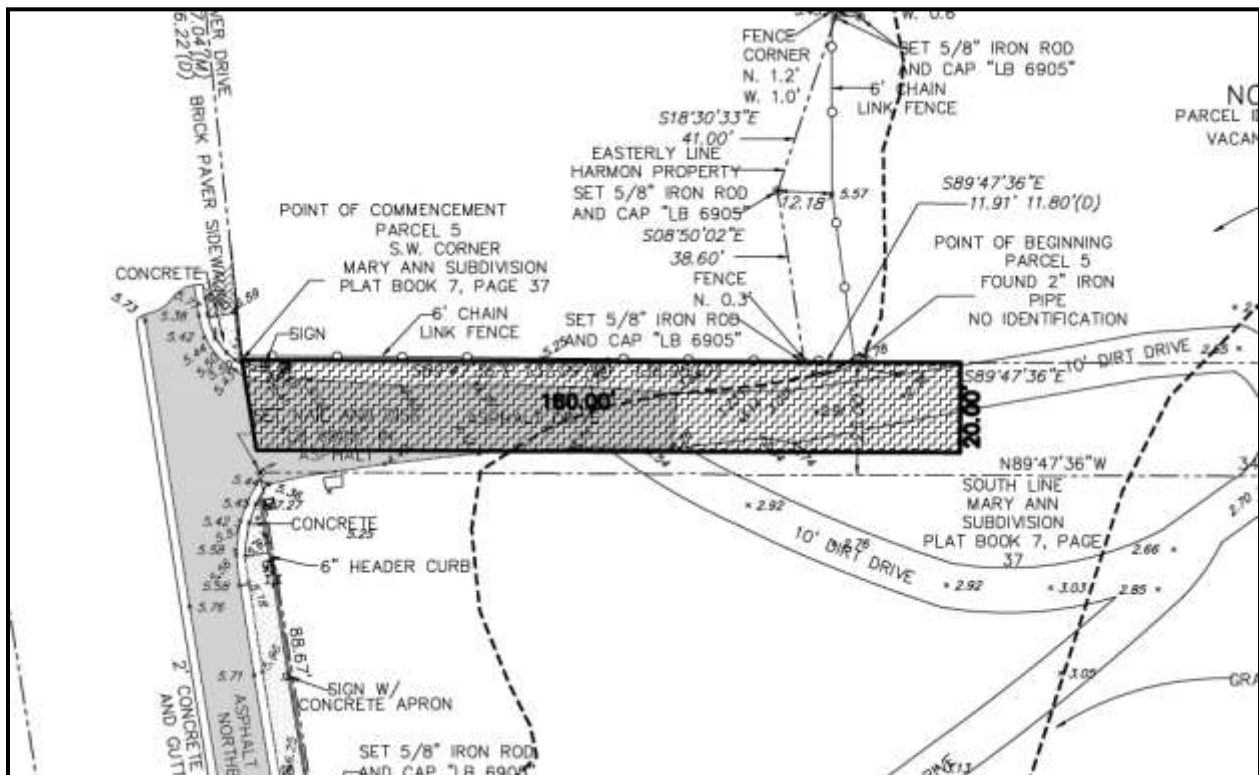
In 1985, the Florida Legislature enacted the Local Government Comprehensive Planning and Land Development Regional Act (Chapter 163, Part II, Florida Statutes), commonly referred to as "The Growth Management Act".

In 2011, the state legislature rescinded this law, and now each county can address almost all of these factors as they wish. Sanitary sewer, solid waste, drainage, and potable water are the only public facilities and services subject to the concurrency requirement on a statewide basis. If concurrency is applied to other public facilities, the local government comprehensive plan must provide the principles, guidelines, standards, and strategies, including adopted levels of service, to guide its application. In order for a local government to rescind any optional concurrency provisions, a comprehensive plan amendment is required. An amendment rescinding optional concurrency issues is not subject to state review. To the best of our knowledge, we are not aware of any concurrency issues with the Subject Property.

Site Size, Shape and Access

The Subject Property is rectangular in shape and contains a total of 3,200 square feet. Located below is a survey of the Subject Property.

Survey





Utilities

Currently the public water, sewer and electricity are available to the Subject Property by the Fort Pierce Utilities Authority. AT&T provides telephone service.

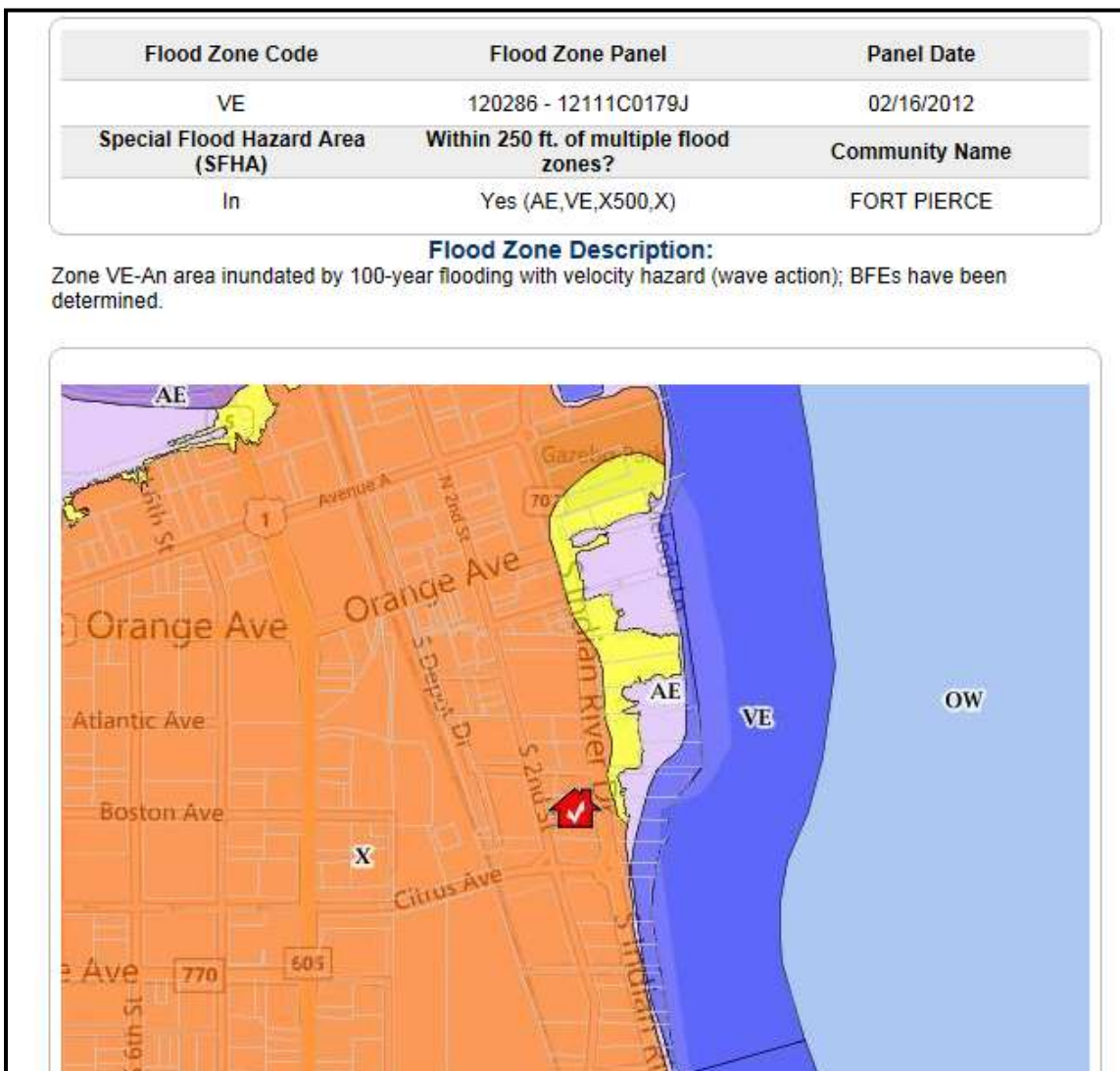
Topography

The Subject Property appears to be at road grade.

Census Tract

The Subject Property lies within Census Tract 3801.00.

Flood Hazard Zone





Assessed Value and Taxes

No taxes apply to the Subject Property as it is a city-owned Right-of-Way.

Property History

The Subject Property is currently under the ownership of the City of Fort Pierce. The Subject is the unfinished road associated with Boston Avenue.



HIGHEST AND BEST USE

The Dictionary of Real Estate Appraisal, Fifth Edition 2010, by the Appraisal Institute defines Highest and Best Use on page 93 as follows:

"The reasonably probable and legal use of vacant land or an improved property that is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity."

To estimate the Highest and Best Use of the Subject, we have considered those uses which are legally permissible, physically possible, financially feasible, and maximally productive. Consideration was given to individual features of the land such as size, shape, location, access to roadways, and the availability of utilities. Consideration was also given to the surrounding land uses and the demand for property in the current real estate market.

Conclusion

It is our opinion that the Highest and Best Use of the Subject Property is for future commercial/retail development in conjunction with neighboring parcels. The reasons for this conclusion are as follows:

1. The surrounding properties are is zoned Central Commercial and Office Commercial with a Commercial Business District Future Land-Use Classification. Both of these classifications allow for commercial development as well as waterfront residential development up to 18 units per acre.
2. The Subject Property contains 3,200 square feet of land area and is mostly rectangular in shape. The site size and shape does not allow for any development as a standalone parcel. The Subject Property along with surrounding properties would have multiple development schemes including commercial development, mixed use, and multifamily residential development.
3. From all indications commercial and residential developments are financially feasible. While more recent market conditions have indicated a large decline in demand for both commercial and residential properties, the location of the Subject and its development potential provide desirable qualities. When demand for commercial, mixed use, and residential land begins to increase in the future, properties like the Subject with waterfront views and close proximity to the Indian River should become once again desirable. It is also worth mentioning that the site has the potential to eventually be assembled to parcels located along the waterfront. While current demand does not warrant any development



Highest and Best Use

at this time, it is important to the future potential of the Subject Property along with surrounding properties.

4. The Subject Property is currently surrounded by a more commercial/retail use as well as some various residential uses to the north. Given the Subject's current surrounding uses, it is our opinion that the maximally productive use of the Subject Property would be for future commercial/retail or mixed use development with an emphasis on waterfront amenities in conjunction with surrounding properties.



LAND-VALUE ANALYSIS

According to the 14th Edition of The Appraisal of Real Estate on page 44, the valuation of land begins by identifying the real estate and property rights valued, any encumbrances, use restrictions, and the land's physical characteristics. An appraiser can use several techniques to obtain an indication of land value:

- Sales Comparison
- Extraction
- Allocation
- Subdivision Development
- Land Residual
- Ground Rent Capitalization

Usually the most reliable way to estimate land value is by sales comparison. When few sales are available, however, or when the value indications produced through sales comparison need additional support, procedures like extraction or allocation may be applied. In the case of the Subject Property the only approach used was the sales comparison approach.

Discussion of Vacant Land Sales

In order to estimate the value of the Subject site, a search was made for sales with development potential similar to the Subject. A search was made for commercial land sales with similar location features and/or similar development potential. Directly comparable sales, of commercial sites with similar development potential located within the downtown redevelopment area of Fort Pierce are very limited. While the site is not direct waterfront, it has some potential for waterfront views. Furthermore, the fact that it is adjacent to an assemblage purchased for future resort development gives the Subject Property more potential as far as also being assembled at some point in time to increase the size of the adjacent properties. In our opinion the Subject Property is worth less than direct waterfront commercial tracts, however its unique nature makes it worth more than the average commercial site.

With very limited available sales data, we have looked at both waterfront commercial sales as well as the best available commercial land sales that are best comparable to the Subject Property. We analyzed the Subject Property based on price per square foot basis, as this is the most recognized unit of comparison in this market. All of the comparables were considered with regard to property rights appraised, financing, conditions of sale, time or market conditions, location, size, site quality/view, access/exposure, and zoning. The six comparable sales and two listings indicated a non-adjusted range from \$14.27 to \$39.17 per square foot.

Details of each sale along with a location map are located on the following pages. A sales chart and discussion follow.



Land Sale 1



Property Identification

Record ID 2564
Property Type Residential, Vacant Land
Address 43 & 55 E Seminole Street, Stuart, Martin County, FL
Tax ID 04-38-41-006-00080-3

Sale Data

Grantor AL Stuart, LLC
Grantee Riverside Village Stuart, LLC
Sale Date December 12, 2013
Deed Book/Page 2693/277
Property Rights Fee Simple
Financing N/A
Sale History Sold 10/2012 for \$765,000
Sale Price \$1,975,100
Cash Equivalent \$1,975,100

Land Data

Zoning R-3, Residential



Land Size Information

Gross Land Size 1.157 Acres or 50,418 SF

Indicators

Sale Price/Gross Acre \$1,706,441

Sale Price/Gross SF \$39.17

Remarks

This site was purchased for the development of 14 residential units ranging from 3,269 to 6,960 square feet. Asking prices are \$795,000 to \$1,450,000. Each residence will have a deeded boat slip and the residences will be "Green Construction".



Comparable Offer 2



The site is currently listed for \$889,000 or \$23.09 per square foot. It was reported that there was a written offer of \$750,000 in February 2013; however, the offer was not accepted. The property contains 0.89 acres and is located on the south side of Seaway Drive and east side of Hernando Street. The property has a C-5, commercial tourism zoning. While the site does not have direct water frontage, any type of vertical development would allow for views of the ocean as well as the Fort Pierce Inlet. The offer equated to \$19.35 per square foot of land area.



Land Sale 3



Property Identification

Record ID	2296
Property Type	Commercial, Office Land
Address	Stuart, Martin County, Florida
Location	Southwest corner of Seminole Street and Colorado Ave
Tax ID	04-38-41-015-002-00041-6

Sale Data

Grantor	OB Florida CRE Holdings LLC
Grantee	Lots of Love LLC
Closing Date	January 12, 2012
Deed Book/Page	2555/1582
Property Rights	Fee
Conditions of Sale	Arm's Length
Financing	Cash to Seller
Contract Price	\$200,000
Cash Equivalent	\$200,000

Land Data

Zoning	B-1, Business
Topography	Generally level and at road grade
Utilities	All available
Shape	Rectangular



Land Size Information

Gross Land Size 0.230 Acres or 10,019 SF

Indicators

Sale Price/Gross Acre \$869,548

Sale Price/Gross SF \$19.96

Remarks

At the time of sale the site was being utilized as a parking lot. The property has approvals in place for an 8-unit residential project. It was noted that an adjacent property owner purchased the site above appraised value; therefore, it was felt that there may have been some premium paid for the fact that the adjacent owner needed the parcel.



Land Sale 4



Property Identification

Record ID	2232
Property Type	Commercial/Residential, Marine Commercial
Address	222 South Ocean Drive, Fort Pierce, St. Lucie County, FL
Location	East side of Ocean Dr, just south of the Fort Pierce Inlet
Tax ID	24-01-501-0014-0006

Sale Data

Grantor	BGP Solution LLC
Grantee	Mosely, Daniel S.
Sale Date	June 13, 2011
Deed Book/Page	3300/1318
Property Rights	Fee
Conditions of Sale	Arm's Length
Financing	Cash to Seller
Sale Price	\$1,750,000
Cash Equivalent	\$1,750,000



Land Data

Zoning	C-5, Commercial Waterfront
Topography	Generally level sloping downward toward ocean
Utilities	All available
Shape	Rectangular

Land Size Information

Gross Land Size	2.160 Acres or 94,090 SF
Allowable Units	17

Indicators

Sale Price/Gross Acre	\$810,185
Sale Price/Gross SF	\$18.60
Sale Price/Allowable Unit	\$102,941

Remarks

The property owner was under financial distress and downward pressure from the lender. It was indicated that it was essentially a short sale. It was an all cash transaction and it was indicated that the buyer has no immediate development plans and wished to hold the property until market conditions improve.



Land Sale 5



Property Identification

Record ID	2047
Property Type	Commercial, Marine Commercial
Property Name	Fish Monger Parcel
Address	25 Fisherman's Wharf, Fort Pierce, St. Lucie County, FL
Location	SE corner of Indian River Drive & Fisherman's Wharf
Tax ID	2403-341-0009-0004

Sale Data

Grantor	Fishmonger Investors LLC
Grantee	St. Lucie County
Sale Date	December 28, 2010
Deed Book/Page	3257/274
Property Rights	Fee
Conditions of Sale	Arm's Length
Financing	Cash to Seller
Sale Price	\$450,000
Cash Equivalent	\$450,000



Land Data

Zoning	C-6, Marine Commercial
Topography	Generally level
Utilities	All available
Shape	Rectangular

Land Size Information

Gross Land Size	0.560 Acres or 24,394 SF
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Indicators

Sale Price/Gross Acre	\$803,558
Sale Price/Gross SF	\$18.45

Remarks

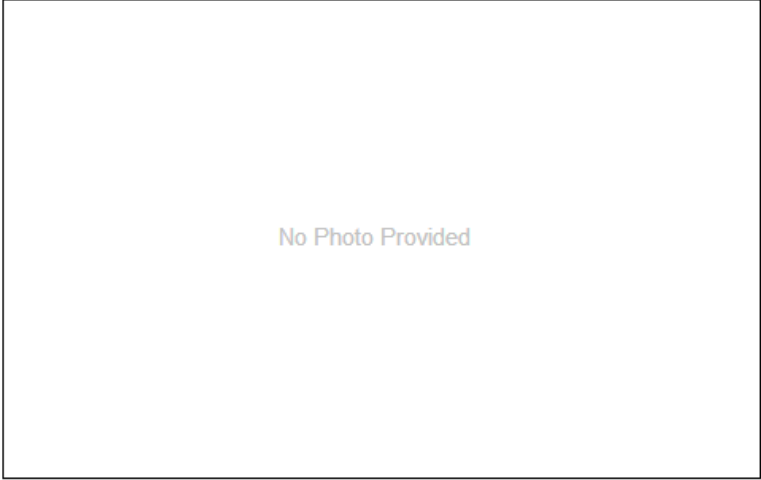
The site was purchased by St. Lucie County, as they are assembling many parcels in the Port of Fort Pierce Corridor in order to make road improvements, add parking, and for possible future residential/commercial tourist type development that takes advantage of the waterfront location of that area.



Listing 6

Properties for Sale

1 304 S Indian River Dr, Fort Pierce, FL 34950



Property Details

Price \$1,100,000
 Lot Size 1.77 AC
 Total Lot Size 1.77 AC
 Price/AC \$621,468.93 /AC
 Property Type Land
 Property Sub-type Commercial/Other (land)
 Status Active

Property Notes

Empty dashed box for property notes

Lots

#	Price	Size	Price/Size	Description
1	\$1,100,000	1.77 AC	\$621,468.93 /AC	

Property Description

3 Parcels being sold together.

Location Description

Indian River Drive and St. Andrews Lane



Comparable Location Maps





Discussion of Adjustments

We analyzed the Subject Property based on price per square foot basis, as this is the most recognized unit of comparison in this market. All of the comparables were considered with regard to property rights appraised, financing, conditions of sale, time or market conditions, location, size, view/site quality, and zoning. The six comparable sales indicated a non-adjusted range from \$14.27 to \$39.17 per square foot.

VACANT LAND SALES CHART CALLAWAY & PRICE, INC. #14-70653							
Sale Number	Subject	1	2	3	4	5	6
Record ID	-	2564	-	2296	2232	2047	-
ORBK/PG	-	2693/277	Offer	2555/1582	3300/1318	3257/274	Listing
Sale Price		\$1,975,100	\$750,000	\$200,000	\$1,750,000	\$450,000	\$1,100,000
Size - Acres	0.07	1.16	0.89	0.23	2.16	0.56	1.77
Size - Square Foot	3,200	50,418	38,768	10,019	94,090	24,394	77,101
Price/Square Foot		\$39.17	\$19.35	\$19.96	\$18.60	\$18.45	\$14.27
Location	Boston Avenue R/W east of Indian River Drive	43 & 55 SE Seminole Street	400 Seaway Drive	SWC of Seminole Street and Colorado Avenue	222 S. Ocean Drive	SEC of Indian River Drive and Fishermen's Wharf	304 S. Indian River Drive
City	Fort Pierce	Stuart	Fort Pierce	Stuart	Fort Pierce	Fort Pierce	Fort Pierce
Arm's Length	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Property Rights	Fee	Fee	Fee	Fee	Fee	Fee	Fee
Date of Sale	N/A	Dec-13	Feb-13	Jan-12	Jun-11	Dec-10	Current
Date of Value	-						
Zoning	-	R-3	C-5	B-1	C-5	C-6	C-1
Conditions of Sale		0%	0%	-10%	10%	0%	0%
Market Conditions Adj.		0%	0%	0%	-10%	-15%	0%
Adjusted Price Per SF		\$39.17	\$19.35	\$17.97	\$18.60	\$15.68	\$14.27
Physical Adjustments							
Location (General)		Superior -25%	Superior -5%	Superior -25%	Superior -5%	Similar 0%	Similar 0%
View/Site Quality	Full River	Similar 0%	Similar./ Part. Ocean 0%	Inferior 25%	Superior/Ocean -10%	Inferior 25%	Similar 0%
Size		0%	0%	-10%	10%	0%	10%
Zoning/Land Use	-	Similar 0%	Similar 0%	Similar 0%	Similar 0%	Similar 0%	Similar 0%
Access		0%	0%	0%	0%	0%	0%
Total Physical Adjustment/SF		-25.00%	-5.00%	-10.00%	-5.00%	25.00%	10.00%
Adj.Price Per Square Foot		\$29.38	\$18.38	\$16.17	\$17.67	\$19.60	\$15.69

Average \$17.50
 Minimum \$15.69
 Maximum \$19.60
 Median \$17.67

Property Rights Conveyed

All the sales in this analysis were transferred on a Fee Simple Estate basis, with the buyers receiving full property rights ownership. We are also unaware of any adverse deed restrictions or any other property rights limitations which would have affected the sales. Therefore, no adjustment was considered necessary for property rights conveyed.



Terms of Financing (Cash Equivalency)

The transaction price of one property may differ from that of a similar property due to atypical financing arrangements. In a case where favorable financing is established, a cash equivalency adjustment is often necessary. However, all of the sales analyzed herein involved either market terms or cash to Grantor. Therefore, no adjustments were made, nor any cash equivalency performed.

Conditions of Sale

Adjustments for conditions of sale usually reflect the motivations of the buyer and seller at the time of conveyance. Within the confirmation process, detailed attention was made to ensure the conditions of each sale. Comparable 3 has been adjusted downward to recognize that there was likely a premium paid. It was indicated that the site was purchased by an adjacent owner well above appraised value.

Comparable 4 has been adjusted upward slightly to recognize that the sale was verified as a motivated sales, however no specific opinion was noted with regard to the exact amount of discount. Therefore, we have made an upward adjustment of 10% just to recognize that the sale was motivated.

Comparable 6 is an active listing of a bank owned property. It appears this listing is very reasonable as it is a motivated seller. We have not adjusted this comparable.

Expenditures Made

A knowledgeable buyer considers expenditures that will have to be made upon purchase of the property because these costs affect the price a buyer will pay. Our sales did not require any adjustments for expenditures made after the sale.

Time or Changes in Market Conditions

Market conditions generally change over time and may be caused by inflation, deflation, fluctuations in supply and demand, or other factors. The comparables occurred from December 2010 to December 2013. Comparable 5 is the oldest comparable and general market trends show that property values were still in decline during 2010 and through the first half of 2011. Therefore, we have adjusted Comparable 5 downward the most and also have adjusted Comparable 4 downward as well to recognize this decline.

Location

Comparables 1 and 3 are located in the downtown area of Stuart. This area is superior to the Subject area and each of these comparables was adjusted accordingly. Comparables 2 and 4 were also considered superior as they are located on the barrier island which in general would command a higher price in comparison to the Subject. These two comparables have therefore been adjusted



downward. None of the remaining comparables warranted an adjustment for location.

Site Quality/View

The surrounding properties have full river views with direct water frontage. While Comparables 3 and 5 do not have direct water frontage, the potential views of both the ocean and river would be considered inferior to the Subject. Therefore, we have made downward adjustments to these sales. Comparable 4 has direct ocean frontage and is considered the most superior comparable, therefore warranting a downward adjustment. The remaining comparables have similar frontage and views.

Size

The Subject Property contains 3,200 square feet. A majority of the surrounding parcels are near 1 acre in size and considered typical for the area. We will base our analysis on a typical site size given the across the fence methodology. The comparable sales indicate a range from 0.23 acres to 2.16 acres. Comparable 3 is the smallest and warranted a downward adjustment. Smaller parcels typically sell for a higher price per square foot due to the economies of scale. Comparables 4 and 6 are considerably larger and have been adjusted upward to also recognize the economies of scale. None of the other comparables warranted an adjustment for size.

Zoning

The surrounding parcels are zoned Commercial, C-1 & C-4. All of the comparables have similar commercial type zonings that allow for much of the same development uses. Therefore, we have not made any adjustments with regard to zoning.

Access

All of the comparables used have good paved road access and therefore no adjustments were necessary.

Current Listings

Given the overall lack of recent sales activity we have also considered the most similar listings currently available on the market for additional analysis. We concentrated our search efforts on site very near commercial or tourism areas that are influenced by their proximity either the Indian River or the Atlantic Ocean. The following chart shows some of the listings we considered.



Reconciliation

Comparable Listings						
Sale Number	1	2	3	4	5	6
Sale Price	\$895,000	\$599,000	\$475,000	\$595,000	\$1,190,000	\$469,000
Size - Acres	0.89	2.05	0.41	0.34	1.80	0.66
Size - Square Foot	38,768	89,298	17,860	14,810	78,408	28,750
Price/Square Foot	\$23.09	\$6.71	\$26.60	\$40.17	\$15.18	\$16.31
Location	400 Seaway Drive	4805 Capstan Avenue	1200 Seaway Drive	201 South Ocean Drive	401 South Indian River Drive	507-509 South Indian River Drive
City	Ft. Pierce	Port Salerno	Ft. Pierce	Ft. Pierce	Ft. Pierce	Ft. Pierce
Zoning/Land Use	C-5	PUR	C-5	C-5	C-1	C-1
View	Partial Ocean	Interior	Partial River	Partial Ocean	Indian River	Indian River
Conditions of Sale	-10%	-10%	-10%	-10%	-10%	-10%
Adjusted Price Per SF	\$20.78	\$6.04	\$23.94	\$36.16	\$13.66	\$14.68

Average	\$19.21
Minimum	\$6.04
Maximum	\$36.16
Median	\$17.73

The listings had an average indication of \$19.21 per square foot of land. Comparable Listings 5 and 6 would probably be considered the most similar. These sites have direct water frontage along the Indian River with most of the developable portions located on the west side of Indian River Drive. They would be considered superior with regard to potentially having docks and use of the river frontage. However, their location is slightly inferior as the Subject is centrally located in the Fisherman's Wharf and closer to the downtown and commercial tourism corridor. After making a slight adjustment for conditions of sale of -10% (acknowledges listings typically sell for less than ask prices), the two indications are at \$13.66 and \$14.68 per square foot.

Since there is an overall lack of recent comparable closed sales data, these listings also helped us further establish the market conditions adjustments and the most current market trends. To conclude at a value higher than the list prices for similar land sites would not be supported.

Conclusion – Land-Value Analysis

As can be seen on the comparable sales chart displayed earlier, the sales indicate an adjusted range from \$15.69 to \$29.38 per square foot, with an average indication of \$17.50 per square foot and median indication of \$17.67 per square foot. The best available data was analyzed and adjusted accordingly. After giving consideration to all of the comparable data and placing slightly more weight on Comparable 1 as it is the most recent indication of value, it is our opinion the Market Value of the Subject site is best represented at \$20.00 per square foot. This indicates that the land value of the Subject Property is \$65,000. This is calculated as follows:

$$3,200 \text{ square feet} \times \$20.00 \text{ per square foot} = \$64,000$$

Rounded, \$65,000

ADDENDA

QUALIFICATIONS



Professional Designations\Licenses\Certifications

Member, Appraisal Institute, MAI Designation #7464 and SRA Designation
Florida State-Certified General Real Estate Appraiser #RZ662
Florida Registered Real Estate Broker

Professional Experience

Principal, Callaway & Price, Inc., Since 1984
Fee Appraiser, Callaway & Price, Inc., 1979 - 1984
Fee Appraiser, Brown & Orr, Inc., 1978 - 1979
Salesman, Palermo Realty, Inc., 1977 - 1978

Qualified As An Expert Witness

Brevard County, Florida
Hernando County, Florida
Palm Beach County, Florida
Martin County, Florida
St. Lucie County, Florida
Indian River County, Florida
Okeechobee County, Florida
Federal District Courts of Southern District of Florida, Maryland and Michigan

Geographic Experience

Throughout Florida	Throughout Massachusetts	Pennsylvania
Washington, D. C.	New Hampshire	Maryland
New Jersey	Rhode Island	

Teaching Experience

Appraisal Institute Approved Instructor for Course 110 - Appraisal Principles

The Valuation Process As It Applies to Commercial Properties (Customized Seminar by Callaway & Price, Inc.)

Education

Bachelor of Science Degree, Abilene Christian University
Texas Real Estate Commission Course I
Florida Real Estate Commission Course I and II
Society of Real Estate Appraisers:
Course 101 - An Introduction to Appraising Real Property
Course 201 - Principles of Income Property Appraising
Seminar - R-41c and the Appraiser



Education - Continued

American Institute of Real Estate Appraisers:

- Course 2-1 - Case Studies in Real Estate Valuation
- Course 2-2 - Valuation Analysis and Report Writing
- Course 6 - Real Estate Investment Analysis
- Course 2-4 - Standards of Professional Practice
- Course 4 - Litigation Valuation

Appraisal Institute:

- Standards of Professional Practice - SPP-A
- Standards of Professional Practice - SPP-B
- Standards of Professional Practice - SPP-C
- Highest & Best Use and Market Analysis
- Small Hotel/Motel Valuation
- Analyzing Commercial Lease Clauses
- Appraisal Consulting
- Internet Appraisal Research and the Florida Appraiser
- The Professional's Guide to the URAR
- Subdivision Valuation
- Real Estate Finance, Value & Investment Performance
- Yellow Book Seminar
- Conservation Easement Valuation - Certificate Course
- National USPAP Update
- Supervisor Trainee Roles and Rules
- Florida Law for Real Estate Appraisers
- Introduction to FHA Appraising
- An Introduction to Valuing Green Buildings

Realtors Land Institute:

- Course Title - Citrus Seminar

Organizations and Affiliations

Appraisal Institute:

- National Board of Directors, Past Director
- Indian River Florida Chapter, Past President
- National Admissions Committee, East Coast Chapter, Education Chairman
- National Continuing Education & Seminars Subcommittee, Past Vice Chairman

American Institute of Real Estate Appraisers:

- Southeast Regional Grievance Panel - Ethics and Professional Standards,
- Non-Residential Demonstration Reports Subcommittee, Member

Society of Real Estate Appraisers:

- South Florida District 29, Past Vice Governor
- Chapter 211, Past Treasurer, Past Secretary
- Chapter 211, Admissions, Past Chairman
- Chapter 211, Professional Practice Committee, Past Chairman
- Florida Cattlemen's Association, Member

St. Lucie County Cattlemen's Association

Florida Cracker Trail Association, Past President



Organizations and Affiliations - Continued

Fort Pierce/St. Lucie County Chamber of Commerce:
State and National Government Affairs Committee, Past Chairman
Agribusiness Committee Member
Port Sub-committee Member
Fort Pierce Rotary, Past Board of Director
International Braford Association, Member
Fort Pierce/Port St. Lucie Board of Realtors, Member
Pelican Yacht Club - Past Commodore
Treasure Coast Regional Planning Council - Past Member
Ducks Unlimited - Past Director, Treasure Coast Chapter

AC#	5333031	STATE OF FLORIDA	
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION		FLORIDA REAL ESTATE APPRAISAL BD	
		SEQ# L10110800965	
DATE	BATCH NUMBER	LICENSE NBR	
11/08/2010	100217380	RZ662	
The CERTIFIED GENERAL APPRAISER Named below IS CERTIFIED Under the provisions of Chapter 475 FS. Expiration date: NOV 30, 2012			
GRAY, HARRY D 500 SOUTH US HWY 1 SUITE 107 FORT PIERCE		FL 34950	
CHARLIE CRIST GOVERNOR		CHARLIE LIEM SECRETARY	
DISPLAY AS REQUIRED BY LAW			



Professional Designations\Licenses\Certifications

Florida State Certified General Real Estate Appraiser #RZ2609

Professional Experience

Appraisal Researcher, Callaway & Price, Inc. - April 1999 – January 2001
Associate Appraiser, Callaway & Price, Inc. – since January 2001

Education

Bachelor of Science Degree in Business/Real Estate, Florida State University
Associates of Arts Degree – Indian River Community College

Appraising\Consulting Expertise

Acreage	Mobile Home Parks
Apartment Complexes	Rental Comparability Studies
Cattle Ranches	Residential Properties
Citrus Groves	Retail Buildings
Eminent Domain	Subdivisions
Mini-Storage Facilities	Vacant Land

Organizations and Affiliations

Florida State University Alumni
Florida State University, Real Estate Society, Member
Sigma Alpha Epsilon Fraternity, Florida Beta Chapter
Fort Pierce Sportfishing Club
Ducks Unlimited



STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

FLORIDA REAL ESTATE APPRAISAL BD
1940 N. MONROE ST.
TALLAHASSEE FL 32399-0783

850-487-1395

NEILL, BRYAN ALLEN
2927 INDIAN RIVER DR
FORT PIERCE FL 34946

Congratulations! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation. Our professionals and businesses range from architects to yacht brokers, from boxers to barbecue restaurants, and they keep Florida's economy strong.

Every day we work to improve the way we do business in order to serve you better. For information about our services, please log onto www.myfloridalicense.com. There you can find more information about our divisions and the regulations that impact you, subscribe to department newsletters and learn more about the Department's initiatives.

Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers. Thank you for doing business in Florida, and congratulations on your new license!

STATE OF FLORIDA AC# 691363
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RZ2609 12/01/12 128153669

CERTIFIED GENERAL APPRAISER
NEILL, BRYAN ALLEN

IS CERTIFIED under the provisions of Ch.475 FS
Expiration date: NOV 30, 2014 L12120100784

DETACH HERE

THIS DOCUMENT HAS A COLORED BACKGROUND • MICROPRINTING • LINEMARK™ PATENTED PAPER

AC# 691363

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BD

SEQ# L12120100784

DATE	BATCH NUMBER	LICENSE NBR
12/01/2012	128153669	RZ2609

The CERTIFIED GENERAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2014

NEILL, BRYAN ALLEN
2927 N INDIAN RIVER DRIVE
FORT PIERCE FL 34950

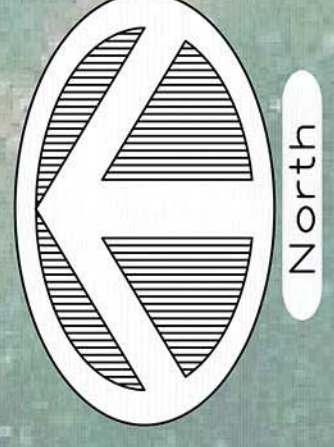
RICK SCOTT
GOVERNOR

DISPLAY AS REQUIRED BY LAW

KEN LAWSON
SECRETARY

Current Conceptual Plan

Proposed Abandonment of Boston Avenue & Pedestrian Easement Overlay



GRAPHIC SCALE



* Exhibit provided for visual reference of Boston Avenue & proposed Pedestrian Easement

ENGINEER CERTIFICATION
<input type="checkbox"/> JOSEPH W. SCHULKE FL. REG. NO. 47048
<input type="checkbox"/> JUDAH S. BITTLE FL. REG. NO. 57396
<input type="checkbox"/> WILLIAM P. STODDARD FL. REG. NO. 57605

ST. ANDREW'S
EPISCOPAL ACADEMY
FT. PIERCE, FLORIDA

SITE PLAN 17

SCHULKE, BITTLE & STODDARD, L.L.C.
CIVIL & STRUCTURAL ENGINEERING - LAND PLANNING - ENVIRONMENTAL PERMITTING
CERTIFICATION OF AUTHORIZATION NO.: 00008668
1717 INDIAN RIVER BLVD., SUITE 201 VERO BEACH, FLORIDA 32960
TEL: 772.770-9622 FAX: 772.770-9496 EMAIL: info@sbsengineering.com

DATE	REVISION	MARK	DRAWING/1045 SITE PLAN
			DESIGNED: WFS
			DRAWN: WFS
			CHECKED: WFS
			SCALE: 1"=40'
			DATE: 5/3/14

DRAFT



CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, May 13, 2014, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. CALL TO ORDER

Chairman Burdge called the meeting to order at 6:00 PM.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Eduardo Mujica; Tim O'Connell; Robert Poitier; Eloise Cummings; Marcia Baker; Brian Paul; Bob Burdge, Chairman; Steve Weaver; Mike Dahan

Absent: Phyllis Castro; John George; Erica Ganzi

Staff Present: Rebecca Grohall, Planning Manager, AICP
James Walker, Assistant City Attorney
Sandra Ramseth, Senior Planner, AICP
Kori Benton, Historic Preservation Officer
Alicia Rosenthal, Administrative Assistant

4. CERTIFICATION OF ALTERNATE MEMBER VOTING STATUS

Mr. Weaver and Mr. Dahan may participate in discussions and voting.

5. APPROVAL OF MINUTES

a. Planning Board Minutes April 8, 2014

Motion was made by Steve Weaver, seconded by Eloise Cummings to approve minutes for the April 8, 2014 meeting.

AYE: Eduardo Mujica, Tim O'Connell, Robert Poitier, Eloise Cummings, Marcia Baker, Brian Paul, Chairman Bob Burdge, Steve Weaver, Mike Dahan

Passed

6. NEW BUSINESS

- a. Zoning Text Amendment - Request to amend City Code Section 22-22. Allowed uses; eliminating the differentiation of public and private elementary, middle or high schools.

Mr. Benton gave an overview of the application.

Ms. Baker asked about the differentiation for a kindergarten, pre-school or nursery school. Mr. Benton responded. Chairman Burdge asked if V-PK is considered part of kindergarten. Mr. Benton responded. Mr. Weaver asked if a concurrent conditional use application is being made and if there are any ramifications on how this overlaps with downtown business's that serve alcohol. Mr. Benton responded. Mr. Paul asked the reason why there was a differentiation in the city code between public and private schools. Mr. Benton responded.

Motion was made by Marcia Baker, seconded by Steve Weaver to approve the request to amend City Code Section 22-22.

AYE: Eduardo Mujica, Tim O'Connell, Robert Poitier, Eloise Cummings, Marcia Baker, Brian Paul, Chairman Bob Burdge, Steve Weaver, Mike Dahan

Passed

- b. Approval of a Conceptual Development Plan for Fresh Wind, Fresh Fire Church of God

Mr. Benton gave an overview of the application. Abraham Chabab, Agent, and Mike Menard of Cook and Menard Architecture commented. Mr. Benton responded.

Ms. Baker asked what provisions are being made to buffer Mr. Nelson's property from the proposed development and what kind of provisions are being made to protect the area around Moore's Creek. Mr. Benton responded.

Chairman Burdge asked if the church traffic will deposit on to 26th Street. Chairman Burdge asked what is being considered for the residential area, that is immediately south of the church, in regards to the number of vehicles that will be using the street. Mr. Benton responded. Chairman Burdge asked if any thought has been given to the city abandoning Avenue C from 25th Street to 27th Street, so the church could redesign how cars leave the parking lots. Mr. Benton responded. Chairman Burdge asked about the irrigation system for the landscaping. Mr. Benton responded.

Mr. Weaver asked if it is a city code requirement to light the grass parking area from dusk to dawn. Mr. Benton responded. Ms. Baker asked if the church would have to come back to the Planning Department if they wanted to have a full time school in the church. Mr. Benton responded. Mr. Weaver asked why 25th Street was not utilized as a point of ingress and egress for loading. Mr. Benton responded. Ms. Cummings addressed the parking spaces and the retention area that was listed in the Technical Review Committee comments. Mr. Benton responded. Ms. Baker asked if any security fencing will be around the property. Mr. Chabab responded. Chairman Burdge asked about abandoning Avenue C and North 26th Street so the traffic will move onto 25th Street sooner. Mr. Chabab and Mr. Benton responded. Ms. Baker asked what kind of material is being used on the walkway from the parking area to the church. Mr. Chabab responded.

Motion was made by Marcia Baker, seconded by Robert Poitier to approve the Conceptual Development Plan for Fresh Wind, Fresh Fire Church of God.

AYE: Eduardo Mujica, Tim O'Connell, Robert Poitier, Eloise Cummings, Marcia Baker, Brian Paul, Chairman Bob Burdge, Steve Weaver, Mike Dahan

Passed

c. Abandonment of Boston Avenue Extension East of S. Indian River Drive

Mr. Benton gave an overview of the application. Trina Angelone, Head of Schools, St. Andrews Academy, and Tod Mowery, St. Lucie County Commissioner commented.

Mr. Weaver asked if the applicant will maintain their riparian rights on the area east of the new extension of the north-south walkway. Mr. Benton responded. Mr. Weaver asked if the abandonment includes the east west element of the proposed walkway along Boston Avenue. Mr. Benton responded. Mr. Weaver asked if the blue area depicted on the aerial is an additional abandonment or if it is being proposed in another phase. Mr. Benton responded.

Chairman Burdge asked who owns the land immediately south of the walkway along Citrus Avenue. Mr. Benton responded. Chairman Burdge asked if the city owns any right-of-way property on the south side of the future river walk to Citrus Avenue. Mr. Benton responded. Chairman Burdge asked if there is any parking available for people to park and start walking along the riverfront. Mr. Benton responded. Chairman Burdge asked if the northern part of the riverfront walkway extension is where the city is contemplating putting the fishing pier. Mr. Benton responded. Chairman Burdge asked who owns the parking lot where # 7 is shown on the map. Mr. Benton responded. Chairman Burdge asked if staff has had discussions with the church regarding pedestrian easement. Mr. Benton responded.

Chairman Burdge asked the school's response to the request of the city getting the pedestrian access on Melody Lane for the right-of-way extension. Ms. Angelone responded. Chairman Burdge asked if the school considers having any problem as far as the crime situation. Ms. Angelone responded. Chairman Burdge asked if the county parking lot is lit at night. Ms. Angelone responded. Mr. Weaver asked about giving the city 25 feet of the school's property, to the south of the Melody Lane right-of-way, in exchange for the city abandoning the easement, so there is room for more public parking. Ms. Angelone responded.

Motion was made by Robert Poitier, seconded by Marcia Baker to approve the Abandonment of Boston Avenue Extension East of S. Indian River Drive.

AYE: Eduardo Mujica, Tim O'Connell, Robert Poitier, Eloise Cummings, Marcia Baker, Brian Paul, Chairman Bob Burdge, Steve Weaver, Mike Dahan

Passed

7. BOARD COMMENTS

8. ADJOURNMENT

Meeting was adjourned at 7:15 PM.

DRAFT



CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, May 13, 2014, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. CALL TO ORDER

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James Walker, Assistant City Attorney
Sandra Ramseth, Senior Planner, AICP
Kori Benton, Historic Preservation Officer
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AYE: Eduardo Mujica, Tim O'Connell, Robert Poitier, Eloise Cummings, Marcia Baker, Brian Paul, Chairman Bob Burdge, Steve Weaver, Mike Dahan

Passed

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AYE: Eduardo Mujica, Tim O'Connell, Robert Poitier, Eloise Cummings, Marcia Baker, Brian Paul, Chairman Bob Burdge, Steve Weaver, Mike Dahan

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Motion was made by Marcia Baker, seconded by Robert Poitier to approve the Conceptual Development Plan for Fresh Wind, Fresh Fire Church of God.

AYE: Eduardo Mujica, Tim O'Connell, Robert Poitier, Eloise Cummings, Marcia Baker, Brian Paul, Chairman Bob Burdge, Steve Weaver, Mike Dahan

Passed

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Motion was made by Robert Poitier, seconded by Marcia Baker to approve the Abandonment of Boston Avenue Extension East of S. Indian River Drive.

AYE: Eduardo Mujica, Tim O'Connell, Robert Poitier, Eloise Cummings, Marcia Baker, Brian Paul, Chairman Bob Burdge, Steve Weaver, Mike Dahan

Passed

7. BOARD COMMENTS

8. ADJOURNMENT

Meeting was adjourned at 7:15 PM.

City Commission Regular Meeting

Agenda Item # 11. a.

Meeting Date: 07/07/2014

Re: 2014 Hurricane Preparations

Submitted For: Sean Baldwin, Chief of Police, Police Department

SUBJECT:

Update on 2014 Hurricane preparations for the City of Fort Pierce.

SUMMARY:

Prior to the start of Hurricane Season, which begins June 1st and ends November 30th, the police department performs several important tasks to insure that the City of Fort Pierce and the police department are prepared to serve and protect the citizens of Fort Pierce in the event a hurricane should strike St. Lucie County. The police department reviews and updates the Hurricane Manual and Hurricane Policy, insures that the Hurricane Manual is included in St. Lucie County's Comprehensive Emergency Management Plan (CEMP), that all City employees are notified of the start of Hurricane Season, that emergency contact information is updated, inspect emergency generators, and that the police department has adequate emergency supplies on hand to insure the continuity of public safety and of government.

RECOMMENDATION:

No Action Needed - Information Purposes

ALTERNATIVES:

None.

RESPONSIBLE STAFF:

Frank J. Amandro, Deputy Chief

COORDINATED WITH:

Mike Reals, Public Works Manager

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

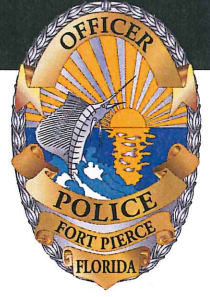
Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

Memo Amandro



MEMORANDUM

To: R. Sean Baldwin, Chief of Police
From: Frank J. Amandro, Deputy Chief
Date: June 27, 2014
Re: 2014 Hurricane Season Preparations

Before the start of Hurricane Season, the police department performs several important tasks to insure that City and police department are prepared to serve the citizens of Fort Pierce should a hurricane strike South Florida. The following is a status report on the preparations that we have accomplished this year in preparation for Hurricane Season:

1. Review and update the City of Fort Pierce Hurricane Manual
 - Staff insured that all, if any, significant organizational changes to the manual were incorporated in this year's plan e.g., the addition or elimination of departments or department heads, emergency contact numbers, and any annexations etc...
2. Submit the City of Fort Pierce Hurricane Manual to Tom Daly, Emergency Management Director, St. Lucie County Public Safety & Communications for inclusion in St. Lucie County's Comprehensive Emergency Management Plan (CEMP).
 - The City's Hurricane Plan is one of three municipalities that support the CEMP, which establishes direction and control, while outlining interagency and multi-jurisdictional mechanisms necessary for the involvement of and coordination among the county, municipalities, non-governmental organizations, state and federal government in the event of a natural disaster such as a hurricane.
3. Notification of the Start of the 2014 Hurricane Season
 - On May 29th, I sent out an email to all police department employees, the City Manager, the City Commission, all City Department Heads and their Assistants providing them with a copy of the Hurricane Manual (Plan), the police department's Hurricane Policy, and the following ten (10) basic preparation tips:

1. *It is extremely important to review you homeowner's insurance policy (or renter's insurance policy) and have a copy readily available with all the emergency contact numbers for your agent.*
2. *If you haven't done so, develop your own emergency plans for you and your immediate family*
3. *Update your prescriptions (having a prescription on hand in the unfortunately event that your family needs to evacuate)*
4. *Purchase non-perishables emergency items (haven't been told if the State of Florida is offering the Tax-Free Emergency Supply Day)*
5. *Develop a list of perishable emergency items that you may need at the time of a Hurricane Warning*
6. *Insure your hurricane shutters are functioning properly (or consider purchasing them if needed*
7. *Trim your trees, shrubs, and bushes before the June 1st (debris becomes dangerous projectiles during hurricanes, so you should put any tree trimmings outside once a storm forms).*
8. *Update your emergency contact information for you and your extend family (including doctors and such)*
9. *Review your emergency plans with your families*
10. *And, whatever else is specific to you and your family's needs.*

- I asked department heads and supervisors to review the Hurricane Manual (Plan) and Hurricane Policy with their staff.

4. Emergency Contact Information

- The police department updated the Emergency Contact information for all employees; essential and non-essential.

5. Inspection of the Generator

- Public Works inspected the generators and the police department and city hall to insure the continuity of government and public safety for the citizens of Fort Pierce.
- I would also like to point out that both city hall and the police department will have their emergency generators replaced later this fiscal year.

6. Emergency Supplies

- Staff reviewed the emergency supplies the police department currently has on hand in the event there is a hurricane as well as prepare a list of needed supplies that can be easily purchase whenever a hurricane is forecast to strike St. Lucie County.

City Commission Regular Meeting

Agenda Item # 11. b.

Meeting Date: 07/07/2014

Re: Annexation Update

Submitted For: Rebecca Grohall, Planning & Zoning Manager, Planning & Zoning

SUBJECT:

Update on annexations, as requested by the City Commission.

SUMMARY:

See attached Staff Report.

RECOMMENDATION:

See attached Staff Report.

ALTERNATIVES:

N/A

RESPONSIBLE STAFF:

Rebecca Grohall, Planning Manager

COORDINATED WITH:

Economic Development Team, FPUA

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

Annexation Update Report



CITY OF FORT PIERCE

PLANNING DEPARTMENT

REBECCA GROHALL, AICP, PLANNING MANAGER
COMPREHENSIVE PLANNING ♦ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING

TO: Robert Bradshaw, City Manager
City Commission

FROM: Rebecca Grohall, Planning Manager

RE: Annexation Update

DATE: July 7, 2014

Staff has met and discussed annexations at the Commission Conference Agenda, as well as at the recent Strategy Session and annexation is the highest priority item for the planning staff. We have begun discussions with FPUA to review their procedures for annexation agreements, as they are currently the primary conduit for annexing properties into the City. Through the extension of water and sewer, the City has one of its primary opportunities to grow its boundaries. When FPUA provides water and/or sewer to a customer outside the City limits, they sign an annexation agreement that indicates that when they are contiguous to the City boundaries, they consent to voluntary annexation.

As a recap: the Florida Statutes outline several courses of action for annexation. The two most overt methods are outlined in Chapter 171, Part 1 as voluntary and involuntary.

Voluntary Annexation – Section 171.044 of the Florida Statutes allow a city to annex property if consent of the owners of the property is granted, they must be contiguous and reasonably compact to the municipality. These annexations are done through Ordinance and the public hearing process. We can continue with this option, however, its time consuming AND it only adds more to the patchwork, utilizing this method does not actually achieve squaring off boundaries (see map). Additionally, some properties that have FPUA agreements are not contiguous – which only protracts the time frame.

Involuntary Annexation – Section 171.0413. The municipality may pass an ordinance to annex property (similar to voluntary annexation), however, the Ordinance does not become effective until a majority vote is received in a referendum held within 30 days.

Several other options exist including Enclave Annexation, Interlocal Service Boundary Agreements and Annexation by Legislation.

A. **Enclave Annexation** – as outlined in 171.046 F.S. The Legislature recognizes that enclaves can create significant problems in planning, growth management, and service delivery, and declares that it is the policy of the state to eliminate enclaves. In order to expedite the annexation of enclaves of 10 acres or less into the most appropriate incorporated jurisdiction, based upon existing or proposed service provision arrangements, a municipality may annex an enclave by interlocal agreement with the county having jurisdiction of the enclave;

B. Interlocal Service Boundary Agreement (ISBA) – 171 Part 2

The Florida Statutes were amended by the Legislature in 2006 to add a second part to the State's annexation laws. This new Part II retained existing annexation law, which has been in place for many years, and added an alternative approach to annexation that is intended to encourage local government coordination in planning, service delivery, and boundary adjustments due to annexation. ISBA agreements have been utilized as an approach to avoiding conflicts between counties and cities. Several areas have used this tool, successfully including Orange County with City of Ocoee and City of Orlando, and Pinellas County.

C. Annexation by Legislation – Subsection 171.044(4) F.S says the procedures for voluntary annexation shall be “supplemental to any other procedure provide by general or special law”. There are a number of special annexation laws that exist in Florida, including the Gainesville Special Act and the Broward Delegation.

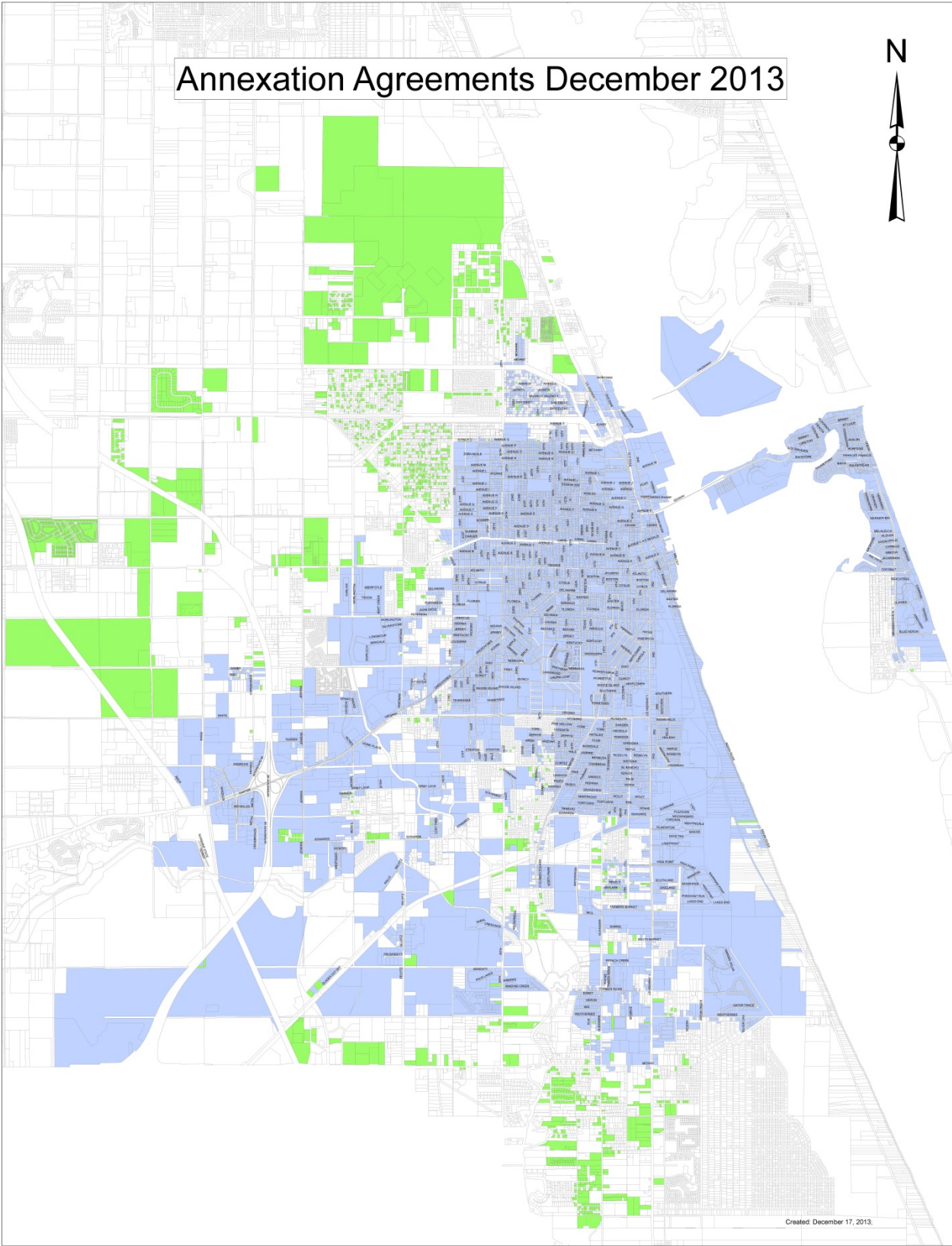
One of the biggest challenges that remain is that many areas that have FPUA Service Agreements (making them eligible for annexation) as shown in the areas on green on the next map, are not contiguous to the existing City limits (shown as blue parcels on the map). To that extent, City Staff is working with FPUA Staff to determine if the adjacent parcels are being served with FPUA water and/or sewer, and if the agreements are in place and simply not reflected in the records. Staff has identified several commercial corridors along Orange Avenue, 25th Street, and US 1 as target areas for annexation.

The planning staff are also undertaking a thorough review of internal records to analyze and ensure that FPUA agreements are being properly mapped, this review is in process.

During the next few months, as new leadership begins in County Administrator role, City Staff will be meeting with County staff to broach the ideas and opportunities to work together to:

- Revise the current JPA Agreement with St. Lucie County to address Enclave Annexations
- Discuss utilizing the ISBA process
- Consider other opportunities for streamlining the annexation process

Staff has initialized several annexations in the Orange Ave corridor that will be moving forward to the Planning Board and the City Commission. While those are in process, Staff will continue to pursue all options for annexation.



City Commission Regular Meeting

Agenda Item # 12. a.

Meeting Date: 07/07/2014

Re: Designation of Florida League of Cities Voting Delegate

Submitted For: Robert Bradshaw, City Manager

SUBJECT:

Designation of a delegate to vote on behalf of the City Commission at the Florida League of Cities Annual Conference.

SUMMARY:

The City is requested to designate one member of the City Commission to serve as the municipality's voting delegate at the Annual Business Session, which will be held during the Annual Conference, August 14 - 16, 2014 in Hollywood, Florida.

RECOMMENDATION:

N/A

ALTERNATIVES:

N/A

RESPONSIBLE STAFF:

City Manager

COORDINATED WITH:

N/A

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

Fiscal impact will be the travel expenses to the FLC annual conference.

Attachments

Letter from FLC re: Voting Delegate & Resolution Information



301 South Bronough Street • Suite 300 • P.O. Box 1757 • Tallahassee, FL 32302-1757 • (850) 222-9684 • Fax (850) 222-3806 • www.floridaleagueofcities.com

TO: Municipal Key Official

FROM: Michael Sittig, Executive Director

DATE: May 19, 2014

SUBJECT: 88th Annual FLC Conference – “*Cities take on Technology*”
VOTING DELEGATE AND RESOLUTION INFORMATION
August 14-16, 2014 – Westin Diplomat, Hollywood

As you know, the Florida League of Cities’ Annual Conference will be held at the Westin Diplomat, Hollywood, Florida on August 14-16. This year we are celebrating “*Cities take on Technology*”, which will provide valuable educational opportunities to help Florida’s municipal officials serve their citizenry more effectively.

It is important that each municipality designate one official to be the voting delegate. Election of League leadership and adoption of resolutions are undertaken during the business meeting. One official from each municipality will make decisions that determine the direction of the League.

In accordance with the League’s by-laws, each municipality’s vote is determined by population, and the League will use the Estimates of Population from the University of Florida for 2013.

Registration materials will be sent to each municipality in the month of June. Materials will also be posted on-line. Call us if you need additional copies. The League adopts resolutions each year to take positions on commemorative, constitutional or federal issues. We have attached the procedures your municipality should follow for proposing resolutions to the League membership. A resolution is not needed to become a voting delegate. If you have questions regarding resolutions, please call Allison Payne at the League at (850) 701-3602 or (800) 616-1513, extension 3602. **Proposed resolutions must be received by the League no later than July 9, 2014.**

If you have any questions on voting delegates, please call Gail Dennard at the League (850) 701-3619 or (800) 616-1513, extension 3619. **Voting delegate forms must be received by the League no later than August 11, 2014.**

Attachments: Form Designating Voting Delegate
Procedures for Submitting Conference Resolution

President **P.C. Wu**, Councilmember, Pensacola

First Vice President **Lori C. Moseley**, Mayor, Miramar • Second Vice President **Matthew D. Surrency**, Mayor, Hawthorne

Executive Director **Michael Sittig** • General Counsel **Harry Morrison, Jr.**

**88th Annual Conference
Florida League of Cities, Inc.
August 14-16, 2014
Hollywood, Florida**

It is important that each member municipality sending delegates to the Annual Conference of the Florida League of Cities, designate one of their officials to cast their votes at the Annual Business Session. League By-Laws requires that each municipality select one person to serve as the municipalities voting delegate. Municipalities do not need to adopt a resolution to designate a voting delegate.

Please fill out this form and return it to the League office so that your voting delegate may be properly identified.

Designation of Voting Delegate

Name of Voting Delegate: _____

Title: _____

Municipality of: _____

AUTHORIZED BY:

Name

Title

Return this form to:

Gail Dennard
Florida League of Cities, Inc.
Post Office Box 1757
Tallahassee, FL 32302-1757
Fax to Gail Dennard at (850) 222-3806 or email gdennard@flcities.com

Procedures for Submitting Resolutions
Florida League of Cities' 88th Annual Conference
Westin Diplomat
Hollywood, Florida
August 14-16, 2014

In order to fairly systematize the method for presenting resolutions to the League membership, the following procedures have been instituted:

- (1) Proposed resolutions must be submitted in writing, to be received in the League office by July 9, 2014, to guarantee that they will be included in the packet of proposed resolutions that will be submitted to the Resolutions Committee.
- (2) Proposed resolutions will be rewritten for proper form, duplicated by the League office and distributed to members of the Resolutions Committee. (Whenever possible, multiple resolutions on a similar issue will be rewritten to encompass the essential subject matter in a single resolution with a listing of original proposers.)
- (3) Proposed resolutions may be submitted directly to the Resolutions Committee at the conference; however, a favorable two-thirds vote of the committee will be necessary to consider such resolutions.
- (4) Proposed resolutions may be submitted directly to the business session of the conference without prior committee approval by a vote of two-thirds of the members present. In addition, a favorable weighted vote of a majority of members present will be required for adoption.
- (5) Proposed resolutions relating to state legislation will be referred to the appropriate standing policy committee. Such proposals will not be considered by the Resolutions Committee at the conference; however, all state legislative issues will be considered by the standing policy councils and the Legislative Committee, prior to the membership, at the annual Legislative Conference each fall. At that time, a state Legislative Action Agenda will be adopted.
- (6) Proposed resolutions must address either federal issues, state constitutional issues, matters directly relating to the conference, matters recognizing statewide or national events or service by League officers. All other proposed resolutions will be referred for adoption to either the Florida League of Cities Board of Directors or FLC President.

Municipalities unable to formally adopt a resolution before the deadline may submit a letter to the League office indicating their city is considering the adoption of a resolution, outlining the subject thereof in as much detail as possible, and this letter will be forwarded to the Resolutions Committee for consideration in anticipation of receipt of the formal resolution.

Important Dates

May 2014

Notice to Local and Regional League Presidents and Municipal Associations
regarding the Resolutions Committee

June 2014

Appointment of Resolutions Committee Members

July 9th

Deadline for Submitting Resolutions to the League office

August 14th

League Standing Council Meetings
Resolutions Committee Meeting
Voting Delegates Registration

August 16th

Immediately Following Breakfast – Pick Up Voting Delegate Credentials
Followed by Annual Business Session

City Commission Regular Meeting

Agenda Item # 12. b.

Meeting Date: 07/07/2014

Re: City Representation on FLC Legislative Policy Committee

Submitted For: Robert Bradshaw, City Manager

SUBJECT:

City representation by an elected official, Commissioner Alexander, on a Florida League of Cities legislative policy committee.

SUMMARY:

For the past several years, Commissioner Alexander has served as the elected official representative for the City of Fort Pierce on a Florida League of Cities legislative policy committee. He would like to continue representing the City for 2014 - 2015 and attend three mandatory meetings.

RECOMMENDATION:

This item is scheduled at the request of Commissioner Alexander.

ALTERNATIVES:

N/A

RESPONSIBLE STAFF:

City Manager

COORDINATED WITH:

N/A

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

Travel expenses to attend three legislative policy committee meetings:

1. September 12, 2014 - Hyatt Regency Orlando
 2. October 10, 2014 - Hilton Orlando
 3. November 13, 2014 - Hyatt Regency Orlando International Airport
-

Attachments

[FLC 2014-2015 Police Committee Sign-up Form](#)

[FLC 2014-2015 Policy Committee Sign-up Memo](#)



2014-2015 Legislative Committee Sign-Up Form

Due: August 16, 2014

Complete online or return this form to the attention of Holly McPhail

P.O. Box 1757, Tallahassee, FL 32302; fax: (850) 222-3806; email: hmcphail@flcities.com

City/Town/Village of: _____

Name: _____ Title: _____

Address/Zip Code: _____

Phone: _____ Fax: _____

E-mail: _____

Please rank 1 - 5

(1 being your first choice, and 5 being your last choice)

___ Energy, Environmental & Natural Resources

___ Finance, Taxation & Personnel

___ Growth Management & Economic Affairs

___ Transportation & Intergovernmental Relations

___ Urban Administration



Memorandum

To: Florida League of Cities Membership

From: C. Scott Dudley, Legislative Director
Legislative Affairs

Date: June 9, 2014

Re: FLC Legislative Policy Development Process

The Florida League of Cities is pleased to announce the start of the League's legislative policy process for 2014 – 2015. The policy committees develop the League's legislative priorities and help League staff understand the real world implications of proposed legislation. In an effort to get more cities involved, the League is requesting that each city be represented on one or more of the League's Legislative policy committees.

Due to potential Sunshine Law issues, only one elected official per city can be represented on each committee, but a city could have both an elected and non-elected city official on each of the five committees. **Please complete the online sign-up form by August 16, 2014 by clicking [here](#).** Sign-up forms can also be submitted to Holly McPhail via mail, fax or email.

League policy committee appointments will be confirmed by August 22, 2014. Policy committee members are expected to attend the following meetings: (please note that the League is unable to reimburse travel costs)

Legislative Policy Committee Meeting Dates:

- September 12, 2014 – Hyatt Regency Orlando
- October 10, 2014 – Hilton Orlando
- November 13, 2014 – Hyatt Regency Orlando International Airport

Below is a listing of the five League policy committees and the issues that fall within the purview of those committees. Should you have any questions or require additional information, please contact Holly McPhail at the League at (850) 222-9684 or by e-mail at hmcp@mail@flcities.com.

We look forward to your city's involvement developing the League's legislative agenda for the 2015 Legislative Session.

2014 -2015 FLC Legislative Committees

Energy, Environmental & Natural Resources *(Ryan Matthews)*

- coastal management
- energy
- environmental and wetlands permitting
- general utilities
- hazardous and toxic wastes
- recycling
- solid waste collection and disposal
- stormwater
- wastewater treatment and reuse
- water management
- water quality and quantity

Finance, Taxation & Personnel *(Amber Hughes)*

- general finance & tax issues
- home rule revenues
- infrastructure funding
- insurance
- local option revenues
- pension issues
- personnel and collective bargaining issues
- revenue sharing
- tax and budget reform
- telecommunications
- workers' compensation

Growth Management & Economic Affairs *(David Cruz)*

- community redevelopment
- economic development
- growth management and land use planning issues
- annexation
- eminent domain
- tort liability
- property rights
- ethics/elections

Transportation & Intergovernmental Relations *(Megan Sirjane-Samples)*

- affordable housing/foreclosures
- billboards
- charter counties
- charter schools
- gaming
- rights-of-way
- sunshine law
- transportation and highway safety

Urban Administration *(Casey Cook)*

- building & fire safety codes
- building codes and construction
- code enforcement
- emergency management
- homeland security
- public meetings
- public property management
- public records
- public safety
- purchasing
- special districts

City Commission Regular Meeting

Agenda Item # 12. c.

Meeting Date: 07/07/2014

Re: Application For Appointment / Keep Fort Pierce Beautiful Advisory Board

Submitted For: Mike Reals, Public Works Manager, Public Works

SUBJECT:

Submittal of application for appointment to the Keep Fort Pierce Beautiful Advisory Board.

SUMMARY:

Mrs. Linda George lives in Saint Lucie County and operates a local real estate company. Her application for appointment to the Keep Fort Pierce Beautiful Advisory Board will fill a vacancy.

RECOMMENDATION:

Mrs. George has attended previous meetings and has expressed her interest in becoming a member of the board. I would like to recommend the appointment of Mrs. Linda George to the Keep Fort Pierce Beautiful Advisory Board.

ALTERNATIVES:

Continue to search for new board members.

RESPONSIBLE STAFF:

Paul Bertram, Manager, Parks & Grounds

COORDINATED WITH:

Keep Fort Pierce Beautiful Advisory Board

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

Linda George's Application for Appointment



CITY OF FORT PIERCE

100 NORTH US HWY 1

FORT PIERCE, FLORIDA 34950

(772) 467-3000 FAX (772) 467-3841

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Choose Board from drop-down list: Keep Fort Pierce Beautiful Advisory Board

brokerlinda.george@gmail.com

Name: Linda George	Home-Phone: 772-801-5554
Home Address: 4017 Greenwood Drive, Fort Pierce, FL 34982	
Are you a citizen of the United States?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Occupation: Real Estate Broker	
Do you own a business that operates within the City of Fort Pierce? If yes, list the address and nature of said business:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Morningstar Properties-Own my own real estate company. Home based office @ 4017 Greenwood Drive, Fort Pierce, FL 34982	
Do you now or in the future plan to do business with the City of Fort Pierce? If yes, in what capacity?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are you employed by a business that is located within the City of Fort Pierce? If yes, state the business and location:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Do you have special training or knowledge in the area of:	
Architecture: <input type="checkbox"/> Yes <input type="checkbox"/> No Engineering: <input type="checkbox"/> Yes <input type="checkbox"/> No Real Estate Brokering: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Contracting: <input type="checkbox"/> Yes <input type="checkbox"/> No Land Development: <input type="checkbox"/> Yes <input type="checkbox"/> No Other: <input type="text"/>	
Describe your education, background, training and knowledge in the above area(s): Licensed Real Estate Agent/Realtor since 1998 in Florida. Now an active Broker doing business in Fort Pierce.	
Are you currently a member of a Commission-appointed board/committee? If yes, please specify:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Have you ever been convicted of a crime? If yes, what was the nature of the crime(s) you were convicted of:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Date: 1/2/14	Referred by: No one/Saw the description for position online.

Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
or via email at lcox@city-ftpierce.com

City Commission Regular Meeting

Agenda Item # 12. d.

Meeting Date: 07/07/2014

Re: City Attorney's Invoices for Legal Services

Submitted For: Robert Bradshaw, City Manager

SUBJECT:

Discussion led by Mayor Hudson regarding the review and approval of the City Attorney's invoices for legal services and disbursements.

Attachments

Haines City's City Attorney Legal Bill Agenda Item

Haines City's City Attorney Legal Bill for Feb 2014



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The Heart of Florida

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Meetings

Recordings

Notices

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**Haines City
Florida**
**Agenda Item
1240**



5.G City Attorney Invoice for the Billing Period Ending February 28, 2014

Information

Department: City Manager **Sponsors:**
Category: Default

Attachments

- [Statement of Account for February 2014](#)
- [COHC Litigation January 2014](#)

Memo

Introduction

Request for payment of City Attorney's invoices for legal services and disbursements for the billing period ending February 28, 2014.

Background

The City Commission has directed Staff to provide monthly statements for its review of all legal expenditures provided by City Attorney Fred Reilly. The attached Statement of Account gives an overview of legal services and out-of-pocket disbursements incurred by Fred Reilly for and on behalf of the City for City of Haines, for City Litigation for the month of January, and for the month of February 2014. Payment is being requested in the amount of \$12,040.30.

Budget Impact

The cost of services rendered by City Attorney Fred Reilly is \$12,040.30, and is funded in the City Attorney budget for Fiscal Year 2013-14 on page 80.

Recommendation

Approve payment to the City Attorney for legal services and disbursements for the billing period ending February 28, 2014, in the amount of \$12,040.30.

Meeting History

Mar 20, 2014 7:00 PM Audio **City Commission Meeting**

RESULT: **APPROVED BY CONSENT VOTE [UNANIMOUS]**
MOVER: Horace West, Commissioner
SECONDER: Kenneth Kipp, Commissioner
AYES: Don Mason, Horace West, Roy Tyler, Kenneth Kipp
ABSENT: Ronnie Cotton

Select Language ▼

Powered by Google Translate

REILLY INTERNATIONAL LAW FIRM, P.A.
33 North Sixth Street, Suite 4 · Haines City, FL 33844 USA
Mailing Address: P. O. Box 2039 · Haines City, FL 33845 USA
Tel. (310) 927-3954 Fax. (863) 439-5077
fredreilly@attorney-solicitor.com

Andrew R. Reilly

Admitted to practice in Florida.

March 12, 2014

Mr. Jonathan Evans, City Manager
City of Haines City
620 East Main Street
Haines City, FL 33845

Fred Reilly

Admitted to practice in California,
Florida and as an English Solicitor.

Re: Statement for legal services – February 2014

Dear Jonathan,

Enclosed please find my statements for the period from February 1, 2014 through February 28, 2014, as follows:

A. City of Haines City General	\$ 9,976.50
B. COHC Litigation	\$ 1,108.80
	<hr/>
TOTAL	\$11,085.30

BUDGET COMPILATION

2013-2014 Budget for legal fees and expenses	\$150,000.00	100%
Total legal fees and expenses YTD (Billed Oct. – March 2014)	\$ 59,833.96	40%
Total legal fees and expenses YTD (Incurred Oct. – Feb. 2013)	\$ 52,190.56	35%

In addition, I respectfully request that I also be paid for the COHC Litigation fees of \$955.00 which were included in my Statement from February 12, 2014, but were omitted from the Agenda and thus not paid last month.

Please contact me if you have any questions. Thanks in advance.

Very truly yours,
Fred Reilly

Fred Reilly
FR/mp

Reilly International Law Firm, P.A.
P. O. Box 2039
Haines City, FL 33845 USA

Invoice

Bill to:

City of Haines City General

Mr. Jonathan Evans, City Manager
City of Haines City
620 E. Main Street
Haines City, FL 33844

Invoice #:	0000207
Date:	3/12/2014
Amount due:	9976.50
Terms of payment:	

Item	Description	Qty	Unit cost	Price
Time log	2/3/2014, General Legal Services, Correspondence: Reviewed four emails from Jonathan Evans and Garrett Kenny re: Feltrim letter of intent;	0.05	150.00	7.50
Time log	2/3/2014, General Legal Services, Correspondence: Reviewed email from Sean Parker (School Board counsel), two Deeds, Closing Statement, and two Affidavits; Drafted email to Jonathan Evans and Mike Stripling re: review of Deed; Drafted email to Sean Parker re: preparation of City's Closing Statement;	0.72	150.00	108.00
Time log	2/3/2014, General Legal Services, Correspondence: Reviewed James Younger's email re: public records request; Telecom to Captain Brian McNulty re: Mr. Younger's new requests;	0.12	150.00	18.00
Time log	2/3/2014, General Legal Services, Telecom: Telecom to Jonathan Evans and Kari Giddens re: All American Storage lawsuit, deposits for utility service, Feltrim letter of intent, fire assessment, and business incentive program;	0.50	150.00	75.00
Time log	2/4/2014, General Legal Services, Correspondence: Drafted and revised email to James Younger re: follow-up public records request; Reviewed emails from Brian McNulty and Chief Rick Sloan; Telecom to Brian McNulty re: 911 call and ATS video;	0.67	150.00	100.50
Time log	2/4/2014, General Legal Services, Draft document(s): Reviewed Ordinance re: fire assessment with respect to errors/omissions and hardship deferral; Telecom from Kari Giddens re: transfer of parcels and obligation for proration of fire assessment; Reviewed Ordinance re: perfection of lien; Began drafting Application and Agreement for Hardship Deferral; Telecoms to/from Mark Lawson to discuss issues; Telecoms to/from Jonathan Evans to discuss citizen concerns;	2.75	150.00	412.50
Time log	2/4/2014, General Legal Services, Preparation for Commission meeting: Reviewed Agendas for City Commission Workshop and Meeting; Reviewed Agenda Items for City Commission meeting;	0.53	150.00	79.50
Time log	2/4/2014, General Legal Services, Telecom: Reviewed email from Mark Lawson re: implementation of fire assessment; Telecom to Mark Lawson re: implementation of fire assessment, hardship deferral, and perfection of lien; Also discussed meeting to discuss tax credit program;	0.32	150.00	48.00

Item	Description	Qty	Unit cost	Price
Time log	2/5/2014, General Legal Services, Conference: Conference with Roy Tyler re: (i) tax credit program, and (ii) fire assessment statements, including hardship deferral, billing standards in Ordinance, and potential for installment payments; Reviewed prospective Application For Hardship Deferral, Hardship Policy, and website Overivfew received from Mark Lawson; Telecom to James Dinkins re: review of documents;	2.38	150.00	357.00
Time log	2/5/2014, General Legal Services, Correspondence: Drafted email to Jonathan Evans and Rosie Hernandez re: Duke Energy meeting;	0.02	150.00	3.00
Time log	2/5/2014, General Legal Services, Correspondence: Email to James Younger re: follow-up to public records request;	0.03	150.00	4.50
Time log	2/5/2014, General Legal Services, Correspondence: Reviewed letter from Assistant County Attorney Sandra Howard re: two (2) escheat parcels; Drafted emails to Sandra Howard re: City's acceptance of Polk County offer concerning two (2) escheat parcels;	0.30	150.00	45.00
Time log	2/5/2014, General Legal Services, Correspondence: Drafted email to Jonathan Evans and Mike Stripling re: Walsdorf real property donation and issues to be addressed prior to closing;	0.15	150.00	22.50
Time log	2/5/2014, General Legal Services, Correspondence: Reviewed three emails from Mike Stripling and Jonathan Evans re: Walsdorf real property donation;	0.03	150.00	4.50
Time log	2/5/2014, General Legal Services, Correspondence: Reviewed emails from Brian McNulty and Heather Christman;	0.00	150.00	0.00
Time log	2/5/2014, General Legal Services, Correspondence: Reviewed email from Francie Arbonies and Waiver of Liability; Reviewed several Passenger Waiver documents from other jurisdictions; Drafted email to Francie Arbonies;	0.40	150.00	60.00
Time log	2/5/2014, General Legal Services, Correspondence: Reviewed email from Sandra Howard re: two (2) escheat parcels;	0.02	150.00	3.00
Time log	2/5/2014, General Legal Services, Preparation for Commission meeting: Reviewed email from Michael Harvie re: fire assessment and Jonathan Evans' reply email; Reviewed dates of public hearings on Assessment Ordinance, Complaint for Validation pursuant to Section 75.01, Florida Statutes, and Final Judgment; Drafted outline of relevant dates re: Assessment Ordinance and Bond Validation proceedings;	1.60	150.00	240.00
Time log	2/5/2014, General Legal Services, Review document(s): Reviewed email from ATS counsel and appellate decision (City of Fort Lauderdale v. Gonzalez) re: traffic light cameras and citations; Drafted email to Chief Rick Sloan and Captain Brian McNulty re: appellate case; Drafted email to Heather Christman re: appellate case;	0.43	150.00	64.50
Time log	2/5/2014, General Legal Services, Telecom: Reviewed email from Kari Giddens re: check for Walsdorf closing; Left voice message for Sean Parker (Polk County School Board counsel) re:Walsdorf closing;	0.05	150.00	7.50
Time log	2/5/2014, General Legal Services, Telecom: Telecom from Mark Lawson re: issues to discuss prior to City Commission meeting, installment payments, and hardship deferral;	0.72	150.00	108.00
Time log	2/6/2014, General Legal Services, Commission Meeting: Meeting with Mark Lawson at City Hall re: fire assessment; Participated in Commission Workshop and Meeting;	5.00	150.00	750.00
Time log	2/6/2014, General Legal Services, Correspondence: Reviewed email from Sean Parker (Polk County School Board Attorney) and drafted reply email re: Walsdorf closing; Telecom to Kari Giddens;	0.15	150.00	22.50
Time log	2/6/2014, General Legal Services, Correspondence: Reviewed email from Mark Lawson, email from Jonathan Evans, and two emails from Joshusa Fruecht re: posting of fire assessment Overview of City's website;	0.07	150.00	10.50

Item	Description	Qty	Unit cost	Price
Time log	2/6/2014, General Legal Services, Preparation for Commission meeting: Telecom to Jonathan Evans to discuss hardship deferral, installment payments, and discussion of issues with citizens; Telecom to Mark Lawson to discuss Overview, draft Hardship Policy, and draft Hardship Application; Prepared three emails to Jonathan Evans re: Overview, Hardship Policy, and Hardship Application; Reviewed documents in preparation for City Commission meeting;	2.08	150.00	312.00
Time log	2/7/2014, General Legal Services, Correspondence: Reviewed email from Joshua Fruecht re: codification of Code and Land Development Regulations;	0.00	150.00	0.00
Time log	2/7/2014, General Legal Services, Correspondence: Reviewed email from Mercedes Hammond to Joshua Fruecht re: Uniform Method of Collecting Non-Ad Valorem Assessments;	0.00	150.00	0.00
Time log	2/7/2014, General Legal Services, Correspondence: Reviewed email from James D. Younger re: follow-up to public records request; Reviewed Mr. Younger's prior request; Telecom to Captain McNulty re: Mr. Younger's email; Drafted email to Chief Sloan and Captain McNulty re: review of Mr. Younger's email;	0.23	150.00	34.50
Time log	2/7/2014, General Legal Services, Review document(s): Reviewed Application for Final Plat, Peninsular Ridge subdivision plat, survey, Section 13.5.5 of Land Development Regulations, Duke Energy contracts, and Homeowners' Association Bylaws, Homeowners' Declaration of Covenants; Drafted list of items to discuss with Mark Bennet; Reviewed Polk County Property Appraiser records and Florida Secretary of State online records re: CM Games, LLC and Homeowners' Association; Conference with Mark Bennett and Clint Eliason re: Peninsular Ridge subdivision plat;	2.58	150.00	387.00
Time log	2/7/2014, General Legal Services, Telecom: Telecom to Sean Parker re: coordination for closing of Walsdorf real property donation;	0.12	150.00	18.00
Time log	2/8/2014, General Legal Services, Correspondence: Drafted email to Mark Bennett and Clint Eliason re: Peninsular Ridge Final Plat Approval Application, documents reviewed, and comments regarding compliance with Section 13.5.5 of City's Land Development Regulations;	1.35	150.00	202.50
Time log	2/8/2014, General Legal Services, Correspondence: Reviewed email from Chief Rick Sloan re: public records request by James D. Younger; Drafted reply to Chief Sloan re: photographic image/video;	0.12	150.00	18.00
Time log	2/8/2014, General Legal Services, Review document(s): Reviewed emails from Mark Bennett and Tom Deardorff re: TPO; Reviewed letter from Tom Deardorff, Interlocal Agreement for Creation of the Polk Transportation Planning Organization, draft Resolution, TPO Membership Apportionment Plan, Polk TPO Resolution, and other documents included in Tom Deardorff's email; Drafted email to Mark Bennett re: City's TPO Resolution;	0.78	150.00	117.00
Time log	2/9/2014, General Legal Services, Draft document(s): Drafted revisions to Memorandum on Business Incentive Program; Drafted email to Jonathan Evans, Richard Greenwood, Mark Bennett, and Donald Carter;	0.68	150.00	102.00
Time log	2/10/2014, General Legal Services, Correspondence: Reviewed email from Sean Parker (School Board counsel) re: closing;	0.02	150.00	3.00
Time log	2/10/2014, General Legal Services, Correspondence: Reviewed email from Mark Bennett re: Board of Adjustments and Toyota variance; Drafted reply email and telecom to Mark Bennett re: findings of the Board in approving the request for variance;	0.53	150.00	79.50
Time log	2/10/2014, General Legal Services, Correspondence: Reviewed email from Jonathan Evans re: Business Incentive Program Memorandum;	0.02	150.00	3.00

Item	Description	Qty	Unit cost	Price
Time log	2/10/2014, General Legal Services, Correspondence: Reviewed emails from Sean Parker and Paul Senft re: closing; Telecom to Dawn (Sean's assistant) re: closing date and time;	0.08	150.00	12.00
Time log	2/10/2014, General Legal Services, Telecom: Telecom from Donald Carter re: inquiries received by Representative John Woods concerning the fire assessment and the appropriate response;	0.25	150.00	37.50
Time log	2/11/2014, General Legal Services, Conference: Participated in closing with Sean Parker (School Board attorney), Roy Walsdorf, and Paul Senft re: donation of real property to the City;	0.83	150.00	124.50
Time log	2/11/2014, General Legal Services, Conference: Conferences with Commissioners Ken Kipp, Ronnie Cotton, and Mayor Don Mason re: business incentive program;	3.00	150.00	450.00
Time log	2/11/2014, General Legal Services, Correspondence: Reviewed email from Donald Carter to John Woods legislative aide re: fire assessment process;	0.02	150.00	3.00
Time log	2/11/2014, General Legal Services, Draft document(s): Reviewed two emails from Mark Lawson re: Resolution; Drafted revisions to Resolution to defer delinquent payments of fire assessment; Drafted email to Mark Lawson re: revised Resolution;	0.45	150.00	67.50
Time log	2/11/2014, General Legal Services, Telecom: Telecom to Cody Dulaney at The Ledger re: fire assessment process; Telecoms to/from Jonathan Evans and Mark Lawson re: fire assessment;	0.00	150.00	0.00
Time log	2/12/2014, General Legal Services, Conference: Participated in Haines City Chamber and EDC conference re: Winter Haven's 610 Corporation and downtown redevelopment in Haines City; ACTUAL TIME: 1:15 HRS.	0.00	150.00	0.00
Time log	2/12/2014, General Legal Services, Review document(s): Telecom to Joshua Fruecht re: review of Agenda items; Reviewed Agenda Items as follows: (A) Tax Collector's Uniform Collection Agreement, letter from Joe Tedder, Tax Collector, and agenda item; (B) Interlocal Agreement for Special Magistrate, agenda item, and Attorney General Opinion 2000-34 (re: interlocal agreements); (C) Lakes Advisory Committee Resolution and agenda item; (D) four (4) Agreements with Polk County Property Appraiser and agenda item; and (E) Amendment to Department of Corrections Agreement and agenda item;	2.18	150.00	327.00
Time log	2/12/2014, General Legal Services, Telecom: Telecom from Brian McNulty re: response to James D. Younger's public records request;	0.07	150.00	10.50
Time log	2/14/2014, General Legal Services, Appearance: Participated in New Market Tax Credits monthly update at Kissimmee CRA in Kissimmee; ACTUAL TIME SPENT: 4:30+ HRS.	2.00	150.00	300.00
Time log	2/14/2014, General Legal Services, Correspondence: Reviewed four emails from Jonathan Evans and Mike Stripling re: well and water service area issue involving the City of Winter Haven; Telecom to Mike Stripling re: status;	0.15	150.00	22.50
Time log	2/14/2014, General Legal Services, Correspondence: Reviewed email from Mark Bennett re: Sofidel title issue and strip of land; Briefly discussed with Mike Stripling;	0.07	150.00	10.50
Time log	2/16/2014, General Legal Services, Correspondence: Reviewed email from Chief Rick Sloan re: James D. Younger public records request;	0.00	150.00	0.00
Time log	2/16/2014, General Legal Services, Preparation for Commission meeting: Reviewed Agenda and Items in preparation for City Commission meeting; Reviewed Attorney General Opinions re: platted streets, City's Land Development Regulations, and City Code re: platted streets; Drafted email to Jonathan Evans re: Union Contract; Drafted email to Richard Greenwood and Mark Bennett re: Sunset Chase Road Transfer Request; Discussed Sunset Chase with Andrew Reilly; Reviewed Section 95.361, Florida Statutes re: roads presumed to be dedicated;	3.22	150.00	483.00

Item	Description	Qty	Unit cost	Price
Time log	2/17/2014, General Legal Services, Conference: Meeting with Jonathan Evans, Richard Greenwood, Mike Stripling, Tom Hudson, Penny Schwahl and Jerry Miller re: Duke Energy easements and City's trail through easement land, including a discussion of FDOT's involvement in the trail project;	1.33	150.00	199.50
Time log	2/17/2014, General Legal Services, Correspondence: Reviewed email from Joshua Fruecht re: public records request by Julio Morales;	0.03	150.00	4.50
Time log	2/17/2014, General Legal Services, Correspondence: Reviewed emails from Mike Stripling and Jonathan Evans re: Haines City trail and Duke Energy;	0.03	150.00	4.50
Time log	2/17/2014, General Legal Services, Review document(s): Reviewed emails from Jonathan Evans and Mike Stripling re: Rail Spur contracts; Reviewed Rail Spur contracts including Lease Agreement with Florida Midlands and Assignment and Assumption Agreement; Telecom to Jonathan Evans and Mike Stripling re: background of Rail Spur contracts and relationships with CSXT and Florida Midlands; Drafted list of issues related to Lease Agreement; Drafted email to Jonathan Evans and Mike Stripling re: review of fully-executed contracts related to Rail Spur;	2.30	150.00	345.00
Time log	2/18/2014, General Legal Services, Correspondence: Reviewed email from Mark Bennett and Section 13.5.5 of LDRs concerning Sunset Chase; Drafted reply email to Mark Bennett;	0.12	150.00	18.00
Time log	2/18/2014, General Legal Services, Correspondence: Reviewed email from Todd Dielman re: Peninsular Ridge plat and necessary corrections;	0.03	150.00	4.50
Time log	2/18/2014, General Legal Services, Correspondence: Reviewed email from Julie Weston at Crown Castle re: proposal for Amendment to Tower Lease; Discussed issues with Mike Stripling related to proposal for Amendment and issues for negotiation;	0.55	150.00	82.50
Time log	2/18/2014, General Legal Services, Correspondence: Reviewed email from Joshua Fruecht re: public records request concerning Ann Toney-Deal;	0.00	150.00	0.00
Time log	2/18/2014, General Legal Services, Correspondence: Reviewed email from Joshua Fruecht and Notice of Elections;	0.03	150.00	4.50
Time log	2/18/2014, General Legal Services, Correspondence: Reviewed email from Joshua Fruecht and notice concerning Florida Department of Environmental Protection;	0.05	150.00	7.50
Time log	2/18/2014, General Legal Services, Preparation for Commission meeting: Reviewed Agenda Item and Mowing Maintenance Agreement; Reviewed Agenda Item, Resolution re: Haines City Firefighter's Pension Board, resignation notification, and application of Lonnie Large;	2.32	150.00	348.00
Time log	2/20/2014, General Legal Services, Commission Meeting: Conference with Horace West to discuss Business Incentive Program; Participated in City Commission Workshop and Commission meeting at City Hall;	5.92	150.00	888.00
Time log	2/20/2014, General Legal Services, Conference: Conference with Jonathan Evans, Richard Greenwood, and Joshua Fruecht re: public records request re: Ann Toney Deal litigation, and Sofidel rail project and 3' strip of real property;	0.58	150.00	87.00
Time log	2/20/2014, General Legal Services, Correspondence: Reviewed email from Clint Eliason re: Peninsular Ridge final plat;	0.02	150.00	3.00
Time log	2/20/2014, General Legal Services, Correspondence: Reviewed emails from Joshua Fruecht and Kari Giddens re: online payment for fire assessment;	0.00	150.00	0.00
Time log	2/20/2014, General Legal Services, Correspondence: Reviewed email from Joshua Fruecht re: public records request concerning bid documents;	0.00	150.00	0.00
Time log	2/20/2014, General Legal Services, Telecom: Telecoms from and to Joanna Wilkinson re: her public records records request, transcript for shade meetings, and interpretation of Section 286.011, Florida Statutes;	0.73	150.00	109.50

Item	Description	Qty	Unit cost	Price
Time log	2/21/2014, General Legal Services, Commission Meeting: Telecom to/from Bill Grob re: response to public records request by Joanna Wilkinson and shade meeting transcripts;	0.37	150.00	55.50
Time log	2/21/2014, General Legal Services, Conference: Conference with Roy Tyler re: City's Business Incentive Program and application filed by Miracle Toyota;	1.42	150.00	213.00
Time log	2/24/2014, General Legal Services, Correspondence: Reviewed email from Jonathan Evans and Firefighter's Union Notice of Withdrawal;	0.03	150.00	4.50
Time log	2/24/2014, General Legal Services, Correspondence: Reviewed two emails from Jonathan Evans and two emails from Garrett Kenny re: letter of intent discussions; Discussed context with Andrew Reilly and City's position with respect to disposition of public asset; Drafted email to Jonathan Evans summarizing initial comments for discussion prior to response to Garrett Kenny;	1.30	150.00	195.00
Time log	2/24/2014, General Legal Services, Correspondence: Drafted email to Joshua Fruecht re: Joanna Wilkinson's public records request concerning the Recall Committee's financial statement (s);	0.08	150.00	12.00
Time log	2/24/2014, General Legal Services, Review document(s): Reviewed email from Mike Stripling, Dumpster Regulations and Variance Policy; Telecom to Mike Stripling to discuss citation of Code, options for screening dumpsters, and potential problems related to a variance policy; Reviewed Attorney General Opinion re: variance procedure, Florida Statutes re: variance authority, and City's Land Development Regulations concerning variance, conditional use, and administrative waiver;	1.75	150.00	262.50
Time log	2/25/2014, General Legal Services, Telecom: Two telecons from Jonathan Evans re: negotiations with Garrett Kenny concerning prospective hotel site and discussion of email and appropriate response to Mr. Kenny; Also discussed letter to the Editor by Dolphus Howard; Also discussed response to Joanna Wilkinson public records request;	0.70	150.00	105.00
Time log	2/26/2014, General Legal Services, Correspondence: Reviewed article from Joshua Fruecht re: Chamber of Commerce and Sunshine Law;	0.05	150.00	7.50
Time log	2/26/2014, General Legal Services, Correspondence: Reviewed email from Jonathan Evans re: negotiations with Garrett Kenny of Feltrim;	0.05	150.00	7.50
Time log	2/26/2014, General Legal Services, Correspondence: Reviewed email from Duane Draper re: public-private sector partnerships;	0.03	150.00	4.50
Time log	2/26/2014, General Legal Services, Correspondence: Reviewed email from Jonathan Evans re: Landmark Baptist Church and exempt property under the Fire Assessment Ordinance;	0.03	150.00	4.50
Time log	2/26/2014, General Legal Services, Correspondence: Reviewed email from Joshua Fruecht and Subpoena Duces Tecum re: Horace West;	0.03	150.00	4.50
Time log	2/26/2014, General Legal Services, Correspondence: Reviewed Section 267.0625, Florida Statutes, re: derogatory place names; Researched caselaw; Drafted email to Jonathan Evans re; review of statute and caselaw;	0.45	150.00	67.50
Time log	2/26/2014, General Legal Services, Correspondence: Reviewed emails from Joshua Fruecht and Horace West concerning elections signs;	0.03	150.00	4.50
Time log	2/26/2014, General Legal Services, Correspondence: Reviewed email from Joshua Fruecht and Recall Committee Financial Statements;	0.13	150.00	19.50
Time log	2/26/2014, General Legal Services, Review document(s): Reviewed email from Mark Bennett, emails from Duke Energy, and engineers re: multi-use paths and Haines City trail project; Reviewed maps, aerial re: utility easements and Duke guidelines for multi-use paths; Researched ASSHTO definition of multi-use paths; Researched Florida Statutes (Chapter 337) re: utility easements and Florida Attorney General Opinions; Drafted list of issues to discuss with Mark Bennett;	3.33	150.00	499.50

Item	Description	Qty	Unit cost	Price
Time log	2/27/2014, General Legal Services, Correspondence: Reviewed four emails from Jonathan Evans and Commissioner Horace West concerning signs;	0.07	150.00	10.50
Time log	2/27/2014, General Legal Services, Preparation for Commission meeting: Reviewed Conditional Use Permit Application for Big Lots, documents, and Resolution; Reviewed Amendment to Agreement with Department of Corrections; Reviewed Dumpster screening documents for Commission workshop; Telecom with Commissioner Tyler concerning City's compliance with notice requirements related to passage of fire assessment ordinance and judicial validation;	1.88	150.00	282.00
Time log	2/27/2014, General Legal Services, Telecom: Telecoms to/from Mark Bennett re: Duke Energy easements and Haines City Trails project;	0.28	150.00	42.00
Time log	2/27/2014, General Legal Services, Telecom: Telecom from Mark Lawson re: public records request, issues raised at City Commission meeting, and passage of Resolution granting extension of time for payment of fire assessment;	0.33	150.00	49.50
Time log	2/27/2014, General Legal Services, Telecom: Telecom from Joshua Fruecht re: upcoming Agenda items to be reviewed and public records request related to fire assessment;	0.27	150.00	40.50
Time log	2/28/2014, General Legal Services, Telecom: Telecom from Jonathan Evans to discuss enforcement of sign ordinance re: political, youth sports, and commercail signs; Telecom to Horace West to discuss sign issues; Telecom from Richard Greenwood to discuss sign issues; Telecom from Jonathan Evans, Richard Greenwood, and Horace West re: sign issues;	1.12	150.00	168.00
Time log	2/28/2014, Taxation and Finance, Telecom: Telecom from Dr. Lee to discuss retreat background issues and my perspective on challenges facing City;	0.75	180.00	135.00
			Total:	9976.50

Reilly International Law Firm, P.A.
P. O. Box 2039
Haines City, FL 33845 USA

Invoice

Bill to:

COHC Litigation

Jonathan Evans, City Manager
City of Haines City
P. O. Box 1507
Haines City, FL 33845

Invoice #:	0000208
Date:	3/12/2014
Amount due:	1108.80
Terms of payment:	

Item	Description	Qty	Unit cost	Price
Time log	2/3/2014, All American Storage, Reviewed document(s): Reviewed email from Mercedes Hammond, Summons, and Complaint filed by Mercedes Hammond; Drafted email to Jonathan Evans re: Complaint;	0.20	180.00	36.00
Time log	2/4/2014, Jean-Paul v. City of Haines City (13HC-314), Draft document(s): Telecom from Steve Ousley, Judicial Assistant for Judge Hofstad, re: proposed Order; Drafted proposed Order and email to Steve Ousley, Judge Hofstad, and Perrault Jean-Paul; Reviewed letter from Perrault Jean-Paul;	0.72	180.00	129.60
Time log	2/5/2014, Jean-Paul v. City of Haines City (13HC-314), Correspondence: Drafted follow-up letter to Steve Ousley, Judicial Assistant, re: proposed Order; Reviewed email from Perrault Jean-Paul and drafted reply email;	0.22	180.00	39.60
Time log	2/6/2014, Ann Toney-Deal Litigation, Telecom: Reviewed email from William Grob re: compliance with public records request; Telecom to William Grob to discuss compliance, attorney work product, review of records, and schedule for producing records;	0.25	180.00	45.00
Time log	2/16/2014, JPMorgan v. Davison (14HC-302), Draft document (s): Reviewed Lis Pendens and Verified Complaint to Foreclose Mortgage; Drafted Answer to Verified Complaint and letter to Clerk filing Answer;	0.92	180.00	165.60
Time log	2/17/2014, Jean-Paul v. City of Haines City (13HC-314), Correspondence: Reviewed Order re: costs; Drafted letter to Jonathan Evans re: Order, status of quiet title case, and City's position with respect to Code Enforcement Lien;	0.35	180.00	63.00
Time log	2/18/2014, Nationstar v. Alexis (14HC-304), Drafted document(s): Reviewed Verified Complaint for mortgage foreclosure; Drafted Answer and letter to Clerk filing Answer; Reviewed Lien filed by City;	0.88	180.00	158.40
Time log	2/19/2014, Ann Toney-Deal Litigation, Correspondence: Reviewed five emails from Bill Grob and Joshua Fruecht re: Ann Toney-Deal case public records request; Telecom to Claire Goeliner re: letter itemizing documents to be produced; Reviewed transcripts of two Shade meetings between Bill Grob, Jonathan Evans, City Commission, and myself to discuss strategy in the case and settlement;	0.57	180.00	102.60
Time log	2/20/2014, Bank of New York v. Persaud (14HC-303), Drafted document(s): Reviewed Verified Complaint for mortgage foreclosure; Drafted Answer and letter to Clerk filing Answer; Reviewed Lien filed by City;	0.92	180.00	165.60

Item	Description	Qty	Unit cost	Price
Time log	2/20/2014, JP Morgan v. Medieta 13HC-323, Reviewed document(s): Reviewed email from Plaintiff's counsel, Certificate of Disbursements and Certificate of Title;	0.05	180.00	9.00
Time log	2/21/2014, Ann Toney-Deal Litigation, Correspondence: Reviewed email from Joshua Fruecht to Joanna Wilkinson re: Ann Toney-Deal litigation;	0.02	180.00	3.60
Time log	2/21/2014, Ann Toney-Deal Litigation, Telecom: Telecom to Joanna Wilkinson re: public records request, shade transcripts, and forthcoming response from City Clerk; Telecom from Joshua Fruecht re: documents sent to Joanna Wilkinson re: public records request;	0.65	180.00	117.00
Time log	2/24/2014, Ann Toney-Deal Litigation, Correspondence: Drafted email too Joshua Fruecht re: confirmation of shade meeting dates concerning Ann Toney-Deal litigation;	0.10	180.00	18.00
Time log	2/25/2014, Jean-Paul v. City of Haines City (13HC-314), Correspondence: Reviewed letter from Perrault Jean-Paul and drafted reply email concerning Order Awarding Costs;	0.12	180.00	21.60
Time log	2/26/2014, Ann Toney-Deal Litigation, Correspondence: Drafted email to Bill Grob re: shade meetings related to Ann Toney-Deal litigation;	0.07	180.00	12.60
Time log	2/27/2014, Ann Toney-Deal Litigation, Correspondence: Reviewed email from William Grob re: shade meetings;	0.02	180.00	3.60
Time log	2/27/2014, Ann Toney-Deal Litigation, Telecom: Telecom to William Grob re: shade meetings related to litigation;	0.10	180.00	18.00
			Total:	1108.80

Reilly International Law Firm, P.A.
P. O. Box 2039
Haines City, FL 33845 USA

Invoice

Bill to:

COHC Litigation

Jonathan Evans, City Manager
City of Haines City
P. O. Box 1507
Haines City, FL 33845

Invoice #:	0000205
Date:	2/12/2014
Amount due:	955.80
Terms of payment:	

Item	Description	Qty	Unit cost	Price
Time log	1/2/2014, Jean-Paul v. City of Haines City (13HC-314), Research: Research Florida Rules of Civil Procedure and Sectio 57.071, Florida Statutes, re: taxable costs to be awarded by court to prevailing party; Reviewed Florida caselaw re: taxable costs under Section 57.071;	0.53	180.00	95.40
Time log	1/3/2014, Wells Fargo (12HC-306), Reviewed document(s): Reviewed email and letter from plaintiff's counsel, Motion For Continuance of Trial, and proposed Order;	0.07	180.00	12.60
Time log	1/7/2014, Jean-Paul v. City of Haines City (13HC-314), Attended hearing: Preparation for hearing on Plaintiff's Motion For Costs including review of Plaintiff's substantiating documentation and caselaw cited in Plaintiff's brief advocating the award of costs; Traveled to Bartow to attend hearing before Judge Hofstad re: Plaintiff's Motion For Costs;	2.75	180.00	495.00
Time log	1/19/2014, Hancock Bank v. Lexon, Reviewed document(s): Reviewed letter from Dana A. Snyderman to Judge Durden re: Motion to Dismiss hearing;	0.03	180.00	5.40
Time log	1/19/2014, JP Morgan v. Medieta 13HC-323, Reviewed document(s): Reviewed Final Judgment re: foreclosure action;	0.03	180.00	5.40
Time log	1/19/2014, U.S. Bank v. Cleveland, Reviewed document(s): Reviewed Final Judgment of Foreclosure;	0.03	180.00	5.40
Time log	1/19/2014, Wells Fargo (12HC-306), Reviewed document(s): Revised Order on Plaintiff's Motion to Continue Trial;	0.03	180.00	5.40
Time log	1/21/2014, Deutsche Bank v Mirza (14HC-301), Reviewed document(s): Reviewed Mortgage Foreclosure Comlaint and exhibits attached; Drafted email to Edith Christian re: preparation of Answer and letter to Clerk;	0.55	180.00	99.00
Time log	1/21/2014, HSBC v. Blight 13HC-322, Reviewed document(s): Reviewed Notice of Foreclosure Sale and email from Plaintiff's counsel;	0.03	180.00	5.40
Time log	1/21/2014, Wells Fargo (12HC-306), Reviewed document(s): Reviewed two emails from Plaintiff's attorney, Motion For Leave To File Amended Complaint, and Amended Complaint for Mortgage Foreclosure;	0.17	180.00	30.60
Time log	1/22/2014, Hancock Bank v. Lexon, Reviewed document(s): Reviewed email from Plaintiff's counsel, Notice of Cancellation of Hearing, and three Voluntary Dismissal of Counterclaims;	0.05	180.00	9.00
Time log	1/24/2014, Ann Toney-Deal Litigation, Correspondence: Reviewed email from Jonathan Evans re: Joanna Wilkinson's public records request concerning this case;	0.02	180.00	3.60
Time log	1/28/2014, Deutsche Bank v Mirza (14HC-301), Reviewed document(s): Revised Answer to Verified Complaint for Mortgage Foreclosure and letter to Clerk;	0.78	180.00	140.40

Item	Description	Qty	Unit cost	Price
Time log	1/28/2014, GE Money v. Minghella (13HC-327), Reviewed document(s): Reviewed email from Plaintiff's counsel and Notice;	0.03	180.00	5.40
Time log	1/28/2014, Hancock Bank v. Lexon, Reviewed document(s): Reviewed email from Plaintiff's counsel and Notice of Cancellation of Hearing and attached documents;	0.05	180.00	9.00
Time log	1/28/2014, US Bank v. Peebles (13HC-324), Reviewed document(s): Reviewed Notice of Filing Amended Affidavit and email from Plaintiff's counsel;	0.05	180.00	9.00
Time log	1/28/2014, Wells Fargo (12HC-306), Reviewed document(s): Reviewed email from Plaintiff's counsel, Plaintiff Counsel's Affidavit and Affidavit of Attorney's Fees;	0.05	180.00	9.00
Time log	1/30/2014, GE Money v. Minghella (13HC-327), Reviewed document(s): Reviewed email from Plaintiff's counsel and Notice of Filing;	0.03	180.00	5.40
Time log	1/31/2014, Wells Fargo (12HC-306), Reviewed document(s): Reviewed Motion To Excuse From Trial and email from defendant's counsel;	0.03	180.00	5.40
			Total:	955.80

City Commission Regular Meeting

Agenda Item # 12. e.

Meeting Date: 07/07/2014

Re: Proposed Vendor Ordinance Update

Submitted For: Robert Bradshaw, City Manager

SUBJECT:

Discussion led by Commissioner Alexander regarding an update of the proposed vendor ordinance.

Attachments

Memo from Commissioner Alexander

Memo from Code Compliance Manager dated 7-1-14

Memo from City Attorney dated 7-1-14

From City Attorney dated 6-26-14

Email from Code Compliance Manager dated 5-15-14

Memo from Code Compliance Manager dated 1-27-14

Memo from City Attorney dated 12-9-13

Memo from Code Compliance Manager dated 9-6-13



INTEROFFICE MEMORANDUM
FROM THE OFFICE OF THE
COMMISSIONER RUFUS J. ALEXANDER, III

To : Robert V. Schwerer, City Attorney

COPY TO : Robert J. Bradshaw, City Manager

FROM : Commissioner Rufus J. Alexander, III

A handwritten signature in blue ink, appearing to read "RJA/jdr", is written over the "FROM" line.

RE : **Proposed Vendor Ordinance Update – Agenda Item**

DATE : June 24, 2014

I am scheduling an item for the July 7, 2014 City Commission meeting regarding an update of the proposed vendor ordinance. It is my understanding that the ordinance is currently in your office under review and has been for quite some time.

At the July 7, 2014 meeting, please provide the status of the proposed ordinance as well as when I can expect the ordinance to be presented for Commission approval.

Please do not hesitate to contact me if you have any questions regarding my request.

RJA:jdr

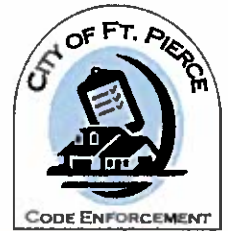
c: Nick Mimms, Deputy City Manager
Peggy Arraiz, Code Compliance Manager



CITY OF FORT PIERCE

COMMUNITY RESPONSE DIVISIONS
MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

Protecting the health, safety and welfare of our community



TO: Jim Walker, Assistant City Attorney
CC: Robert V. Schwerer, City Attorney
Robert Bradshaw, City Manager
Nicholas Mimms, Deputy City Manager
FROM: Peggy Arraiz, Code Compliance Manager
RE: Vendor Ordinance Update
DATE: July 1, 2014

Thank you for taking the time to conduct the review of the proposed vendor ordinance. I have addressed the comments you provided and submit the following update:

A. Amend title –

- Having amended approximately 30 sections, listing each in the title seems a little excessive. However, I did expand the title to include the amendment to each division of the article.

B. Expand findings of fact –

- I am uncertain of your comment that “it is misleading to suggest that the only thing being accomplished here is to expand opportunities for vendors and solicitors by allowing for another form of vending.” Although long and detailed, that is exactly what the ordinance does – it is adding another form of vending. What do you suggest that ordinance is doing otherwise?
- I have expanded this area as requested, but do not believe that I was “misleading” anyone with what was originally submitted.
- If you have additional language that you feel should be included, please advise or provide the exact wording you suggest be incorporated.

C. Definition of Itinerant retail produce merchant - concern over the phrase “natural and unaltered state” –

- I am hesitant to change this wording as recommended because I included the wording specifically provided to me by David Marshall, Department of Agriculture, Division of Food Safety Supervisor.
- You are correct – if they choose to alter their food, they would no longer be covered under the title of “itinerant retail produce merchant”. They would instead be required to upgrade to a full mobile food vendors’ permit and obtain all the approvals required by that section.
- Failure to do so would result not only in fines from the City but also the potential to be fined by the Department of Agriculture, to whom we would report the violation.

D. Definition of Seasonal Sales vendor – concern over listing holidays

- As the current ordinance states: “Seasonal commodities include, but are not necessarily limited to, Christmas trees, flowers, and pumpkins”, expanding on the current ordinance did not appear to be a problem. However, I have changed to definition and eliminated any reference to a specific holiday, including the ones already listed in our current ordinance.

E. The basis for 9-79 – breach of peace

- The amendment was added specifically to address concerns raised by several of the organizations I met with and the City Commissioners regarding how vendors will act. In fact, the Commissioners spent a substantial amount of time deciding if there should be regulations on clothing, etc. For example – having a vendor – of either sex – wearing a thong bikini. This was a very serious and long debated issue, complete with photos of such activities from Dayton Beach. Mr. Schwerer cautioned the Commission about placing restrictions on clothing, etc. Therefore, this amendment was added to satisfy those strong objections.

F. Confirmation that the proposed ordinance eliminates both the \$20 permit fee and the \$100 occupational license fee.

- Yes – that is why both fees have been struck through.
- Additionally, this eliminates the phrase “occupational license fee”, which no longer exists.

G. Elements of commercial speech – 3 requirements

- I have inserted a new section, 9-92- Issuance, and renumbered the following sections. For source reference, I merged together ordinances from the following: Miami –Section 39-31 and Ft. Lauderdale – Section 23-113.

H. Conformance with the City’s Code of Ordinance’s number system.

- I added parentheses to the parts and subparts as requested.

I. Plans of the proposed vehicle or unit for mobile merchants

- Yes, we are requiring plans to be drawn to scale.
- No, it is not required to be done by a professional draftsman, which is clearly indicated in Sec. 9-91 (70)(i)(a), which states: The plan does not need to be drawn by a professional, but must be to scale and clear for review.
- I have attached a slide from the DBPR, which shows how to draw your plan to scale without the help of a professional. We can have a similar information sheet on-hand to provide to anyone who questions this requirement.

J. Recommend deletion of 9-91(a)(13)

- This was not an addition or amendment to the code but is part of our existing ordinance. This was simply a renumbering. Please refer to the current code 9-93(a)(9).
- If you still believe that it should be deleted, please feel free to do so. I have no objections and it was not really part of any discussion item during the investigative process.

K. Expanding the non-profit exemption for door-to-door sales

- I incorporated sections of S.S. 501.022(1)(b)(5-7) as recommended.

L. Strike-out old / underline new

- This section was a little difficult when renumbering because there were already items in existence that I wanted included in the new ordinance.
- The original language of both 9-91 and 9-92 is struck out, but you will find it before 9-93, which was changed to 9-91.
- Then I completely deleted 9-94.
- Thus the new 9-92 and 9-93 are simply showing as new language.
- 9-95 follows by being changed to 9-94 because again, there were parts I wanted to remain.
- If you see a more comprehensive way to number this, please feel free to make those changes. I welcome the assistance with this particular issue.

M. City clerk's discretion to issue a permit

- I feel this discretion is implied under the newly added Sec. 9-92 - Issuance, which requires the City Clerk to put the decision of approval or denial in writing.

N. Removal of language relating to fees under Article IV

- This information was not transferred to another location but was simply deleted.
- Then entire section has been replaced by Item A, which changes all the fees to be set by resolution.
- Items B and C were written specifically to address door-to-door sales and places the burden on the City Manager to consider adjusting the fees, which would no longer be applicable anyhow as the fees are set by resolution of the City Commission.
- Section C requires a bond be placed prior to issuing a license and I did not receive any type of support from the Commission for an additional financial burden on the applicants.

O. Revocation of permits

- You are correct to point out that state statute does not grant such authority to the Code Board or Special Magistrate.
- Unfortunately, we do not have any type of "hearing" procedures for the City's Clerk, which is why I originally made the change.
- I amended this whole section by moving 9-92 - Appeal to this area and renumbering the section appropriately. The wording is now for an appeal of either denial or revocation.

P. Variances

- This item was added at the request of several parties and approved by the City Commission.
- Why it is not done for every code, I cannot say, but this is very similar to the land use, where "one size does not fit all" and therefore a request for relief is provided.
- Examples of situations where a variance might be requested:

- i. The code requires a distance separation of 500 feet between a similar type businesses. If the proposed location is 450 feet and the nearby business is not opposed, a request may be made.
 - ii. Using the same code, this would also prevent more than one mobile vendor at a single location. If Home Depot decided they wanted an ice cream vendor and a hotdog vendor, then a request could be made.
- I have amending the previous version by incorporating language borrowed from Chapter 22, but made it specific to this chapter. I have also amended the Fees Resolution to include the cost of the variance request.

Q. Use of public property

- Special events are regulated by Chapter 12, however, the city also recently expanded the use of public property with the adoption of Chapter 22, Article XV – Sidewalk Cafes. Most of the information in this section was copied from that ordinance.
- You caution about selecting a privileged group, yet the City has already done similar with granting Lisa’s Kayaks the exclusive right to vend within a city park.
- Many jurisdictions throughout the state allow use of public property, specifically streets and sidewalks, for vending. For reference, please refer to the following city’s code of ordinances:
 - i. Jacksonville – Chapter 250, Part 3
 - ii. Gainesville – Chapter 19, Article IV
 - iii. Key West – Chapter 18, Article VI
 - iv. Miami – Chapter 39, Article II
 - v. Sarasota – Sec. 23-3.6
 - vi. St. Petersburg – Chapter 16, Section 16.50.450
- Use of the lottery system
 - i. This idea was submitted by one of the organizations I interviewed and the city commission embraced the idea as it opened up the locations to more businesses by not allowing a single vendor the use of a prime location for longer than 12 months.
 - ii. The Miami code of ordinances – Sec 39-33 (5)(c) – is the basis for this section. Their code is much more substantive than what I proposed. I have made some changes to expand this section to more closely align with the Miami ordinance.

R. Itinerant retail produce merchants vs. vendors

- Thank you for catching this. There was no intent to have two different terms. They have now all be changed to say ‘vendor’.

S. Sec. 9-112(e) requires all regulations of Sec. 9-111

- I had previously considered your recommendation to say that all other sections of this code applies, but the fact is, they do not.
- Produce vendors are in a sub-category that is much less restrictive than mobile food vendors and thus most of Article IV does not apply. In fact the Commissioners are very clear that this type of vending NOT be required to do everything mobile food vendors are required to do. That is why there is only limited reference to 9-111.

T. Ice Cream vendors – noise limits

- This was not an addition or amendment to the code, but simply a re-numbering.
- See the strike through of Sec. 9-81. That entire section was simply copied and re-numbered to 9-113.
- I do not see the need to strike it from this section and amend section 11-48, as that section is enforced by the police department. By leaving it in its existing location, the matter is enforceable by code enforcement.

U. Sec. 9-114 – Seasonal Sales Vendors

- Yes, it was my intent to have these vendors apply for and obtain a permit the same as other vendors. Thank you for catching this error.

V. Request to view comments from other departments

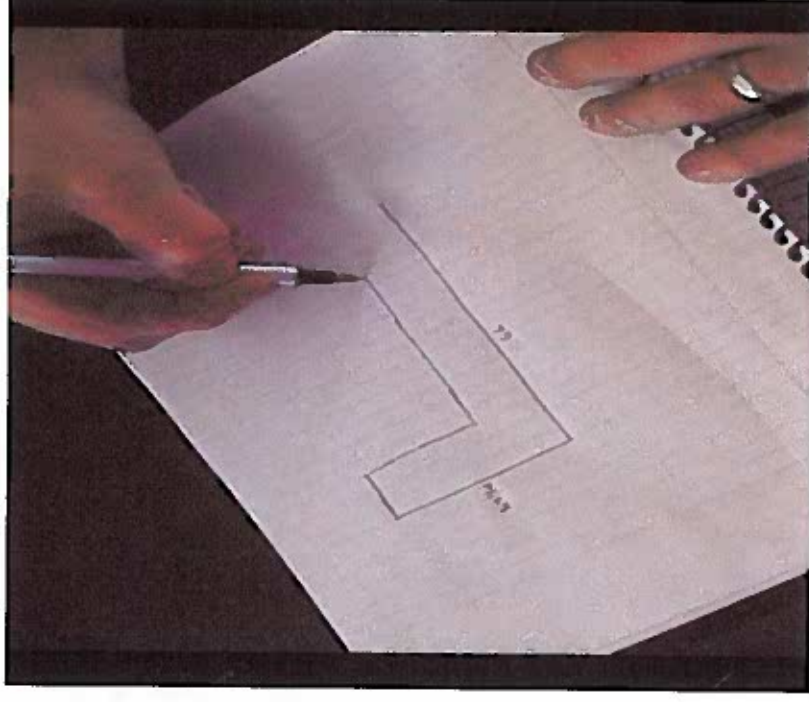
- I have attached the comments from the City Clerk's office and from the FPPD. I do not have written comments from the Planning Department.
- For the record, I have had several discussions with Linda Cox regarding Jeanette's comments and actually have inserted a new section into this draft in response. Please refer to Sec. 9-53, which has been copied from Jacksonville's ordinance Sec. 250.110.

Thank you again for your thorough review of the proposed ordinance and the time taken to review the new changes and amendments I have made in response to your comments. I am hopeful that this 2nd draft will bring us much closer to a final version.

Step 3: How to draw your plan to scale

The plan does not have to be drawn by a professional, but must be to scale and clear for review.

- ***Measure inside the MFDV to get your scale.***
- ***Get a piece of paper and draw the outline of the vehicle. Imagine your vehicle has a invisible roof on which you are standing.***
- ***Draw in all equipment, sinks, hot water heater, etc.***
- ***Submit a side view photo or drawing of the vehicle which shows its wheels and service window.***





INTEROFFICE MEMORANDUM
FROM THE OFFICE OF THE
CITY CLERK

TO : Karen Emerson, Assistant City Attorney
From: Jeanette Conlon, Deputy City Clerk (SC)
RE : Street Vendor Ordinance
DATE : August 2, 2013

RECEIVED
TIME _____
SEP 12 2013
CITY OF FT. PIERCE
CITY MANAGER'S OFFICE

After reviewing the draft copy of the ordinance the changes to the ordinance by the City Clerk's office are as follows:

No - ref permission from private property
Page 1---Sec.9-76-Definitions- Itinerant retail produce merchant shall mean any person going from place to place who engages in a seasonal business, by selling or offering for sale to consumers, any fruit, vegetables, or garden produce, which are sold in their natural and unaltered state.

Page 2---Sec. 9-78-Records- All violations of this article shall be reported to the city clerk code enforcement department all convictions for violation of this article and the city clerk code enforcement department shall maintain a record for each license-permit issued and record the reports of violations therein.

Page 3---Sec. 9-8079-Street vendors Permit and Business Tax Receipt. (this should not be added).

(b) It shall be unlawful for any person to sell or attempt to sell any commodity by means of vending such commodity upon any street, sidewalk, right of way or private property in the city, without first securing a business tax receipt. (this should not be added, should not be both permit and business tax, and street vendor permits are limited to certain areas, this makes it seem like it's okay to do it anywhere in the city).

Page 13---Sec. 9-114-Seasonal Sale Vendors

(1) Every person who engages in the business of seasonal sales within the corporate limits of the city, before engaging in such business, shall apply for and obtain a mobile vending permit and business tax receipt from the city pursuant to this division.
(business tax receipt should not be required for seasonal sales, it is not a requirement now of seasonal sales, and it should not be both permit and business tax receipt).



Re: Mobile Vendors Ordinance - 1st draft <Watchdog: Virus checked>

Sean Baldwin

to:

Peggy Arraiz

07/19/2013 03:16 PM

Hide Details

From: Sean Baldwin <sbaldwin@fppd.org>

To: Peggy Arraiz <parraiz@city-ftpierce.com>

Peggy,

The only input that I have from an enforcement perspective is that the Sec. 9-97 indicates "General violations of this article are considered a Class II violation.." I am not clear on what constitutes a "general violation" and whether that differs from any other violation. I see that there are "general regulations" in Division 3 – so are violations of this section considered a "general violation"? If so, what is the penalty for not having a permit at all? If the intent is that all violations of this article are Class II violations, then we should retitle this section as "Penalties" and state that "ALL violations of this article are Class II violations..."

Along the same lines, I believe that there should be a greater penalty for those that operate without the permit at all as opposed to those that have a permit and just don't put a trash can out or stop their ice-cream truck for more than 5 minutes. Just seems like not having the permit is a more serious infraction. Operating without a business tax receipt is a misdemeanor – I believe.

Just interested... Why don't we require the produce vendors to hold a business tax receipt? Our code says it's illegal to do business without one and I think that's a good idea, unless there is some sort of exemption for farmers I don't know about.

From: Peggy Arraiz <parraiz@city-ftpierce.com>

Date: Monday, July 15, 2013 2:43 PM

To: Anne Satterlee <asatterlee@city-ftpierce.com>, "RSweeney@City-FtPierce.Com" <RSweeney@City-FtPierce.Com>, "AAvery@city-ftpierce.com" <AAvery@city-ftpierce.com>, "JSinger@City-FtPierce.Com" <JSinger@City-FtPierce.Com>, "SCoss@city-ftpierce.com" <SCoss@city-ftpierce.com>, Nicholas Mimms <NMimms@City-FtPierce.Com>, Karen Emerson <Kemerson.cfp@city-ftpierce.com>, Sean Baldwin <sbaldwin@fppd.org>

Cc: "ChristineFamularo@city-ftpierce.com" <ChristineFamularo@city-ftpierce.com>, "CGreer@City-FtPierce.Com" <CGreer@City-FtPierce.Com>, "MaryPeregrin@city-ftpierce.com" <MaryPeregrin@city-ftpierce.com>

Subject: Mobile Vendors Ordinance - 1st draft <Watchdog: Virus checked>

Here is the first draft of the proposed vendor ordinance. It took a major overhaul of Chapter 9, Article IV, so there is a lot of red-lining going on. It may be easier to read it in the final mode rather than final with markups, which is the version being sent. I would appreciate it if you could take the time to review the proposed ordinance and forward me any recommendations you have regarding this matter.

Thank you!

Margaret M. (Peggy) Arraiz
Code Compliance Manager
City of Ft. Pierce
Code Enforcement & Animal Control Divisions
772-467-3148

parraiz@city-ftpierce.com

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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING CHAPTER 9, ARTICLE IV, "PEDDLERS, SOLICITORS AND CANVASSERS"; AMENDING DIVISION 1 - MODIFYING DEFINITIONS, ESTABLISHING THE DUTY TO ENFORCE AND RETAIN RECORDS, MODIFYING PROHIBITED ACTS, AND REQUIRING A PERMIT AND; AMENDING DIVISION 2 - ESTABLISHING PERMIT APPLICATION REQUIREMENTS AND REGULATIONS, PERMIT FEES, EXHIBITION OF PERMIT REQUIREMENTS AND PENALTIES, PROVIDING RIGHTS OF APPEAL, REQUESTS FOR VARIANCES AND PERMITTING LIMITED USE OF PUBLIC RIGHT OF WAY AND; AMENDING DIVISION 3 - ESTABLISHING AND MODIFYING REGULATIONS FOR MOBILE VENDORS, ITINERANT RETAIL PRODUCE VENDORS, ICE CREAM VENDORS AND SEASONAL SALES VENDORS AND; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Code of Ordinances of the City of Fort Pierce, Florida regulates the sale of goods and merchandise by persons operating as vendors or solicitors; and

WHEREAS, the City of Fort Pierce, Florida wishes to expand these types of sales to include mobile vending to benefit its residents and visitors; and

WHEREAS, to ensure that these services remain a benefit and do not become a burden on neighboring businesses and residents, the City of Fort Pierce, Florida shall provide such regulations as necessary; and

WHEREAS, certain limited use of public lands and right of ways will be impacted by such mobile vending being permitted at designated locations within the City limits; and

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida:

SECTION 1. Chapter 9, Article IV of the Code of Ordinances of the City of Fort Pierce, Florida, is hereby amended so that the same shall read hereinafter as follows:

Article IV. – ~~Peddlers, Vendors~~ & Solicitors and Canvassers

Division 1. - Generally

Sec. 9-76. Definitions.

As used in this article:

~~Agent is defined to be a person engaged in telephone canvassing or solicitation, or in a house-to-house canvass, demonstrating or taking orders for any goods, wares or merchandise or taking orders from samples where goods are to be delivered later. Goods, wares and merchandise as herein defined shall be held to include, but not restricted to, a photograph and coupons or tickets good in whole or in part for a photograph, magazine, periodical or other merchandise.~~

~~Canvasser, vendor or solicitor is defined as any individual, whether resident of the city or not, soliciting by telephone or traveling either by foot, wagon, automobile, motor truck or any other type of conveyance, from place to place, from house to house or from street to street, taking or attempting to take orders for sale of goods, wares and merchandise, personal property of any nature whatsoever for future delivery, or for services to be furnished or performed at said time or in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of such sale or whether he is collecting advance payments on such sales or not; provided further, that such definitions shall include any person who, for himself or for another person, hires, leases, uses or occupies any building, structure, tent, railroad boxcar, boat, hotel room, lodging house, apartment,~~

~~shop or any other place within the city for the sole purpose of exhibiting samples and taking orders for future delivery.~~

Commissary is a state approved facility that provides support services for specific required functions to any mobile food vendor, including but not limited to a mobile food vehicle or a mobile food cart. Services required of the commissary are based upon the food sold and the mobile food vendor type. A private residence may not be used as a commissary.

~~*Itinerant peddler or hawker* is defined to be a nonresident of the city who, by telephone sales, or one who goes from house to house, or place to place, exposing for sale and selling goods, wares or merchandise under the conditions and circumstances stated in the following paragraph.~~

Itinerant Retail Produce Vendor shall mean any person going from place to place who engages in a business, by selling or offering for sale to consumers, any fruit, vegetables, or garden produce, which are sold in their whole, natural and unaltered state.

Mobile Food Dispensing Vehicle (MFDV) is classified as a vehicle-mounted public food service establishment, self-propelled or otherwise movable from place to place. Such vehicles must be self-sufficient for utilities (e.g., gas, water, electricity, and liquid waste disposal). Each MFDV is required to have a state approved commissary that they report to at least once a day. MFDVs may also be referred to as Mobile Food Establishments.

- a. *Hot dog carts* are MFDVs that limit food preparation to hotdogs and sausages only and the sale of limited pre-packaged food.
- b. *Mobile food carts* are any non-motorized MFDV used to store, prepare, cook and / or serve food and beverages for immediate consumption.
- c. *Ice Cream Vendors* and MFDVs that limit food sales to pre-packaged individually portioned frozen novelties, soft served or hand dipped frozen dairy products or frozen water based products.
- d. *Lunch Trucks* are MFDVs that are transient in nature and specifically authorized to cater to customers on private commercial or industrial property for a short period of time not to exceed 60 minutes.
- e. *Mobile food vehicles* are any motorized MFDV used to store, prepare, cook and / or serve food and beverages for immediate consumption.

Mobile merchant sales shall include any vendor selling non-food products.

Mobile merchant vehicle shall be any vehicle mounted establishment, which is self-propelled or otherwise movable from place to place utilized for mobile merchant sales.

~~*Peddler* is defined to be a person who solicits by telephone or who brings goods, wares or merchandise from outside the city or state or where the goods, wares or merchandise is manufactured in the city for sale at retail, and is in this state at the time that all negotiations prior to and at the sale thereof are had, and the goods, wares or merchandise is not sold in original packages in interstate commerce but at retail, in small quantities, by means of telephone solicitation or house to house, or place to place, canvass. Goods ordered, or in transit, that were so ordered without reference to particular sales, shall be deemed to be in the state.~~

Place of business shall include any commercial zoned off-street location, lot, or premises where any truck, wagon, automobile, trailer, cart, or vehicle is parked, with written permission from the property owner, wherein there shall be kept for sale, or to be offered for sale, any prepared food, beverages, fruit, vegetable, or garden produce.

Seasonal sales vendor shall mean outside vendors of products traditionally associated with seasonal sales or holidays.

(Code 1960, § 14-30(a-d))

Sec. 9-77. Duty of police to enforce.

It shall be the duty of any police officer or code enforcement officer of the city to ~~require any person seen soliciting or canvassing, and who is not known by such officer to be duly licensed, to produce his solicitor's or canvasser's license and to~~ enforce the provisions of this article against any person found to be violating the same.

(Code 1960, § 14-36)

Cross reference— Police department, Ch. 14.

Sec. 9-78. Records.

~~The chief of police shall~~ All violations of this article shall be reported to the city clerk code enforcement department, who all convictions for violation of this article and the city clerk shall maintain a record for each license permit issued and record the reports of violations therein.

(Code 1960, § 14-37)

Sec. 9-79. Prohibited acts.

- (a) It shall be unlawful for any person to enter upon any private premises without permission or invitation from the occupant or homeowner.
- (b) It shall be unlawful for any solicitor, canvasser or peddler vendor to refuse or fail to leave any private premises in the city upon being requested by the owner, occupant or person in charge thereof.
- (c) No solicitor, canvasser or peddler vendor shall enter in or upon any house, building or other structure or upon any land or property, without the prior consent of the owner or occupant thereof, where there is placed or posted on the premises in a conspicuous position at or near the usual means of ingress, a sign or other form of notice stating or indicating that the owner or occupant thereof forbids or otherwise does not desire persons engaged in such or similar activity to enter upon the premises.
- (d) No solicitor, canvasser or vendor shall conduct themselves or their business in an unlawful manner or in such manner as to constitute a breach of peace, offensive to public decency or menace to the health, safety or general welfare of the public in violation of § 877.03 Florida Statutes.

(Code 1960, § 14-30)

State law reference— Burglary and trespass, F.S. Ch. 810.

Sec. 9-80. ~~Street vendors—~~Permit.

- (a) It shall be unlawful for any person to sell or attempt to sell any commodity by means of vending such commodity upon any street, sidewalk, public right of way or private property in the city, without first securing a permit and paying a fee of twenty dollars (\$20.00) therefor and an annual occupational license fee of one hundred dollars (\$100.00)- the annual permit fee, such fee to be set by resolution of the City Commission.
- (b) Violations of this section shall be a Class III violation.

(Code 1960, § 14-61)

~~Sec. 9-81. Same—~~Regulation.

- a.—~~General.~~ The rules in this section shall be complied with by each person using a vehicle for street vending.

- b.—*Prohibited sales.* It shall be unlawful for any street vendor to sell or attempt to sell any commodity:
- 1.—By means of any outcry, sound, speaker or amplifier, or any instrument or device which can be heard for a distance greater than three hundred (300) feet, or when passing a hospital, church or other place of worship during the hours when services are being held.
 - 2.—Within five hundred (500) feet of any school during the school year.
- e.—*Noise—Vehicle stopped.* It shall be unlawful for any such vendor to use, play or employ the use of any sound, outcry, amplifier, loudspeaker, radio, phonograph with a loudspeaker or amplifier or any other instrument or device when the vehicle such vendor is using is stopped for the purpose of making a sale.
- d.—*Same—Hours.* The use by the vendor of any such noise, instrument or device which emits a loud sound shall be prohibited before the hours of 9:00 a.m. on weekdays and 1:00 p.m. on Sundays, or after 7:00 p.m. on any day.
- e.—*Traffic.* It shall be unlawful for any vendor to:
- 1.—Exceed a speed of twelve (12) miles an hour when cruising neighborhoods seeking sales or when attempting to make a sale.
 - 2.—Stop anywhere within twenty-five (25) feet of an intersection when making a sale or attempting to make a sale.
 - 3.—Double park, or park in any manner contrary to any ordinance relating to parking, when attempting a sale or when making a sale.
 - 4.—Make a U-turn on any block.
 - 5.—Drive his vehicle backwards to make or attempt to make a sale.
 - 6.—Sell to any person who is standing in the street.
 - 7.—Permit any person to hang on the vehicle or permit any person to ride in or on the vehicle except a bona fide assistant or assistants.
 - 8.—Remain standing or stopped at any place for a period of time exceeding five (5) minutes.
 - 9.—Sell or attempt to sell along any particular route more than one time during a twenty-four-hour period.

(Code 1960, § 14-62)

Sec. 9-82. Seasonal vendors; permit.

It shall be unlawful for any person to sell or attempt to sell on private property any seasonal commodity without first securing a permit. Seasonal commodities include, but are not necessarily limited to, Christmas trees, flowers, and pumpkins. A permit may not be issued unless the applicant has written permission of the property owner or agent to conduct the seasonal sale for which application is made.

(Ord. No. K-09, § 1, 4-17-00; Ord. No. K-142, 3-18-02)

Secs. 9-83~~1~~—9-90. Reserved.

Division 2. – License Permit Generally

Sec. 9-91. Required:

It shall be unlawful for any solicitor, canvasser, peddler, hawker, itinerant merchant, transient vendor of merchandise or agent as defined in section 9-76 to engage in such businesses within the corporate limits of the city without first obtaining a permit and license therefor in compliance with the provisions of this article, excepting therefrom persons engaged solely in interstate commerce, who shall be exempt from license fees only.

~~(Code 1960, § 14-29)~~

~~Sec. 9-92. Appeal.~~

~~Any person aggrieved by the action of the chief of police or the city clerk in the denial of a permit or license as provided in section 9-94, or the revocation by the city manager in the assessing of the fee as provided in section 9-95(e) shall have the right of appeal to the city commission. Such appeal shall be taken by filing with the city commission, within fourteen (14) days after notice of the action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds for the appeal. The commission shall set a time and place for a hearing on such appeal and notice of such hearing shall be given to the appellant in the same manner as provided in section 9-98 for notice of hearing on revocation. The decision and order of the city commission on such appeal shall be final and conclusive.~~

~~(Code 1960, § 14-39)~~

~~Sec. 9-93~~**1. Application.**

(a) Applicants for permit ~~and license~~ under this article must file with the city clerk a sworn application in writing ~~in duplicate~~ which shall give the following information:

- (1) Name ~~and description~~ of the applicant.
- (2) Permanent home address and ~~full local address~~ valid telephone number of the applicant.
- (3) A brief description of the nature of the business and the goods, food or beverages to be sold.
- (4) ~~If employed, the name and address of the employer, together with credentials establishing the exact relationship.~~ E-mail address of the applicant.
- (5) ~~The length of time for which the right to do business is desired.~~ The address of the planned vending site, including the property owner's name and telephone number.
- (6) ~~The place where the goods or property proposed to be sold, or orders taken for the sale thereof, are manufactured or produced, where such goods or products are located at the time said application is filed, and the proposed method of delivery.~~ For Mobile Food Dispensing Vehicles:
 - (i) Copy of current license from the State of Florida / Department of Business & Professional Regulations or Department of Agriculture; and
 - (ii) Copy of the vehicle or unit plans as submitted to the State of Florida / Department of Business & Professional Regulations or Department of Agriculture.
 - (iii) Copy of the notarized Commissary Agreement and submitted to the State of Florida / Department of Business & Professional Regulations or Department of Agriculture.
- (7) ~~A photograph of the applicant, taken within sixty (60) days immediately prior to the date of the filing of the application, which picture shall be two inches by two inches showing the head and shoulders of the applicant in a clear and distinguishing manner.~~ For Mobile Merchant Sales:
 - (i) Submit a plan of the proposed vehicle or unit.
 - a) The plan does not need to be drawn by a professional, but must be to scale and clear for review.
 - b) The plan should show both a top view and front view of the vehicle or unit.
 - c) The plan should include, but is not limited to, all equipment, shelving, windows, wheels, umbrellas, or awnings.
- (8) ~~The fingerprints of the applicant and the names of at least two (2) reliable property owners of the county who will certify as to the applicant's good character and business responsibility or, in lieu of the names of the references, such other available evidence as to the good character and business responsibility of the applicant as will~~

- enable an investigator to properly evaluate such character and business responsibility. Copy of a valid vehicle registration for any motorized unit.
- (9) A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefor. For use of any private commercial property, a limited site plan must be submitted.
- (i) The plan does not need to be drawn by a professional, but must be to scale and clear for review. A general survey or sketch will be acceptable. For large properties, only a drawing of the immediate area is required.
 - (ii) The plan must show all existing structures or significant features.
 - (iii) Diagram of all available parking, identifying both required parking and additional parking spaces and proposed location of unit.
 - (iv) Identify appropriate set-backs for accessory structures.
 - (v) A notarized affidavit of permission to vend from the property owner, if different from the applicant.
- (10) For door-to-door solicitors or vendors:
- (i) If employed, the name and address of the employer, together with credentials establishing the exact relationship.
 - (ii) The length of time for which the right to do business is desired.
 - (iii) Minors conducting home solicitation sales under the supervision of an adult, or solicitors, salespersons, or agents making calls or soliciting orders on behalf of a religious, charitable, scientific, educational, or veterans' institution or other non-profit organization are exempt from this section.
- (11) A statement by a reputable physician of the city, dated not more than ten (10) days prior to submission of the application, certifying the applicant to be free of contagious, infectious or communicable disease. A photograph of the applicant, taken within sixty (60) days immediately prior to the date of the filing of the application, which picture shall be two-inches by two-inches showing the head and shoulders of the applicant in a clear and distinguishing manner.
- (12) At the time an applicant requests permission to solicit within the city a fee of twenty dollars (\$20.00) for each applicant shall be paid to the city clerk to cover the cost of investigation of the facts stated in the application, but in no event shall the application be refunded. Photographs of the vehicle or unit, showing front, side and back views.
- (13) A sworn affidavit as to whether or not the applicant has been convicted of any felony or misdemeanor, the nature of the offense and the punishment or penalty assessed.
- (14) Proof of general liability insurance, such proof in a form acceptable to the City, issued by an insurance company that is licensed to do business in the State of Florida, protecting the applicant from all claims for damages to property or bodily injury, including death, which may arise from operations under or in connection with mobile vending. If applying to use public property or right-of-way, City of Fort Pierce is to be named as an additional insured.
- (15) For all motorized mobile vending units, proof of auto liability insurance, such proof in a form acceptable to the City, issued by an insurance company that is licensed to do business in the State of Florida, protecting the applicant from all claims for damages to property or bodily injury, which may arise from the use of a motor vehicle in connection with mobile vending and shall be in an amount no less than \$500,000 per occurrence.
- (16) Any permit application and / or review fee that may be assessed by resolution of the City Commission.

Sec. 9-94. Investigation; issuance.

- a. ~~Upon receipt of the completed applications by the city clerk, the original shall be referred to the chief of police, who shall cause such investigation of the applicant's business and moral character to be made as he deems necessary for the protection of the public good. At least ten (10) days shall be allowed for such investigation.~~
- b. ~~If as a result of such investigation, the applicant's character or business responsibility is found to be unsatisfactory, the chief of police shall endorse on such application his disapproval and his reasons for the same, and return the said application to the city clerk, who shall notify the applicant that his application is disapproved and that no permit and license will be issued.~~
- e. ~~If as a result of such investigation, the character and business responsibility of the applicant are found to be satisfactory, the chief of police shall endorse on the application his approval. Such application, signed by the chief of police or his designated subordinate, along with a permit (identification card) shall be returned by the police department to the city clerk who shall, upon payment of the prescribed license fee, if any, deliver to the applicant his permit (identification card) and prescribed license. The said permit (identification card) shall contain the following:~~
 1. ~~Photograph of applicant.~~
 2. ~~Fingerprint of applicant.~~
 3. ~~Date of issuance and date of expiration.~~
 4. ~~Name and address of applicant, and the business applicant is representing.~~
 5. ~~That said permit may be revoked at the discretion of the city commission.~~
 6. ~~That the permit is not transferable.~~
 7. ~~That the permit must be carried on the person and shown on request.~~
 8. ~~Solicitors must not go to back or rear doors.~~
 9. ~~Statement that the issuance of said permit is not an endorsement of the bearer or the merchandise or service offered, nor the business methods used in selling the same.~~
 10. ~~Signature of the city clerk.~~

(Code 1960, § 11-32)

Sec. 9-92. Issuance

Not later than 30 days after the filing of a completed application for a vendor's license, the applicant shall be notified by the city clerk's office of the decision on the issuance or denial of the license. If the issuance of the license is approved, the city clerk shall issue the license. If the license is denied, the applicant shall be provided with a statement of the reasons therefor, which reasons shall be entered in writing on the application. Failure of the city clerk to place notification of said decision in the mail or personally notify the applicant with acknowledgment shall require immediate issuance of the requested license to the applicant.

Sec. 9-953. Fees.

- (a) The fee which shall be charged by the city for a license under this article shall be one hundred dollars (\$100.00). All fees required for permit application review and the annual permit fee shall be established by resolution by the City Commission.
- (b) Permit fees collected under this Article are fees paid for the purpose of defraying the cost of administration of this Article and are declared to be regulatory fees in addition to and not in lieu of the business tax receipt imposed by Sec. 9-16 of this Chapter. The payment of a permit fee under this Article shall not relieve any person of liability for and the responsibility of paying a business tax where it is required by Sec. 9-16 of this Chapter and for doing such acts and

~~providing such information as may be required by this Chapter. None of the license fees provided for by this article shall be so applied as to occasion an undue burden upon interstate commerce. In any case where a license fee is believed by a licensee or applicant for license to place an undue burden upon such commerce, he may apply to the city manager for an adjustment of the fee so that it shall not be discriminatory, unreasonable or unfair as to such commerce. Such application may be made before, at or within six (6) months after payment of the prescribed license fee. The applicant shall, by affidavit and supporting testimony, show his method of business and the gross volume or estimated gross volume of business and such other information as the city manager may deem necessary in order to determine the extent, if any, of such undue burden on such commerce. The city manager shall then conduct an investigation, comparing applicant's business with other businesses of like nature and shall make finding of fact from which he shall determine whether the fee fixed by this article is unfair, unreasonable or discriminatory as to applicant's business and shall fix as the license fee for the applicant an amount that is fair, reasonable and nondiscriminatory, or if the fee has already been paid, shall order a refund of the amount over and above the fee so fixed. In fixing the fee to be charged, the city manager shall have the power to base the fee upon a percentage of gross sales, or any other method which will assure that the fee assessed shall be uniform with that assessed on businesses of like nature, so long as the amount assessed does not exceed the fees as prescribed by subsection (a). Should the city manager determine the gross sales measure of the fee to be the fair basis, he may require the applicant to submit, either at the time of termination of applicant's business in the city or at the end of each three month period, a sworn statement of the gross sales and pay the amount of fee therefor, provided that no additional fee during any one calendar year shall be required after the licensee shall have paid an amount equal to the annual license as prescribed in subsection (a):~~

- ~~(c) Every applicant not a resident of the city, or who being a resident of the city represents a firm whose principal place of business is located outside the state, shall file with the city clerk a surety bond, running to the city in the amount of one thousand dollars (\$1,000.00) with surety acceptable to and approved by the city attorney, conditioned that the applicant shall comply fully with all the provisions of the ordinances of the city and the statutes of the state regulating and concerning the business of solicitor, and guaranteeing to any citizen of the city that all money paid as a down payment will be accounted for and applied according to the representations of the solicitor, and further guaranteeing to any citizen of the city doing business with said solicitor, that the property purchased will be delivered according to the representations of said solicitor. Action on such bond may be brought in the name of the city for the use or benefit of the aggrieved person:~~

~~(Code 1960, § 14-33)~~

Sec. 9-96. Badges.

~~The city clerk may issue to each licensee under this article at the time of delivery of his license a badge which shall contain the words "licensed solicitor," the period for which the license is issued and the number of the license, in letters and figures easily discernible from a distance of ten (10) feet. Such badge shall, during the time such licensee is engaging in soliciting, be worn constantly by the licensee on the front of his outer garment in such a way as to be conspicuous.~~

~~(Code 1960, § 14-34)~~

Sec. 9-974. Exhibition of license permit.

~~Solicitors, canvassers, agents or peddlers, hawkers, itinerant merchants or transient Approved vendors of food or merchandise are required to exhibit their licenses at the request of any police officer or any person being solicited permits at all times in a prominent location, no lower than 40" and no higher than 65" above the ground. Approved canvassers or solicitors must show their permit upon the request of any person being solicited or by any representative of the City.~~

~~(Code 1960, § 14-35)~~

Sec. 9-985. Revocation Penalties.

(a) Unless otherwise stated, violations of this article are Class II violations as defined in Section 2-260 and shall be addressed as provided for in Chapter 2, Article XIII.5 of the City Code.

(a)(b) Permits and licenses issued under the provisions of this article may be revoked by the city clerk after notice and hearing, for any of the following causes:

- (1) Fraud, misrepresentation or false statement contained in the application for license permit;
- (2) Fraud, misrepresentation or false statement made in the course of carrying on or conduct of a business as solicitor, canvasser, agent, peddler, hawker, itinerant merchant or transient vendor or activities for which the city has issued a permit under this article;
- (3) Any Two or more violations of this article;
- (4) Conviction of any crime or misdemeanor involving moral turpitude Operating outside vending locations approved under the permit issued; or
- (5) Conducting the business of soliciting, canvassing or peddling vending in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.
- (6) Failure to comply with any conditions included in the permit.

Sec. 9-96. Appeal

(b) Any person aggrieved by the denial or revocation of a permit as provided in this article shall have the right to appeal to the city manager. Such appeal shall be taken by filing with the city manager's office, within fourteen (14) days after notice of the action complained of has been mailed to such person's last known address, a written statement Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the ground of the appeal. Complaint The city manager shall set a date and the time and place of hearing of such appeal. Such notice shall be mailed, postage prepaid, to the licensee at his last known address at least five (5) days prior to the date set for hearing. The decision and order of the city manager on such appeal shall be final and conclusive.

Sec. 9-97. Request for Variance.

Any person who wishes to obtain a mobile vending permit that does not comply with the provisions of this article must petition the city commission for a variance. Variance requests will not be accepted for mobile vending permits issued for public property use.

- (a) Application for a variance shall be made by the owner of the property where the variance is requested by filing an application on a form prescribed by the city and submitted to the city clerk's office.
- (b) The applicant is responsible for submitting the variance request fee, which shall be set by resolution as well as all advertising costs.
- (c) The city commission shall hold a public hearing prior to acting on the variance request.
- (d) In permitting a variance, the city commission may impose, in addition to those standards and requirements expressly specified in this chapter, any condition which it finds to be necessary to protect the best interest of the surrounding property of the city.

Sec. 9-98. Use of City Property.

- (a) The City will maintain a map of approved vending locations that utilize public property or right of way.
- (b) Approved city vending locations will be assigned by lottery, which shall be drawn annually at the first Commission meeting in September.

- a. “Notice of Vending Opportunities for the South Beach and Downtown Areas” shall be publicly advertised in a newspaper of general circulation fifteen (15) days prior to the drawing and shall indicate the pending availability of exclusive vending sites, the terms of such availability, including the date, place and time of the lottery.
 - b. Vendors who wish to participate in the annual lottery must provide a completed application and all required documents as required in Sec. 9-91 of this chapter.
 - c. All qualified vendors shall have their names placed into containers for a public drawing by the city clerk.
 - d. The rights to use public property assigned by the lottery shall be for a term of 12 months, beginning on October 1st and expiring on September 30th of the following year.
 - e. For vending sites that become available during the standard license period due to vacancy, abandonment, or enforcement action, the city clerk may specify the date, time and place for the holding of a special lottery for such designated vending site(s) and shall publicly advertise said information as for a posted notice lottery.
- (c) No other use of city property or right of way is permitted without a special event permit, a valid sidewalk café permit or approval of the City Commission.

(Code 1960, § 14-38)

Secs. 9-99—9-110. Reserved.

DIVISION 3. ~~ITINERANT PRODUCE VENDOR’S LICENSE~~ MOBILE VENDING

Sec. 9-111. Definitions.

For the purposes of this division:

Itinerant retail produce merchant shall mean any person who engages within the limits of the city in a seasonable business during certain seasons of the year only, by selling or offering for sale at retail to consumers, any fruit, meat, meat products, vegetables, garden produce, flowers or shrubs.

Place of business shall include any commercial zoned off street location, lot, or premises where any truck, wagon, automobile, trailer, or other vehicle is parked, with written permission from the property owner, wherein there shall be kept for sale, or to be offered for sale, any fruit, meat, meat products, vegetables, garden produce, flowers, or shrubs. It shall be unlawful for any person to place or cause to be placed at such place of business any box, crate, stand, counter, or shelving independent from said truck, wagon, automobile, trailer, or other vehicle used in and about the conduct of such business.

Sec. 9-111. General Regulations.

- (a) The telephone number included on the permit application must remain valid and active at all times. The vendor is responsible for notifying the city of any changes to their contact information.
- (b) Mobile vending units must comply with the following minimum distance requirements, which shall be measured from the approved vending location to the nearest point of an established property line:
 - (1) 500 ft. from a similar type business
 - (2) 300 ft. from a school or church
 - (3) 1000 ft. from an approved special event
- (c) May not block the ingress / egress to any property, sidewalk or street.
- (d) May not block or impede pedestrian or vehicular traffic.
- (e) Mobile vending units operating on the sidewalk or City right-of way must allow for five (5) foot clear pedestrian clearance.

- (f) May only operate at the approved location, clearly identified on the permit.
- (g) May have one (1) advertisement sign with a maximum size of sixteen (16) square feet. Such sign may not be free standing, illuminating, moving, flashing or utilizing neon color typically reserved for emergency services. Such restriction to be separate from any business name, decal or logo professionally installed on any motorized MFDV.
- (h) May have one (1) menu sign with a maximum size of nine (9) square feet.
- (i) No amplified sounds, music or other loud noises, except as provided for in Sec 9-113 – Ice Cream Vendors.
- (j) A trash receptacle must be provided and must be removed by the operator daily. Trash may not be placed within public street side trash receptacles.
- (k) Mobile vendors are responsible for picking up all litter and waste within twenty-five (25) feet of their unit.
- (l) No wastewater leakage or any other leakage is allowed.
- (m) A single umbrella is permitted provided it is maintained in good condition and does not impede traffic or block clear vision areas.
- (n) It shall be unlawful to place any chair, table, box, crate, stand, counter or shelving independent from the approved mobile vending unit.
- (o) No mobile vending unit is to be left unattended at any time and must be removed from the location when not in operation.

(Code 1960, § 11-27; Ord. No. 1-123, § 7, 8-5-85)

Sec. 9-112. Required Itinerant Retail Produce Vendor.

- (a) Every person who engages in the business of an itinerant retail produce ~~merchant~~ vendor within the corporate limits of the city, before engaging in such business, shall apply for and obtain a license mobile vending permit ~~therefor~~ from the city ~~clerk to do so~~ pursuant to this division.
- (b) ~~No occupational license fee shall be required for the sale by any farmer of any fruits, vegetable or garden produce raised by such farmer, exhibiting a valid Florida grower's permit. A business tax receipt is not required for itinerant retail produce vendors.~~
- (c) All products and produce offered for sale under this division must be clean, wholesome and in good sanitary condition and their state and condition shall comply with the pure food laws of the state.
- (d) Itinerant retail produce vendors are permitted to vend from any truck, wagon, automobile, trailer or other vehicle provided that the vehicle is properly registered with the State of Florida. A copy of such registration shall be submitted with the permit application.
- (e) All other regulations as outlined in section 9-111 of this chapter shall apply.

(Code 1960, § 11-28; Ord. No. 1-123, § 8, 8-5-85)

Sec. 9-113. Approval of health department required.

~~An applicant for a license under this division shall receive approval of the county health department as to the location and vehicle or vehicles to be used in the conduct of the business.~~

Sec. 9-113. Ice Cream Vendors.

- (a) General. The rules in this section shall apply to each person lawfully permitted as an ice cream vendor.
- (b) Prohibited sales. It shall be unlawful for any ice cream vendor to sell or attempt to sell any commodity:

- (1) By means of any outcry, sound, speaker or amplifier, or any instrument or device which can be heard for a distance greater than three hundred (300) feet, or when passing a hospital, church or other place of worship during the hours when services are being held.
- (2) Within five hundred (500) feet of any school during the school year.
- (c) Noise—Vehicle stopped. It shall be unlawful for any such vendor to use, play or employ the use of any sound, outcry, amplifier, loudspeaker, radio, phonograph with a loudspeaker or amplifier or any other instrument or device when the vehicle such vendor is using is stopped for the purpose of making a sale.
- (d) Same—Hours. The use by the vendor of any such noise, instrument or device which emits a loud sound shall be prohibited before the hours of 9:00 a.m. on weekdays and 1:00 p.m. on Sundays, or after 7:00 p.m. on any day.
- (e) Traffic. It shall be unlawful for any vendor to:
 - (1) Exceed a speed of fifteen (15) miles an hour when cruising neighborhoods seeking sales or when attempting to make a sale.
 - (2) Stop anywhere within twenty-five (25) feet of an intersection when making a sale or attempting to make a sale.
 - (3) Double-park, or park in any manner contrary to any ordinance relating to parking, when attempting a sale or when making a sale.
 - (4) Make a U-turn on any block in a residential zone.
 - (5) Drive his/her vehicle backwards to make or attempt to make a sale.
 - (6) Sell to any person who is standing in the street.
 - (7) Permit any person to hang on the vehicle or permit any person to ride in or on the vehicle except a bona fide assistant or assistants.
 - (8) Remain standing or stopped at any place for a period of time exceeding five (5) minutes.
 - (9) Sell or attempt to sell along any particular route more than one time during a twenty-four-hour period.

(Code 1960, § 11-29)

Cross reference— Health, § 2-261 et seq.

Sec. 9-114. Screens on vehicle windows.

~~All windows and other openings of the truck, wagon, automobile, trailer or other vehicle, or compartments where fruits, vegetables or garden produce for human consumption are stored or handled, shall be closed by metal screens having a mesh not coarser than sixteen (16) wires to the inch as will as far as possible keep out all flies and other sources of contamination.~~

Sec. 9-114. Seasonal Sale Vendors.

The rules of this section shall apply to each person lawfully permitted as a Seasonal Sales Vendor.

- (a) Every person who engages in the business of seasonal sales within the corporate limits of the city, before engaging in such business, shall apply for and obtain a mobile vending permit from the city pursuant to Division 2 of this Article.
- (b) Tents or canopies larger than 12' x 12' are prohibited unless a supplemental tent permit is obtained. Application for such permit shall be made with the Building Department. A sketch of the property showing the location of the tent or canopy on the property and a certificate of flame resistance shall be required to be submitted with the application.
- (c) Seasonal sales permits will be issued no sooner than thirty (30) days prior to the associated holiday and shall expire seven (7) days following the holiday.

(Code 1960, § 11-30)

Sec. 9-115. Condition of products; compliance with state law.

All products and produce offered for sale under this division must be clean, wholesome and in good sanitary condition and their state and condition shall comply with the pure food laws of the state.

(Code 1960, § 11-31)

State law reference—Food generally, F.S. Ch. 500.

Sec. 9-116. Condemnation authority given to health officers.

It shall be lawful for the county health officer or his designated representative to condemn, take and destroy, or cause to be condemned, taken and destroyed, any fruit, vegetables or garden produce which, in his opinion, is unwholesome or unfit for human consumption by reason of unsoundness, contamination, adulteration or sophistication.

(Code 1960, § 11-32)

Sec. 9-117. Manner of transporting produce; standards for vehicles, receptacles.

All fruits, vegetables, garden produce, flowers and shrubs under this division shall be so carried and conveyed that they shall not tend to injure or annoy the public health or comfort, and only in vehicles or receptacles which are neat and clean and do not leak.

(Code 1960, § 11-33)

Sec. 9-118. Assistant allowed; limitation.

Upon a truck, wagon, automobile, trailer or other vehicle licensed under the provisions of this division, there shall be permitted only one helper or assistant to the driver or operator of such vehicle.

(Code 1960, § 11-34)

Sec. 9-119. Itinerant vending of foods, flowers, etc., on city streets.

It shall be unlawful for any person to engage in or manage the business of vending, hawking, peddling, selling or offering for sale at retail to consumers upon any public street, alley, public place or highway within the city from any truck, wagon, automobile, trailer or other vehicle driven by power or otherwise, any fruit, meat, meat products, vegetables, garden produce, flowers, shrubs, nuts, popcorn, sandwiches, pastries, candy or carbonated drinks.

(Code 1960, § 11-26)

Cross reference—Streets and sidewalks, Ch. 17.

Secs. 9-12015—9-130. Reserved.

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

SECTION 4. This Ordinance is and the same shall become effective immediately upon final passage hereof.

Linda Hudson, Mayor

ATTEST:

Linda W. Cox
City Clerk

APPROVED AS TO FORM AND CORRECTNESS:

Robert V. Schwerer, Esquire
City Attorney

CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL



MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

EXHIBIT A

Fees:

Application Fee	One time, non-refundable	\$100.00
Plan Review Fee	Required for mobile merchandise vendors	\$150.00
Annual Mobile Vending Permit Fee	Must be paid prior to October 1 st of each calendar year. Applications approved after January 1 st will be pro-rated.	\$250.00
Reduced Mobile Vending Permit Fee	To be eligible, must have an existing licensed business and utilize the same name on the mobile unit as the licensed location. Limit 1 per licensed business.	\$50.00
Itinerant Retail Produce Merchants	Must comply with requirements specified in Section 9-112.	Application fee only
Door-to-Door Sales / Solicitation	Non-profit or religious organizations are exempt	Application fee only
Seasonal Sales Vendor	Must comply with requirements specified in Section 9-114.	Application and plan review fee only.
Variance Request	For private property only	\$250.00

Number of Permits:

Downtown	Identified by the City – see attached maps.	3
South Beach	Identified by the City – see attached maps.	4
Other Commercial Zoned Districts	Locations to be determined by request of private property owner.	10
Other	Any location not identified above. If utilizing public property, request must be approved by the City Commission.	3
Itinerant Retail Produce Merchant	Locations to be determined by the request of private property owner.	No limit
Door-to-door sales / solicitation		No limit
Seasonal Sales Vendor	Locations to be determined by the request of private property owner.	No limit

CITY OF FORT PIERCE - OFFICE OF THE CITY ATTORNEY

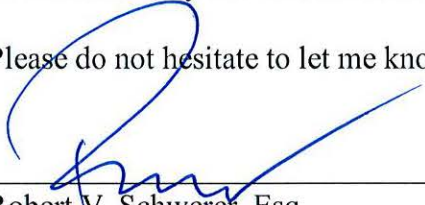
M E M O R A N D U M

TO: Commissioner Rufus J. Alexander, III (*via email*)
FROM: Robert V. Schwerer, City Attorney
SUBJECT: Proposed Vendor Ordinance Update – Agenda Item
DATE: July 1, 2014

Please accept this memorandum in response to yours of June 24, 2014, copy attached. Legal review of the Vendor Ordinance has been assigned to my staff awaiting its final form. Attached is a memorandum from Assistant City Attorney, Jim Walker, providing an update on the status of our review of the ordinance.

As indicated, the City is dealing with a very difficult and legally complex subject here and there is need to carefully consider the ordinance language. Nevertheless, we expect Ms. Arraiz to be providing her latest redraft of the ordinance and if our suggestions and recommendations are incorporated then the ordinance should be close to its final form to be considered by the Commission.

Please do not hesitate to let me know if you have any questions in the meantime.



Robert V. Schwerer, Esq.
City Attorney

/mlp

Attachment

cc: Robert J. Bradshaw, City Manager (*via email*)
Nicholas Mimms, Deputy City Manager (*via email*)
James T. Walker, Assistant City Attorney (*via email*)
Karen Emerson, Assistant City Attorney (*via email*)
Peggy Arraiz, Code Compliance Manager (*via email*)



INTEROFFICE MEMORANDUM
FROM THE OFFICE OF THE
COMMISSIONER RUFUS J. ALEXANDER, III

TO : Robert V. Schwerer, City Attorney

JUN 25 2014

COPY TO : Robert J. Bradshaw, City Manager

FROM : Commissioner Rufus J. Alexander, III

RJA/son

RE : **Proposed Vendor Ordinance Update – Agenda Item**

DATE : June 24, 2014

I am scheduling an item for the July 7, 2014 City Commission meeting regarding an update of the proposed vendor ordinance. It is my understanding that the ordinance is currently in your office under review and has been for quite some time.

At the July 7, 2014 meeting, please provide the status of the proposed ordinance as well as when I can expect the ordinance to be presented for Commission approval.

Please do not hesitate to contact me if you have any questions regarding my request.

RJA:jdr

c: Nick Mimms, Deputy City Manager
Peggy Arraiz, Code Compliance Manager

CITY OF FORT PIERCE - OFFICE OF THE CITY ATTORNEY

M E M O R A N D U M

TO: Robert V. Schwerer, City Attorney
FROM: James T. Walker, Assistant City Attorney
SUBJECT: Vendor Ordinance
DATE: July 1, 2014

This memorandum serves as response to your request for a summary memorandum of activity relating to the drafting of a proposed vendor ordinance by Ms. Peggy Arraiz.

It will be recalled that there was a meeting on the topic with you, Robert Bradshaw, Peggy, Karen Emerson and myself. Such meeting was followed by multiple exchanges between this office and Peggy of memorandum, drafts, amended drafts and follow-up memos. After another meeting, in May, among Karen, Peggy and me, it was decided that, to facilitate further review, Peggy would submit a new, comprehensive draft incorporating legal suggestions as she thought best.

She did submit a new draft. It was then the subject of my memorandum dated 6/2/14, which identified various points as to which further consideration was recommended, covering the sufficiency of the ordinance title, preliminary findings, and various other deletions, amendments and modifications. We are awaiting her next draft which is expected soon.

As you are of course aware, this is a very difficult subject on which she is tasked to draft legislation. There are numerous legal concerns to be taken into account, including constitutional issues of equal protection and commercial speech, primacy/preemption concerns arising out of state legislation concerning solicitors, and even potential anti-trust issues.

Please let me know of any questions or concerns. Thank you.

s/ James T. Walker

James T. Walker, Esq.
Assistant City Attorney

/mlp

RECEIVED

JUN 26 2014

CODE ENFORCEMENT
CITY OF FT. PIERCE

VENDOR ORDINANCE ISSUES

A) it is recommended that the title reference each section being amended, and to briefly note the character of the change sufficiently so as to put a reader of the title on fair notice of the subject of the amendment. For example, consider addition of something like the following as to each modified section: amending Section 9-76; modifying, deleting and adding certain definitions; amending Section 9-77; conferring certain duties on code enforcement officers; ... and so forth.

B) it may be helpful to expand on the goals, findings of fact and intent as set forth in the prefatory language. There is much being done in this ordinance beyond simply expanding "those types of sales to include mobile vending". It may be a little misleading to suggest that the only thing being accomplished here is to expand opportunities for vendors and solicitors by allowing for another form of vending. Moreover, while there is a broad, conclusory statement that public lands "will be impacted by such mobile vending", it is felt that this finding of fact will benefit by identifying whatever particular "impacts" are being addressed through the regulations now being enacted.

C) in the definition of "itinerant retail produce vendor", it is recommended that the phrase "... in their natural and unaltered state" be deleted. Otherwise the vendor could make minor changes in the produce so that it is no longer "unaltered" and argue that he or she is somehow not covered by the definition?

D) as to the "seasonal sales vendor", that is drafted a little ambiguously and it is not suggested that specific holidays be mentioned else the City possibly be dragged into an argument about whether some other holiday is or is not covered under that section. Instead, please consider application to sale of products traditionally associated with seasonal activity or holidays (and leave it at that).

E) the basis for amendment of 9-79 is unclear and it is recommended that the addition be taken out. The inference drawn from this addition is that solicitors and canvassers should not breach the peace but it is okay for anyone else to do so? And if specific state statutes are to be singled out or imposition upon canvassers and solicitors, why stop with s. 877.03. Why not, for instance, include s. 877.02 (Solicitation of Legal Services) or s. 877.04 (Tattooing), and so forth.

F) the amendment to Section 9-80 eliminates a \$20 permit fee and substitutes in its place a permit fee as set by resolution. But in addition there is elimination of the annual occupational license fee of \$100. Please confirm that the intent in this instance is to eliminate **both** the permit fee and the occupational license fee.

G) as to amendment of Section 9-93, now renumbered as 9-91, it is important to realize that any court, if asked to review the ordinance on constitutional grounds, may well find elements of commercial speech here and would thus probably treat the permitting requirement as a form of "prior restraint" For any permit requirement

involving, as here, fundamental freedoms such as speech to be constitutionally valid it must satisfy three (3) requirements: first, it must set out a very specific, short time period within which the permit may be approved or denied; second, there must be a provision that, in the event the application is not timely acted upon by the administrator, that it will then automatically be deemed approved; third, there must be provision for appeal. It is seen that the third element is covered in Section 9-93a.16, but not the first two.

H) the numbering system in the draft ordinance does not conform to the City's numbering system in the City's Code of Ordinances. That is, in the Code of Ordinances, after the section number (ex. 9-81. Same-regulation), what follows are little letters in parentheses; subparts under the lettering are designated by numbering in parentheses. Please add parentheses to the parts and subparts under each section for conformity with code formatting.

I) again as to Section 9-91 in its current form, referring to the "plan of the proposed vehicle or unit" as imposed on mobile merchants by Section 9-91a.7. It is suggested that the phrase be defined to say what such a plan is and what is needed. The requirement that such "plan" be "to scale" seems to impose a condition that cannot be met by the applicant without involvement by a professional draftsman. Is that in fact the intent?

J) as to Section 9-91a.13 deletion is recommended. The type or manner of any prior criminal offense or the punishment or penalty assessed at any point in the past is not seen as being relevant in the permitting process. That is, this is not seen to relate to any factor in the ordinance that would serve as a basis for denial of the permit, in the draft as now proposed.

K) regarding draft Paragraph 9-91a.10.iii, wherein there is exemption for "nonprofit and religious organizations", consideration might be given to borrowing language from s. 501.022(1)(b)(5-7), and making the class of exemptions somewhat broader than it is here.

L) please note that there was probably omitted the original language of 9-92, which should be shown with strikeout language through it. Only new language should be underlined.

M) unless this is overlooked, there are not seen to be any criteria governing the City Clerk's discretion in whether to grant a permit or not? Reference may wish to be made to s. 501.022(4) as a potential aid to drafting in this regard.

N) as to 9-53(b, c), there is seen to be extensive removal of language relating generally to the fees to be imposed for licensure activities under Article IV. If it is simply being transferred to another location, the transfer point is regrettably overlooked and clarification of the current whereabouts of the language will be appreciated. But if,

as appears on superficial inspection, there was indeed blanket removal of all language in Section 9-53(b, c), an explanation of the rationale for that will be appreciated.

O) regarding renumbered Section 9-95 (Penalties), it is seen that the CEB/SM is given jurisdiction over revocation of permits where there is fraudulent activity or some other specified reason. Revision is recommended. It is not apparent that Florida law grants jurisdiction to take such action. See s. 162.09 (Providing that Enforcement Board may impose administrative fines). Instead, it may be helpful to consider borrowing language from s. 501(4) and providing a provision for the City Clerk which parallels what is provided regarding the Clerk of the Circuit Court by that statute. Appeal would then be to the City Manager as provided in draft Section 9-92.

P) it is not recommended that new draft Section 9-96 be included in its present form. There are no criteria therein for grant of a variance and no substantive justification. The vagueness inhering in this provision permits arbitrary, capricious application and it is simply not sustainable in any constitutional sense. Moreover, if there is to be a process for variance, it is not recommended that there simply be adopted thru reference what is provided in Chapter 22. The provisions there are uniquely shaped to address land use and other zoning issues in that Chapter. Finally, if a variance procedure were to be provided for at all, one wonders why that should not be done for most every other code requirement as well?

Q) use of public property for private purposes is ordinarily not permitted. An exception is created for special events and that subject is closely regulated in Chapter 12, Article III. The new Section 9-97 (Use of City property) appears to now carve out vendors and solicitors as a privileged group who are henceforth permitted to use public property and right of way for private purposes, so long as these privileged parties are fortunate enough to “win” in an annual lottery selection. It is believed that creation of such a privileged class may create an issue on equal protection grounds. Moreover, there is a potential issue which arises in conferring special competitive advantage to one class of commercial proprietors, but not to others, under the Sherman Anti-Trust Act. Enactment of Section 9-97 in its present form is not recommended.

R) as to new Section 9-112, it is not clear whether there is intended to be a difference between “itinerant retail produce merchants”, as identified there and “itinerant retail produce vendors as referenced in Section 9-76? Please clarify the apparent distinction made between a “merchant” and “vendor”. If there is in fact no such distinction, then, in that event, it is recommended that the title of Section 9-112 track with the term defined in Section 9-79.

S) as to Section 9-112(e) which requires application of all regulations set out in Section 9-111, please consider more general language referring to all other requirements of the Code of Ordinances.

T) the subject of noise referred to in Section 9-113 (Ice Cream Vendors) is a topic regulated in the City's Noise Ordinance. It is recommended, alternatively, that consideration be given to amendment of Code Section 11-48 (Music or Loud Noises; Hours, Area) and that such section be referenced in Section 9-113. That way all regulations referring to the same subject are kept under one roof and not scattered unnecessarily through the code, thereby presenting potential for confusion and omission.

U) as to Section 9-114 (Seasonal Sale Vendors) it appears that the vendors covered by that section are somehow exempt from permitting requirements applying to other vendors. That is, Section 9-114 states that seasonal sale vendors must apply for and obtain a "mobile vending permit pursuant to this division", which is Division 3. But the other general application provisions are found in Division 2. Is the intent to remove seasonal vendors from requirements applying to other kinds of vendors being read correctly?

V) as a matter of protocol, it is requested that there be opportunity to review the comments, if any, of other departments, the involvement of which is implicated in this draft ordinance, including the City Clerk, Planning Department and the Police Department.



To: Jennifer D Robinson/cfp@cfp,
Cc:
Bcc:
Subject: Fw: Vendor Ordinance <Watchdog: Virus checked>
From: Peggy Arraiz/cfp - Thursday 06/26/2014 04:48 PM

History: This message has been replied to.

Here is the e-mail from May when the new draft was sent to legal.

Margaret M. (Peggy) Arraiz
 Code Compliance Manager
 City of Ft. Pierce
 Code Enforcement & Animal Control Divisions
 772-467-3148
 parraiz@city-ftpierce.com

----- Forwarded by Peggy Arraiz/cfp on 06/26/2014 04:45 PM -----

From: Peggy Arraiz/cfp
To: "Jim Walker" <jimw@jimwalkerlaw.com>,
Cc: ChristineFamularo@city-ftpierce.com, Kemerson.CFP@city-ftpierce.com,
 MaryPeregrin@city-ftpierce.com, Nicholas Mimms/cfp@cfp
Date: 05/15/2014 04:39 PM
Subject: RE: FW: Vendor Ordinance <Watchdog: Virus checked>

OK - I think this is a good clean copy. It has been retyped with the underlines / strike throughs. The resolution was also redrafted. I believe I managed to address the issues that were raised at our recent meetings but appreciate any feedback you may have. Please feel free to contact me with any questions that may arise during your review.

Thank you.



Proposed Ordinance - in ordinance format.docx Resolution - front page.docx Resolution Appendix A.docx

Margaret M. (Peggy) Arraiz
 Code Compliance Manager
 City of Ft. Pierce
 Code Enforcement & Animal Control Divisions
 772-467-3148
 parraiz@city-ftpierce.com

"Jim Walker"

Peggy, this office will be reviewing and comment...

05/08/2014 02:22:42 PM

From: "Jim Walker" <jimw@jimwalkerlaw.com>
To: <PArraiz@city-ftpierce.com>,
Cc: <MaryPeregrin@city-ftpierce.com>, <ChristineFamularo@city-ftpierce.com>,
 <Kemerson.CFP@city-ftpierce.com>
Date: 05/08/2014 02:22 PM
Subject: RE: FW: Vendor Ordinance <Watchdog: Virus checked>

Peggy, this office will be reviewing and commenting upon a final, draft ordinance proposal for form and correctness. So far as I am aware, such a document is not yet in hand. As you are of course aware, any ordinance includes a title. Assessing the title's sufficiency is an essential part of the process. So we will need a document in final proposed form, with a title, and including all language to be removed from the code and identifying all such language with strike-out lines. The draft ordinance should likewise include all language to be added to the code, denoting such language by underlining. The ordinance draft further specifies that it is repealing all ordinances or parts thereof in conflict, and finally specifying an effective date. I won't need anything color-coded, in red or otherwise. So long as I have the language itself in front of me, in correct form, that will be sufficient.

As you yourself are aware, there are a number of successive, informal drafts and redrafts floating around, some lined, some not, some colored, some not. To avoid possibility of either confusion or duplication of effort, I am wanting to start off here with a "clean slate". So just give me, in ordinance form, whatever product has emerged from deliberations to date. It will then be reviewed for form and correctness.

Finally, Karen has been expressing some concerns heretofore about language in the resolution as it was originally proposed. So there, too, if you can provide me with a copy of the resolution in the form you currently wish considered that will be appreciated as well. Thanking you for your time and attention, I am and continue to remain, as always,
Most Cordially and Respectfully Yours, James T. Walker

From: PArraiz@city-ftpiercer.com [mailto:PArraiz@city-ftpiercer.com]
Sent: Thursday, May 08, 2014 1:46 PM
To: Jim Walker
Cc: MaryPeregrin@city-ftpiercer.com; Kemerson CFP
Subject: Re: FW: Vendor Ordinance <Watchdog: Virus checked>

Mr Walker,

I have provided you with a draft that is red lined. If your computer is not showing them and you are unable to access the review tab to make them appear, please ask your secretary if she can assist.

As for the final draft that includes the last two paragraphs, I will include them in the next draft after I make the changes that were discussed yesterday as well as addressing any comments from you that I receive.

Peggy

From: "Jim Walker" [jimw@jimwalkerlaw.com]
Sent: 05/08/2014 10:39 AM AST

To: Peggy Arraiz
Cc: Mary Peregrin; <Kemerson.CFP@city-ftpierce.com>
Subject: FW: FW: Vendor Ordinance <Watchdog: Virus checked>

Peggy, please allow me to clarify so there is no confusion here: we're needing from you a proposed draft ordinance in final form. That is, there is needed a document with strike-out lines thru code language being deleted, and underlining of new code language being added. The final two sections of the draft ordinance repeal whatever code language is inconsistent and provide for an effective date. Hope this helps?

From: Jim Walker [mailto:jimw@jimwalkerlaw.com]
Sent: Thursday, May 08, 2014 9:55 AM
To: 'PArraiz@city-ftpierce.com'
Cc: 'MaryPeregrin@city-ftpierce.com'; 'Karen Emerson'; 'loisantonucci@aol.com'
Subject: RE: FW: Vendor Ordinance

Peggy, am not finding a draft ordinance in proposed final form? So if you can get Colleen to send along a hard copy, that will be appreciated. By copy hereof to Mary, she is asked to forward such hard copy to me when it becomes available. Thank you.

From: PArraiz@city-ftpierce.com [mailto:PArraiz@city-ftpierce.com]
Sent: Wednesday, May 07, 2014 6:23 PM
To: Jim Walker
Subject: Re: FW: Vendor Ordinance

And it only shows in mine with the red line. If you go to the top tabs, click the "review" tab. There you have the choice to view it as a final draft or final with mark ups. If that does not work, I can have Colleen send a hard copy tomorrow.

From: "Jim Walker" [jimw@jimwalkerlaw.com]
Sent: 05/07/2014 05:03 PM AST
To: Peggy Arraiz
Cc: Mary Peregrin; "Karen Emerson" <Kemerson.CFP@city-ftpierce.com>
Subject: FW: FW: Vendor Ordinance

Peggy, maybe I'm missing something here, but this is not seen to be in final ordinance form, w/underlining and strike-outs?

From: PArraiz@city-ftpierce.com [mailto:PArraiz@city-ftpierce.com]
Sent: Wednesday, May 07, 2014 4:57 PM
To: Jim Walker
Cc: 'Karen Emerson'; maryperegrin@city-ftpierce.com
Subject: Re: FW: Vendor Ordinance

For some reason, no matter which way I save it, it always shows on my computer with the red lines. I have to go into the review tab and change it to the final version to see it without the red lines. I am attaching the one I saved as "fourth version - final" but not sure what format it will actually be delivered.

Thank you for your attention to this matter. I will be out of the office both tomorrow and Friday, but e-mails will be sent to my phone if you have any questions you need addressed immediately. Or you can always forward the information to Colleen at 772-467-3149 and she can reach me directly.

Margaret M. (Peggy) Arraiz
Code Compliance Manager
City of Ft. Pierce
Code Enforcement & Animal Control Divisions
772-467-3148
parraiz@city-ftpierce.com

From:	"Jim Walker" <jimw@jimwalkerlaw.com>
To:	<parraiz@city-ftpierce.com> ,
Cc:	"Karen Emerson" <Kemerson.CFP@city-ftpierce.com> , <maryperegrin@city-ftpierce.com>
Date:	05/07/2014 04:46 PM
Subject:	FW: Vendor Ordinance

Peggy, thank you for forwarding this 4th draft. It would be very helpful in getting us to the next step were you to reduce that draft to the form of a final, proposed ordinance, with underlining and strike-outs? Am thinking it will be much easier for all to work from such a document. Many thanks. Depending on how quickly you can turn that around, I'll declare tomorrow to be officially "Vendor Ordinance Day" and make that my big project of the day, with the idea of getting a memo over to you by the end of Friday w/a list of suggested points?. /JimW

From: MaryPeregrin@city-ftpierce.com [<mailto:MaryPeregrin@city-ftpierce.com>]
Sent: Wednesday, May 07, 2014 4:19 PM
To: Kemerson.cfp@city-ftpierce.com; jimw@jimwalkerlaw.com
Cc: loisantonucci@aol.com
Subject: Fw: Vendor Ordinance

Mary Lou Piro, Legal Assistant
Office of the City Attorney
City of Fort Pierce
100 North US 1
Fort Pierce FL 34950
Ph 772-467-3040

Fax 772-466-5492

Email: mperegrin@City-ftpierce.com

----- Forwarded by Mary Lou Peregrin/cfp on 05/07/2014 04:18 PM -----

From:	Peggy Arraiz/cfp
To:	Mary Lou Peregrin/cfp@cfp,
Date:	05/07/2014 04:01 PM
Subject:	Vendor Ordinance

Mary Lou,

Can you please provide a copy of the attached ordinance to Mr. Walker and Ms. Emerson. Please be advised that this copy does not yet include the items we discussed at today's meeting.

Thank you.

Margaret M. (Peggy) Arraiz
Code Compliance Manager
City of Ft. Pierce
Code Enforcement & Animal Control Divisions
772-467-3148
parraiz@city-ftpierce.com

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING CHAPTER 9, ARTICLE IV, "PEDDLERS, SOLICITORS AND CANVASSERS" AND; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Code of Ordinances of the City of Fort Pierce, Florida regulates the sale of goods and merchandise by persons operating as vendors or solicitors; and

WHEREAS, the City of Fort Pierce, Florida wishes to expand these types of sales to include mobile vending to benefit its residents and visitors and provide such regulations as necessary; and

WHEREAS, certain public lands and right of ways will be impacted by such mobile vending;

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida:

SECTION 1. Chapter 9, Article IV of the Code of Ordinances of the City of Fort Pierce, Florida, is hereby amended so that the same shall read hereinafter as follows:

Article IV. – ~~Peddlers, Vendors~~ & Solicitors and Canvassers

Division 1. - Generally

Sec. 9-76. Definitions.

As used in this article:

~~Agent is defined to be a person engaged in telephone canvassing or solicitation, or in a house-to-house canvass, demonstrating or taking orders for any goods, wares or merchandise or taking orders from samples where goods are to be delivered later. Goods, wares and merchandise as herein defined shall be held to include, but not restricted to, a photograph and coupons or tickets good in whole or in part for a photograph, magazine, periodical or other merchandise.~~

~~Canvasser, vendor or solicitor is defined as any individual, whether resident of the city or not, soliciting by telephone or traveling either by foot, wagon, automobile, motor truck or any other type of conveyance, from place to place, from house to house or from street to street, taking or attempting to take orders for sale of goods, wares and merchandise, personal property of any nature whatsoever for future delivery, or for services to be furnished or performed at said time or in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of such sale or whether he is collecting advance payments on such sales or not,; provided further, that such definitions shall include any person who, for himself or for another person, hires, leases, uses or occupies any building, structure, tent, railroad boxcar, boat, hotel room, lodging house, apartment, shop or any other place within the city for the sole purpose of exhibiting samples and taking orders for future delivery.~~

~~Commissary is a state approved facility that provides support services for specific required functions to any mobile food vendor, including but not limited to a mobile food vehicle or a mobile food cart. Services required of the commissary are based upon the food sold and the mobile food vendor type. A private residence may not be used as a commissary.~~

~~Itinerant peddler or hawker is defined to be a nonresident of the city who, by telephone sales, or one who goes from house to house, or place to place, exposing for sale and selling goods, wares or merchandise under the conditions and circumstances stated in the following paragraph.~~

Itinerant Retail produce vendor shall mean any person going from place to place who engages in a business, by selling or offering for sale to consumers, any fruit, vegetables, or garden produce, which are sold in their natural and unaltered state.

Mobile Food Dispensing Vehicle (MFDV) is classified as a vehicle-mounted public food service establishment, self-propelled or otherwise movable from place to place. Such vehicles must be self-sufficient for utilities (e.g., gas, water, electricity, and liquid waste disposal). Each MFDV is required to have a state approved commissary that they report to at least once a day. MFDVs may also be referred to as Mobile Food Establishments.

- a. Hot dog carts are MFDVs that limit food preparation to hotdogs and sausages only and the sale of limited pre-packaged food.
- b. Mobile food carts are any non-motorized MFDV used to store, prepare, cook and / or serve food and beverages for immediate consumption.
- c. Ice Cream Vendors and MFDVs that limit food sales to pre-packaged individually portioned frozen novelties, soft served or hand dipped frozen dairy products or frozen water based products.
- d. Lunch Trucks are MFDVs that are transient in nature and specifically authorized to cater to customers on private commercial or industrial property for a short period of time not to exceed 60 minutes.
- e. Mobile food vehicles are any motorized MFDV used to store, prepare, cook and / or serve food and beverages for immediate consumption.

Mobile merchant sales shall include any vendor selling non-food products.

Mobile merchant vehicle shall be any vehicle mounted establishment, which is self-propelled or otherwise movable from place to place utilized for mobile merchant sales.

~~Peddler is defined to be a person who solicits by telephone or who brings goods, wares or merchandise from outside the city or state or where the goods, wares or merchandise is manufactured in the city for sale at retail, and is in this state at the time that all negotiations prior to and at the sale thereof are had, and the goods, wares or merchandise is not sold in original packages in interstate commerce but at retail, in small quantities, by means of telephone solicitation or house-to-house, or place-to-place, canvass. Goods ordered, or in transit, that were so ordered without reference to particular sales, shall be deemed to be in the state.~~

Place of business shall include any commercial zoned off-street location, lot, or premises where any truck, wagon, automobile, trailer, cart, or vehicle is parked, with written permission from the property owner, wherein there shall be kept for sale, or to be offered for sale, any prepared food, beverages, fruit, vegetable, or garden produce.

Seasonal sales vendor shall mean outside vendors of products traditionally associated with the following holidays, including but not limited to: Valentine's Day, Mother's Day, Easter, Fourth of July, Halloween, Thanksgiving and Christmas.

(Code 1960, § 14-30(a-d))

Sec. 9-77. Duty ~~of police~~ to enforce.

It shall be the duty of any police officer or code enforcement officer of the city to ~~require any person seen soliciting or canvassing, and who is not known by such officer to be duly licensed, to produce his solicitor's or canvasser's license and to~~ enforce the provisions of this article against any person found to be violating the same.

(Code 1960, § 14-36)

Sec. 9-78. Records.

~~The chief of police shall~~ All violations of this article shall be reported to the city clerk code enforcement department, who all convictions for violation of this article and the city clerk shall maintain a record for each license permit issued and record the reports of violations therein.

(Code 1960, § 14-37)

Sec. 9-79. Prohibited acts.

- a. It shall be unlawful for any person to enter upon any private premises without permission or invitation from the occupant or homeowner.
- b. It shall be unlawful for any solicitor, canvasser or peddler vendor to refuse or fail to leave any private premises in the city upon being requested by the owner, occupant or person in charge thereof.
- c. No solicitor, canvasser or peddler vendor shall enter in or upon any house, building or other structure or upon any land or property, without the prior consent of the owner or occupant thereof, where there is placed or posted on the premises in a conspicuous position at or near the usual means of ingress, a sign or other form of notice stating or indicating that the owner or occupant thereof forbids or otherwise does not desire persons engaged in such or similar activity to enter upon the premises.
- d. No solicitor, canvasser or vendor shall conduct themselves or their business in an unlawful manner or in such manner as to constitute a breach of peace, offensive to public decency or menace to the health, safety or general welfare of the public in violation of § 877.03 Florida Statutes.

(Code 1960, § 14-30)

State law reference— Burglary and trespass, F.S. Ch. 810.

Sec. 9-80. ~~Street vendors~~—Permit.

- a. It shall be unlawful for any person to sell or attempt to sell any commodity by means of vending such commodity upon any street, sidewalk, public right of way or private property in the city, without first securing a permit and paying a fee of twenty dollars (\$20.00) therefor and an annual occupational license fee of one hundred dollars (\$100.00). the annual permit fee, such fee to be set by resolution of the City Commission.
- b. Violations of this section shall be a Class III violation.

(Code 1960, § 14-61)

Sec. 9-81. ~~Same~~—Regulation.

- a. ~~General.~~ The rules in this section shall be complied with by each person using a vehicle for street vending.
- b. ~~Prohibited sales.~~ It shall be unlawful for any street vendor to sell or attempt to sell any commodity:
 1. ~~By means of any outcry, sound, speaker or amplifier, or any instrument or device which can be heard for a distance greater than three hundred (300) feet, or when passing a hospital, church or other place of worship during the hours when services are being held.~~
 2. ~~Within five hundred (500) feet of any school during the school year.~~
- c. ~~Noise—Vehicle stopped.~~ It shall be unlawful for any such vendor to use, play or employ the use of any sound, outcry, amplifier, loudspeaker, radio, phonograph with a loudspeaker or amplifier or any other instrument or device when the vehicle such vendor is using is stopped for the purpose of making a sale.

~~d.—Same—Hours.~~ The use by the vendor of any such noise, instrument or device which emits a loud sound shall be prohibited before the hours of 9:00 a.m. on weekdays and 1:00 p.m. on Sundays, or after 7:00 p.m. on any day.

~~e.—Traffic.~~ It shall be unlawful for any vendor to:

- ~~1.—Exceed a speed of twelve (12) miles an hour when cruising neighborhoods seeking sales or when attempting to make a sale.~~
- ~~2.—Stop anywhere within twenty five (25) feet of an intersection when making a sale or attempting to make a sale.~~
- ~~3.—Double park, or park in any manner contrary to any ordinance relating to parking, when attempting a sale or when making a sale.~~
- ~~4.—Make a U-turn on any block.~~
- ~~5.—Drive his vehicle backwards to make or attempt to make a sale.~~
- ~~6.—Sell to any person who is standing in the street.~~
- ~~7.—Permit any person to hang on the vehicle or permit any person to ride in or on the vehicle except a bona fide assistant or assistants.~~
- ~~8.—Remain standing or stopped at any place for a period of time exceeding five (5) minutes.~~
- ~~9.—Sell or attempt to sell along any particular route more than one time during a twenty-four hour period.~~

(Code 1960, § 14-62)

~~Sec. 9-82. Seasonal vendors; permit.~~

~~It shall be unlawful for any person to sell or attempt to sell on private property any seasonal commodity without first securing a permit. Seasonal commodities include, but are not necessarily limited to, Christmas trees, flowers, and pumpkins. A permit may not be issued unless the applicant has written permission of the property owner or agent to conduct the seasonal sale for which application is made.~~

(Ord. No. K-09, § 1, 4-17-00; Ord. No. K-142, 3-18-02)

~~Secs. 9-831—9-90. Reserved.~~

Division 2. — License Permit Generally

~~Sec. 9-91. Required.~~

~~It shall be unlawful for any solicitor, canvasser, peddler, hawker, itinerant merchant, transient vendor of merchandise or agent as defined in section 9-76 to engage in such businesses within the corporate limits of the city without first obtaining a permit and license therefor in compliance with the provisions of this article, excepting therefrom persons engaged solely in interstate commerce, who shall be exempt from license fees only.~~

(Code 1960, § 14-29)

~~Sec. 9-92. Appeal.~~

~~Any person aggrieved by the action of the chief of police or the city clerk in the denial of a permit or license as provided in section 9-94, or the revocation by the city manager in the assessing of the fee as provided in section 9-95(c) shall have the right of appeal to the city commission. Such appeal shall be taken by filing with the city commission, within fourteen (14) days after notice of the action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds for the appeal. The commission shall set a time and place for a hearing on such appeal and notice of such hearing shall be given to the appellant in the same manner as provided in~~

~~section 9-98 for notice of hearing on revocation. The decision and order of the city commission on such appeal shall be final and conclusive.~~

(Code 1960, § 14-39)

Sec. 9-931. Application.

- a. Applicants for permit ~~and license~~ under this article must file with the city clerk a sworn application in writing ~~in duplicate~~ which shall give the following information:
1. Name ~~and description~~ of the applicant.
 2. Permanent home address and ~~full local address~~ valid telephone number of the applicant.
 3. A brief description of the nature of the business and the goods, food or beverages to be sold.
 4. ~~If employed, the name and address of the employer, together with credentials establishing the exact relationship. E-mail address of the applicant.~~
 5. ~~The length of time for which the right to do business is desired. The address of the planned vending site, including the property owner's name and telephone number.~~
 6. ~~The place where the goods or property proposed to be sold, or orders taken for the sale thereof, are manufactured or produced, where such goods or products are located at the time said application is filed, and the proposed method of delivery. For Mobile Food Dispensing Vehicles:~~
 - i. Copy of current license from the State of Florida / Department of Business & Professional Regulations or Department of Agriculture; and
 - ii. Copy of the vehicle or unit plans as submitted to the State of Florida / Department of Business & Professional Regulations or Department of Agriculture.
 - iii. Copy of the notarized Commissary Agreement and submitted to the State of Florida / Department of Business & Professional Regulations or Department of Agriculture.
 7. ~~A photograph of the applicant, taken within sixty (60) days immediately prior to the date of the filing of the application, which picture shall be two inches by two inches showing the head and shoulders of the applicant in a clear and distinguishing manner. For Mobile Merchant Sales:~~
 - i. Submit a plan of the proposed vehicle or unit.
 - a) The plan does not need to be drawn by a professional, but must be to scale and clear for review.
 - b) The plan should show both a top view and front view of the vehicle or unit.
 - c) The plan should include, but is not limited to, all equipment, shelving, windows, wheels, umbrellas, or awnings.
 8. ~~The fingerprints of the applicant and the names of at least two (2) reliable property owners of the county who will certify as to the applicant's good character and business responsibility or, in lieu of the names of the references, such other available evidence as to the good character and business responsibility of the applicant as will enable an investigator to properly evaluate such character and business responsibility. Copy of a valid vehicle registration for any motorized unit.~~
 9. ~~A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, the nature of the offense and~~

the punishment or penalty assessed therefor. For use of any private commercial property, a limited site plan must be submitted.

- i. The plan does not need to be drawn by a professional, but must be to scale and clear for review. A general survey or sketch will be acceptable. For large properties, only a drawing of the immediate area is required.
 - ii. The plan must show all existing structures or significant features.
 - iii. Diagram of all available parking, identifying both required parking and additional parking spaces and proposed location of unit.
 - iv. Identify appropriate set-backs for accessory structures.
 - v. A notarized affidavit of permission to vend from the property owner, if different from the applicant.
10. For door-to-door solicitors or vendors:
 - i. If employed, the name and address of the employer, together with credentials establishing the exact relationship.
 - ii. The length of time for which the right to do business is desired.
 - iii. Non-profit and religious organizations are exempt from this requirement.
11. A statement by a reputable physician of the city, dated not more than ten (10) days prior to submission of the application, certifying the applicant to be free of contagious, infectious or communicable disease. A photograph of the applicant, taken within sixty (60) days immediately prior to the date of the filing of the application, which picture shall be two-inches by two-inches showing the head and shoulders of the applicant in a clear and distinguishing manner.
12. At the time an applicant requests permission to solicit within the city a fee of twenty dollars (\$20.00) for each applicant shall be paid to the city clerk to cover the cost of investigation of the facts stated in the application, but in no event shall the application be refunded. Photographs of the vehicle or unit, showing front, side and back views.
13. A sworn affidavit as to whether or not the applicant has been convicted of any felony or misdemeanor, the nature of the offense and the punishment or penalty assessed.
14. Proof of general liability insurance, such proof in a form acceptable to the City, issued by an insurance company that is licensed to do business in the State of Florida, protecting the applicant from all claims for damages to property or bodily injury, including death, which may arise from operations under or in connection with mobile vending. If applying to use public property or right-of-way, City of Fort Pierce is to be named as an additional insured.
15. For all motorized mobile vending units, proof of auto liability insurance, such proof in a form acceptable to the City, issued by an insurance company that is licensed to do business in the State of Florida, protecting the applicant from all claims for damages to property or bodily injury, which may arise from the use of a motor vehicle in connection with mobile vending and shall be in an amount no less than \$500,000 per occurrence.
16. Any permit application and / or review fee that may be assessed by resolution of the City Commission.

(Code 1960, § 14-31; Ord. No. H-191, 9-8-81)

Sec. 9-94. Investigation; issuance.

- a. Upon receipt of the completed applications by the city clerk, the original shall be referred to the chief of police, who shall cause such investigation of the applicant's business and moral

~~character to be made as he deems necessary for the protection of the public good. At least ten (10) days shall be allowed for such investigation.~~

~~b.—If as a result of such investigation, the applicant's character or business responsibility is found to be unsatisfactory, the chief of police shall endorse on such application his disapproval and his reasons for the same, and return the said application to the city clerk, who shall notify the applicant that his application is disapproved and that no permit and license will be issued.~~

~~e.—If as a result of such investigation, the character and business responsibility of the applicant are found to be satisfactory, the chief of police shall endorse on the application his approval. Such application, signed by the chief of police or his designated subordinate, along with a permit (identification card) shall be returned by the police department to the city clerk who shall, upon payment of the prescribed license fee, if any, deliver to the applicant his permit (identification card) and prescribed license. The said permit (identification card) shall contain the following:~~

~~1.—Photograph of applicant.~~

~~2.—Fingerprint of applicant.~~

~~3.—Date of issuance and date of expiration.~~

~~4.—Name and address of applicant, and the business applicant is representing.~~

~~5.—That said permit may be revoked at the discretion of the city commission.~~

~~6.—That the permit is not transferable.~~

~~7.—That the permit must be carried on the person and shown on request.~~

~~8.—Solicitors must not go to back or rear doors.~~

~~9.—Statement that the issuance of said permit is not an endorsement of the bearer or the merchandise or service offered, nor the business methods used in selling the same.~~

~~10.—Signature of the city clerk.~~

(Code 1960, § 14-32)

Sec. 9-92. Appeal

Any person aggrieved by the denial of a permit as provided in this article shall have the right to appeal to the city manager. Such appeal shall be taken by filing with the city manager's office, within fourteen (14) days after notice of the action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds for the appeal. The city manager shall set a date and place for a hearing on such appeal and notice of such hearing shall be given to the appellant in the same manner as provided in section 9-95 for notice of hearing on revocation. The decision and order of the city manager on such appeal shall be final and conclusive.

Sec. 9-953. Fees.

~~a.—The fee which shall be charged by the city for a license under this article shall be one hundred dollars (\$100.00). All fees required for permit application review and the annual permit fee shall be established by resolution by the City Commission.~~

~~b.—None of the license fees provided for by this article shall be so applied as to occasion an undue burden upon interstate commerce. In any case where a license fee is believed by a licensee or applicant for license to place an undue burden upon such commerce, he may apply to the city manager for an adjustment of the fee so that it shall not be discriminatory, unreasonable or unfair as to such commerce. Such application may be made before, at or within six (6) months after payment of the prescribed license fee. The applicant shall, by affidavit and supporting testimony, show his method of business and the gross volume or estimated gross volume of business and such other information as the city manager may deem necessary in order to determine the extent, if any, of such undue burden on such commerce. The city manager shall then conduct an investigation, comparing applicant's business with~~

~~other businesses of like nature and shall make finding of fact from which he shall determine whether the fee fixed by this article is unfair, unreasonable or discriminatory as to applicant's business and shall fix as the license fee for the applicant an amount that is fair, reasonable and nondiscriminatory, or if the fee has already been paid, shall order a refund of the amount over and above the fee so fixed. In fixing the fee to be charged, the city manager shall have the power to base the fee upon a percentage of gross sales, or any other method which will assure that the fee assessed shall be uniform with that assessed on businesses of like nature, so long as the amount assessed does not exceed the fees as prescribed by subsection (a). Should the city manager determine the gross sales measure of the fee to be the fair basis, he may require the applicant to submit, either at the time of termination of applicant's business in the city or at the end of each three month period, a sworn statement of the gross sales and pay the amount of fee therefor, provided that no additional fee during any one calendar year shall be required after the licensee shall have paid an amount equal to the annual license as prescribed in subsection (a).~~

- ~~e. Every applicant not a resident of the city, or who being a resident of the city represents a firm whose principal place of business is located outside the state, shall file with the city clerk a surety bond, running to the city in the amount of one thousand dollars (\$1,000.00) with surety acceptable to and approved by the city attorney, conditioned that the applicant shall comply fully with all the provisions of the ordinances of the city and the statutes of the state regulating and concerning the business of solicitor, and guaranteeing to any citizen of the city that all money paid as a down payment will be accounted for and applied according to the representations of the solicitor, and further guaranteeing to any citizen of the city doing business with said solicitor, that the property purchased will be delivered according to the representations of said solicitor. Action on such bond may be brought in the name of the city for the use or benefit of the aggrieved person.~~

~~(Code 1960, § 14-33)~~

~~Sec. 9-96. Badges.~~

~~The city clerk may issue to each licensee under this article at the time of delivery of his license a badge which shall contain the words "licensed solicitor," the period for which the license is issued and the number of the license, in letters and figures easily discernible from a distance of ten (10) feet. Such badge shall, during the time such licensee is engaging in soliciting, be worn constantly by the licensee on the front of his outer garment in such a way as to be conspicuous.~~

~~(Code 1960, § 14-34)~~

~~Sec. 9-974. Exhibition of license permit.~~

~~Solicitors, canvassers, agents or peddlers, hawkers, itinerant merchants or transient Approved vendors of food or merchandise are required to exhibit their licenses at the request of any police officer or any person being solicited permits at all times in a prominent location, no lower than 40" and no higher than 65" above the ground. Approved canvassers or solicitors must show their permit upon the request of any person being solicited or by any representative of the City.~~

~~(Code 1960, § 14-35)~~

~~Sec. 9-985. Revocation Penalties.~~

- ~~a. Unless otherwise stated, violations of this article are Class II violations as defined in Section 2-260 and shall be addressed as provided for in Chapter 2, Article XIII.5 of the City Code.~~
- ~~b. Permits and licenses issued under the provisions of this article may be revoked by the city clerk Code Enforcement Board or Special Magistrate after notice and hearing, for any of the following causes:
 - ~~1. Fraud, misrepresentation or false statement contained in the application for license permit;~~
 - ~~2. Fraud, misrepresentation or false statement made in the course of carrying on or conduct of a business as solicitor, canvasser, agent, peddler, hawker, itinerant~~~~

~~merchant or transient vendor~~ or activities for which the city has issued a permit under this article;

3. ~~Any Two or more~~ violations of this article;
 4. ~~Conviction of any crime or misdemeanor involving moral turpitude~~ Operating outside vending locations approved under the permit issued; or
 5. Conducting the business of soliciting, canvassing or peddling vending in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.
 6. Failure to comply with any conditions included in the permit.
- c. Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the ground of complaint and the time and place of hearing. Such notice shall be mailed, ~~postage prepaid, to the licensee at his last known address at least five (5) days prior to the date set for hearing~~ in accordance with the notice provisions outlined in Chapter 2-250

Sec. 9-96. Request for Variance.

Any person who wishes to obtain a mobile vending permit that does not comply with the provisions of this article must petition the City Commission for a variance. Such request shall be made through the Planning Department and follow the procedures set forth in Chapter 22, Article V – Conditional Uses.

Sec. 9-97. Use of City Property.

- a. The City will maintain a map of approved vending locations that utilize public property or right of way.
- b. Approved city vending locations will be assigned by lottery, which shall be drawn annually at the first Commission meeting in September.
- c. Vendors who wish to participate in the annual lottery must provide a completed application and all required documents as required in Sec. 9-91 of this chapter.
- d. No other use of city property or right of way is permitted without a special event permit or approval of the City Commission.

(Code 1960, § 14-38)

Secs. 9-998—9-110. Reserved.

DIVISION 3. ITINERANT PRODUCE VENDOR'S LICENSE MOBILE VENDING

Sec. 9-111. Definitions.

For the purposes of this division:

Itinerant retail produce merchant shall mean any person who engages within the limits of the city in a seasonable business during certain seasons of the year only, by selling or offering for sale at retail to consumers, any fruit, meat, meat products, vegetables, garden produce, flowers or shrubs.

Place of business shall include any commercial zoned off-street location, lot, or premises where any truck, wagon, automobile, trailer, or other vehicle is parked, with written permission from the property owner, wherein there shall be kept for sale, or to be offered for sale, any fruit, meat, meat products, vegetables, garden produce, flowers, or shrubs. It shall be unlawful for any person to place or cause to be placed at such place of business any box, crate, stand, counter, or shelving independent from said truck, wagon, automobile, trailer, or other vehicle used in and about the conduct of such business.

Sec. 9-111. General Regulations.

- a. The telephone number included on the permit application must remain valid and active at all times. The vendor is responsible for notifying the city of any changes to their contact information.
- b. Mobile vending units must comply with the following minimum distance requirements, which shall be measured from the approved vending location to the nearest point of an established property line:
 1. 500 ft. from a similar type business
 2. 300 ft. from a school or church
 3. 1000 ft. from an approved special event
- c. May not block the ingress / egress to any property, sidewalk or street.
- d. May not block or impede pedestrian or vehicular traffic.
- e. Mobile vending units operating on the sidewalk or City right-of way must allow for five (5) foot clear pedestrian clearance.
- f. May only operate at the approved location, clearly identified on the permit.
- g. May have one (1) advertisement sign with a maximum size of sixteen (16) square feet. Such sign may not be free standing, illuminating, moving, flashing or utilizing neon color typically reserved for emergency services. Such restriction to be separate from any business name, decal or logo professionally installed on any motorized MFDV.
- h. May have one (1) menu sign with a maximum size of nine (9) square feet.
- i. No amplified sounds, music or other loud noises, except as provided for in Sec 9-113 – Ice Cream Vendors.
- j. A trash receptacle must be provided and must be removed by the operator daily. Trash may not be placed within public street side trash receptacles.
- k. Mobile vendors are responsible for picking up all litter and waste within twenty-five (25) feet of their unit.
- l. No wastewater leakage or any other leakage is allowed.
- m. A single umbrella is permitted provided it is maintained in good condition and does not impede traffic or block clear vision areas.
- n. It shall be unlawful to place any chair, table, box, crate, stand, counter or shelving independent from the approved mobile vending unit.
- o. No mobile vending unit is to be left unattended at any time and must be removed from the location when not in operation.

(Code 1960, § 11-27; Ord. No. I-123, § 7, 8-5-85)

Sec. 9-112. ~~Required Itinerant Retail Produce Merchant.~~

- a. Every person who engages in the business of an itinerant retail produce merchant within the corporate limits of the city, before engaging in such business, shall apply for and obtain a ~~license~~ mobile vending permit therefor from the city ~~clerk to do so~~ pursuant to this division.
- b. ~~No occupational license fee shall be required for the sale by any farmer of any fruits, vegetable or garden produce raised by such farmer, exhibiting a valid Florida grower's permit. A business tax receipt is not required for itinerant retail produce merchants.~~
- c. All products and produce offered for sale under this division must be clean, wholesome and in good sanitary condition and their state and condition shall comply with the pure food laws of the state.

- d. Itinerant retail produce vendors are permitted to vend from any truck, wagon, automobile, trailer or other vehicle provided that the vehicle is properly registered with the State of Florida. A copy of such registration shall be submitted with the permit application.
- e. All other regulations as outlines in section 9-111 of this chapter shall apply.

(Code 1960, § 11-28; Ord. No. 1-123, § 8, 8-5-85)

~~Sec. 9-113. Approval of health department required.~~

~~An applicant for a license under this division shall receive approval of the county health department as to the location and vehicle or vehicles to be used in the conduct of the business.~~

Sec. 9-113. Ice Cream Vendors.

- a. General. The rules in this section shall apply to each person lawfully permitted as an ice cream vendor.
- b. Prohibited sales. It shall be unlawful for any ice cream vendor to sell or attempt to sell any commodity:
 - 1. By means of any outcry, sound, speaker or amplifier, or any instrument or device which can be heard for a distance greater than three hundred (300) feet, or when passing a hospital, church or other place of worship during the hours when services are being held.
 - 2. Within five hundred (500) feet of any school during the school year.
- c. Noise—Vehicle stopped. It shall be unlawful for any such vendor to use, play or employ the use of any sound, outcry, amplifier, loudspeaker, radio, phonograph with a loudspeaker or amplifier or any other instrument or device when the vehicle such vendor is using is stopped for the purpose of making a sale.
- d. Same—Hours. The use by the vendor of any such noise, instrument or device which emits a loud sound shall be prohibited before the hours of 9:00 a.m. on weekdays and 1:00 p.m. on Sundays, or after 7:00 p.m. on any day.
- e. Traffic. It shall be unlawful for any vendor to:
 - 1. Exceed a speed of fifteen (15) miles an hour when cruising neighborhoods seeking sales or when attempting to make a sale.
 - 2. Stop anywhere within twenty-five (25) feet of an intersection when making a sale or attempting to make a sale.
 - 3. Double-park, or park in any manner contrary to any ordinance relating to parking, when attempting a sale or when making a sale.
 - 4. Make a U-turn on any block in a residential zone.
 - 5. Drive his/her vehicle backwards to make or attempt to make a sale.
 - 6. Sell to any person who is standing in the street.
 - 7. Permit any person to hang on the vehicle or permit any person to ride in or on the vehicle except a bona fide assistant or assistants.
 - 8. Remain standing or stopped at any place for a period of time exceeding five (5) minutes.
 - 9. Sell or attempt to sell along any particular route more than one time during a twenty-four-hour period.

(Code 1960, § 11-29)

Cross reference— Health, § 2-261 et seq.

~~Sec. 9-114. Screens on vehicle windows.~~

~~All windows and other openings of the truck, wagon, automobile, trailer or other vehicle, or compartments where fruits, vegetables or garden produce for human consumption are stored or handled, shall be closed by metal screens having a mesh not coarser than sixteen (16) wires to the inch as will as far as possible keep out all flies and other sources of contamination.~~

Sec. 9-114. Seasonal Sale Vendors.

- a. General. The rules of this section shall apply to each person lawfully permitted as a Seasonal Sales Vendor.
1. Every person who engages in the business of seasonal sales within the corporate limits of the city, before engaging in such business, shall apply for and obtain a mobile vending permit from the city pursuant to this division.
 2. Tents or canopies larger than 12' x 12' are prohibited unless a supplemental tent permit is obtained. Application for such permit shall be made with the Building Department. A sketch of the property showing the location of the tent or canopy on the property and a certificate of flame resistance shall be required to be submitted with the application.
 3. Seasonal sales permits will be issued no sooner than thirty (30) days prior to the associated holiday and shall expire seven (7) days following the holiday.

(Code 1960, § 11-30)

Sec. 9-115. Condition of products; compliance with state law.

~~All products and produce offered for sale under this division must be clean, wholesome and in good sanitary condition and their state and condition shall comply with the pure food laws of the state.~~

(Code 1960, § 11-31)

State law reference—Food generally, F.S. Ch. 500.

Sec. 9-116. Condemnation authority given to health officers.

~~It shall be lawful for the county health officer or his designated representative to condemn, take and destroy, or cause to be condemned, taken and destroyed, any fruit, vegetables or garden produce which, in his opinion, is unwholesome or unfit for human consumption by reason of unsoundness, contamination, adulteration or sophistication.~~

(Code 1960, § 11-32)

Sec. 9-117. Manner of transporting produce; standards for vehicles, receptacles.

~~All fruits, vegetables, garden produce, flowers and shrubs under this division shall be so carried and conveyed that they shall not tend to injure or annoy the public health or comfort, and only in vehicles or receptacles which are neat and clean and do not leak.~~

(Code 1960, § 11-33)

Sec. 9-118. Assistant allowed, limitation.

~~Upon a truck, wagon, automobile, trailer or other vehicle licensed under the provisions of this division, there shall be permitted only one helper or assistant to the driver or operator of such vehicle.~~

(Code 1960, § 11-34)

Sec. 9-119. Itinerant vending of foods, flowers, etc., on city streets.

~~It shall be unlawful for any person to engage in or manage the business of vending, hawking, peddling, selling or offering for sale at retail to consumers upon any public street, alley, public place or highway within the city from any truck, wagon, automobile, trailer or other vehicle driven by power or otherwise, any fruit, meat, meat products, vegetables, garden produce, flowers, shrubs, nuts, popcorn, sandwiches, pastries, candy or carbonated drinks.~~

(Code 1960, § 11-26)

Cross-reference—Streets and sidewalks, Ch. 17.

Secs. 9-1~~2015~~—9-130. Reserved.

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

SECTION 4. This Ordinance is and the same shall become effective immediately upon final passage hereof.

Linda Hudson, Mayor

ATTEST:

Linda W. Cox
City Clerk

APPROVED AS TO FORM AND CORRECTNESS:

Robert V. Schwerer, Esquire
City Attorney

RESOLUTION NO. _____

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; ESTABLISHING FEES FOR MOBILE VENDING, ESTABLISHING THE NUMBER OF MOBILE VENDOR PERMITS; ESTABLISHING APPROVED VENDOR LOCATIONS UTILIZING RIGHT OF WAY OR OTHER PUBLIC PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Code has been amended by Ordinance No. _____ to provide for mobile vending within the City Limits; and

WHEREAS, Ordinance No. _____ references that such permit fees, number of permits and locations shall be set by Resolution; and

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Fort Pierce, Florida:

1. The City Commission establishes the following Mobile Vendor Fee Schedule, approved vendor location map and permit limitations attached as Exhibit A.
2. This Resolution shall take effect immediately upon adoption.

IN WITNESS WHEREOF, this Resolution has been duly adopted this ____ day of _____, 2014.

Linda Hudson, Mayor

ATTEST:

Linda W. Cox, City Clerk

CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER



EXHIBIT A

Fees:

Application Fee	One time, non-refundable	\$100.00
Plan Review Fee	Required for mobile merchandise vendors	\$150.00
Annual Mobile Vending Permit Fee	Must be paid prior to October 1 st of each calendar year. Applications approved after January 1 st will be pro-rated.	\$250.00
Reduced Mobile Vending Permit Fee	To be eligible, must have an existing licensed business and utilize the same name on the mobile unit as the licensed location. Limit 1 per licensed business.	\$50.00
Itinerant Retail Produce Merchants	Must comply with requirements specified in Section 9-112.	Application fee only
Door-to-Door Sales / Solicitation	Non-profit or religious organizations are exempt	Application fee only
Seasonal Sales Vendor	Must comply with requirements specified in Section 9-114.	Application and plan review fee only.

Number of Permits:

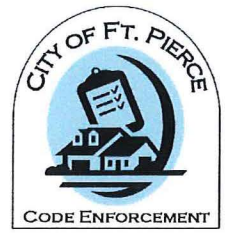
Downtown	Identified by the City – see attached maps.	3
South Beach	Identified by the City – see attached maps.	4
Other Commercial Zoned Districts	Locations to be determined by request of private property owner.	10
Other	Any location not identified above. If utilizing public property, request must be approved by the City Commission.	3
Itinerant Retail Produce Merchant	Locations to be determined by the request of private property owner.	No limit
Door-to-door sales / solicitation		No limit
Seasonal Sales Vendor	Locations to be determined by the request of private property owner.	No limit



CITY OF FORT PIERCE

COMMUNITY RESPONSE DIVISIONS
MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

Protecting the health, safety and welfare of our community



TO: Robert V. Schwerer, City Attorney
CC: Robert Bradshaw, City Manager
Nicholas Mimms, Deputy City Manager
FROM: Peggy Arraiz, Code Compliance Manager
RE: Proposed Mobile Vendor Ordinance
DATE: January 27, 2014

Attached please find the proposed mobile vendor ordinance, the related changes to the fine schedule and a resolution for your review as to form and correctness only. Please do not re-write the ordinance or delete items that you may not like (i.e. mobile merchant vending). There is no reason to hold a meeting to discuss your unsolicited deletions and insertions that do not reflect the direction given to me from the City Commission.

Thank you for your attention to this matter.

THIS MEMORANDUM IS A COMMUNICATION FROM COUNSEL TO AGENTS AND REPRESENTATIVES OF THE CITY OF FORT PIERCE IN AN ATTORNEY/CLIENT RELATIONSHIP AND IS THEREFORE CONFIDENTIAL AND IS FURTHER PROTECTED BY FLORIDA STATUTE SECTION 119.07 AS IT CONTAINS WORK PRODUCT OF THE ATTORNEY PREPARED IN ANTICIPATION OF, OR IN CONNECTION WITH, POTENTIAL OR PENDING ADVERSARIAL ADMINISTRATIVE PROCEEDINGS AND/OR CIVIL LITIGATION.

CITY OF FORT PIERCE - OFFICE OF THE CITY ATTORNEY

MEMORANDUM

TO: Peggy Arraiz, Code Compliance Manager

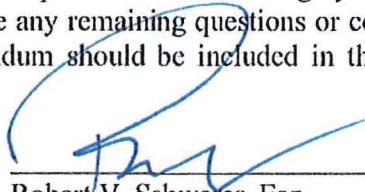
FROM: Robert V. Schwerer, City Attorney

SUBJECT: Chapter 9 Article IV - Vending Ordinance

DATE: December 9, 2013

Please find attached a comprehensive redraft of Article IV – Peddlers, Solicitors, and Canvassers, of Chapter 9 Licenses and Business Regulations, which staff has developed to provide additional regulation of mobile food vendors. For your edification, the red print is staff's additions or deletes, and the blue print are the deletes and additions from the City Attorney's office. The green print constitutes questions and comments.

We are circulating this draft to staff with a request that it be thoroughly reviewed. It is anticipated we can discuss this in person to resolve any remaining questions or comments. The staff members receiving a copy of this memorandum should be included in that conference. Please take the initiative to get it scheduled.



Robert V. Schwerer, Esq.
City Attorney

RVS/cf

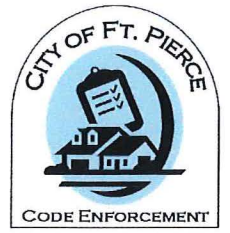
cc: Robert J. Bradshaw, City Manager
Nick Mimms, Deputy City Manager
R. Sean Baldwin, Chief of Police
Marc Meyers, Building Official
Karen Emerson, Assistant City Attorney



CITY OF FORT PIERCE

COMMUNITY RESPONSE DIVISIONS
MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

Protecting the health, safety and welfare of our community



TO: Robert V. Schwerer, City Attorney
CC: Robert Bradshaw, City Manager
Nicholas Mimms, Deputy City Manager
Anne Satterlee, Acting City Clerk
FROM: Peggy Arraiz, Code Compliance Manager
RE: Proposed Mobile Vendor Ordinance
DATE: September 6, 2013

Attached please find the proposed mobile vendor ordinance and the related changes to the fine schedule for your review as to form and correctness. This proposed ordinance involves significant revisions to Chapter 9, Article IV and the red-lined copy becomes a little difficult to follow, so I have also attached a proposed final version as well.

The resolution that addresses the number of permits, fees and locations will follow under a separate memo. I will be happy to meet with you or a member of your staff if you have any questions regarding the proposed changes.

Thank you for your attention to this matter.

City Commission Regular Meeting

Agenda Item # 12. f.

Meeting Date: 07/07/2014

Re: Common Good Initiative - Lincoln Park Community

Submitted For: Nick Mimms, Deputy City Manager, City Manager

SUBJECT:

Discussion led by Commissioner Alexander regarding the designation of Lincoln Park, Fort Pierce, St. Lucie County, as a "Common Good Community" by the Allegany Franciscan Ministries.

Attachments

[Common Good Initiative Announcement](#)

[Common Good Initiative Overview](#)

[Fort Pierce Men's Health Strategic Planning Initiative](#)



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COMMON GOOD INITIATIVE UPDATE

Posted In: [Newsletter Articles](#), [Uncategorized](#)

June 23, 2014



In late 2013, after an extensive and thoughtful discernment process, the Allegany Franciscan Ministries Board of Directors approved a new strategic enterprise called the "Common Good Initiative." In keeping with our mission to serve together in the spirit of the Gospel as a compassionate and transforming healing presence within our communities, the initiative will allow us to work with residents and stakeholders in specific identified communities to create opportunities, develop strategies and make investments that lead to positive health outcomes.

Evidence suggests that a focused approach in one geographic area will help us leverage resources and make a greater, measurable impact. We hope to utilize our resources to build in-depth relationships in each community, involve residents in creating or developing creative and innovative opportunities, and direct our investments towards the long-term success of those initiatives and programs.

Broadly speaking, the goal of the Common Good Initiative is to partner with specific neighborhoods to create healthier, safer, and more prosperous places in which our most vulnerable residents can live, learn, work and play.

Through the first half of 2014, the Allegany Franciscan Ministries' staff, volunteers and community partners worked to finalize the selection of a "Common Good Community" in each region. We are thrilled to announce that the Common Good Communities are:

Miami-Dade Region: Overtown

Tampa Bay Region: Wimauma Village (Wimauma, Hillsborough County)

Palm Beach Region: Lincoln Park (Fort Pierce, St. Lucie County)

The identification of these three communities is the culmination of a tremendous amount of work and collaboration, and we are so proud of and grateful for the work of the staff team and commissions, as well as our hundreds of community partners who assisted so far! The three communities are different in many ways, while the opportunities for us to partner with residents to impact lives in the short and long term are significant in each.

We are now entering the next steps of our planning work, in which we hope to engage members of each community as well as other stakeholders even more deeply in thinking about the best ways we can be involved in that community. In some communities, existing coalitions may be invited to serve in an advisory role; in others, roundtable events and town hall meetings may be held to gather information and prioritize.

If you are interested in working with us in Wimauma, Overtown or Lincoln Park, please contact the regional vice president for that region (Cheri Wright-Jones, Miguel Milanés or Upendo Shabazz-Phillips). We are eager to include you!

LATEST NEWS

[Now hiring Administrative & Grant Services Coordinator position at our Palm Harbor office.](#)

June 12, 2014

[Resource for Newly Insured: A Roadmap to Better Care and a Healthier You](#)

April 24, 2014

[We're hiring! Two new full time positions available at our Palm Harbor office](#)

March 19, 2014

[View All News](#)

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APPLY FOR A GRANT

NEW APPLICANTS

CURRENT PARTNERS

GRANT DEADLINES

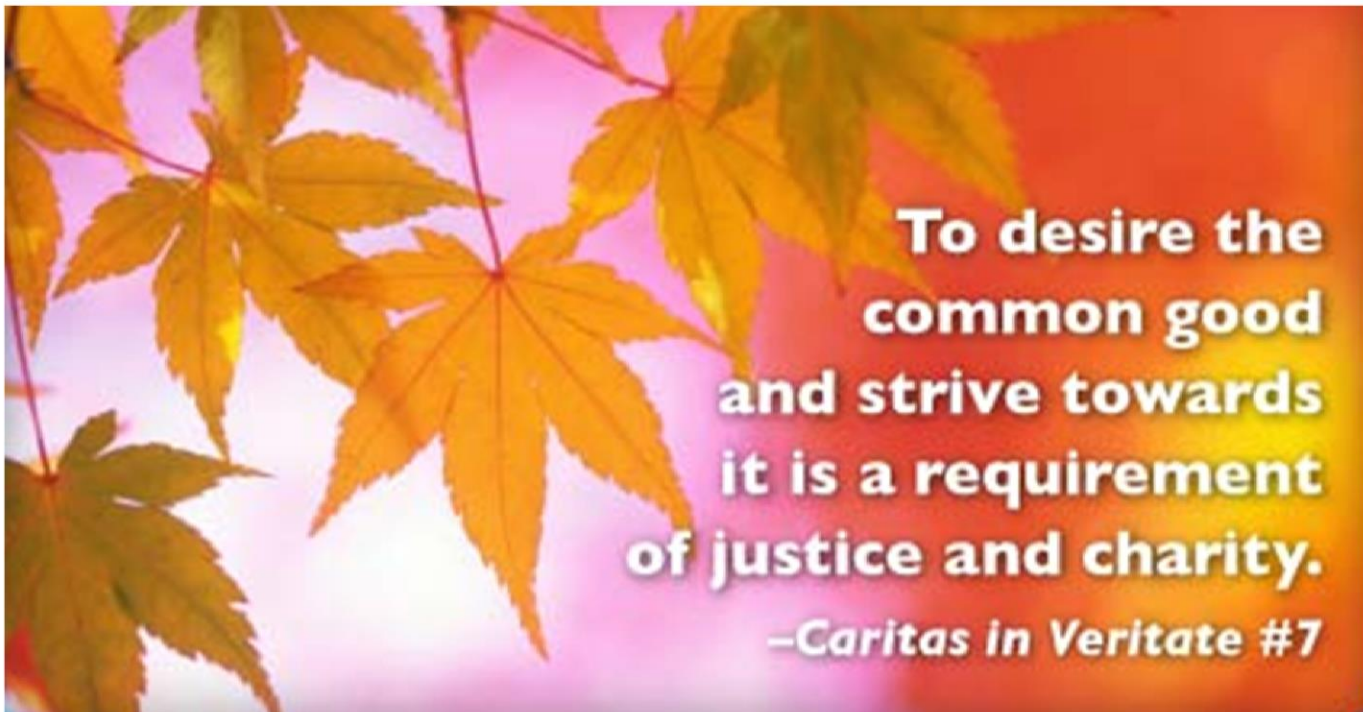
Allegany Franciscan Ministries awards grants to nonprofit organizations in the regions we serve on a continuing basis. Below are application deadlines.

October 1 - ACOR Grants



Allegany
Franciscan
Ministries

Common Good Initiative





Allegany Franciscan Ministries

March 2014

It is with great pleasure that Allegany Franciscan Ministries announces a new strategic endeavor, the “Common Good Initiative,” designed to mobilize communities towards better health and wellness through community engagement, a long-term commitment of resources, and increased collaboration of citizens and stakeholders.

In keeping with the legacy of the Franciscan Sisters of Allegany and with our mission to serve together in the spirit of the Gospel as a compassionate and transforming healing presence within our communities, this initiative will bring hope, inspire residents to embrace opportunities to improve their health and wellness, and make a transformative and measurable impact for the poor and underserved.

While Allegany Franciscan Ministries has committed a significant amount of resources to the initiative, we recognize that success will require that 1) stakeholders in the community take an active role in identifying opportunities, making recommendations and implementing the plan, and 2) other philanthropic, public, private, non-profit, and faith-based organizations come together to leverage funding, take leadership roles, and commit to a sustainable effort for the long-haul.

We look forward to working with a broad spectrum of stakeholders to become a part of improving health and wellness for community residents. As we move further along in the process to identify three communities, we encourage you to stay connected to see how you can help us. We value your input and guidance.

Peace and all good,

*Sr. Jo Streva, OSF
Chairperson, Board of Trustees*

*Eileen Coogan Boyle
President & CEO*

Special thanks to everyone on the staff team, regional commissions and board of trustees at Allegany Franciscan Ministries. The Common Good Initiative Task Force committed countless hours in developing this initiative. Led by Task Force chairman Carl Lavender, its volunteer members included: Alma Ayala, Arlease Hall, Emery Ivery, Sr. Jo Streva, John Flanigan, Sr. Lucy Cardet, Sr. Margaret Mary Kimmins, Margie Walden and Dr. Peter Gorski.



Allegany
Franciscan
Ministries

Common Good Initiative

A Focused, Community-Driven Approach for the Common Good

In late 2011, the Allegany Franciscan Ministries Board of Trustees began a process to identify a new strategic opportunity that would allow the organization to more deeply fulfill its mission, be open to new and innovative ways to create healthier communities, provide for the highest and best use of available funding, promote systemic change, and energize our community, volunteers and staff.

This past December, the Board of Trustees approved a new strategic initiative called the “Common Good Initiative.” The “common good” term comes from a central concept in the modern teaching of Catholic Social Teaching and is summarized in the 2004 Compendium of the Social Doctrine of the Church, #164, chapter 4, part II:

The principle of the common good, to which every aspect of social life must be related if it is to attain its fullest meaning, stems from the dignity, unity and equality of all people. According to its primary and broadly accepted sense, the common good indicates “the sum total of social conditions which allow people, either as groups or as individuals, to reach their fulfillment more fully and more easily”.

In keeping with our mission to serve together in the spirit of the Gospel as a compassionate and transforming healing presence within our communities, Allegany Franciscan Ministries will identify **one community** in each of the three regions we serve and **work with its citizens and stakeholders** to create opportunities, develop strategies and make investments that lead to positive health outcomes in each community.

Allegany Franciscan Ministries will focus the Common Good Initiative in under-resourced communities, increasing access to health and related resources necessary to bring about change towards better health and wellness.

A Common Good Community Starts with...

A Community with Health and Wellness Challenges, Ready to Partner with Us

Through analysis of a host of social, health and economic indicators, communities will be identified for the Common Good Initiative. Further work will be done to assess each community’s strengths, assets and to gather input directly from persons in the community. The Regional Commissions and Board of Trustees will make a final decision on one geographic community per region by June 2014.

Collaboration and Partnerships

While Allegany Franciscan Ministries has committed a significant amount of resources to the initiative, we recognize that success will require that 1) stakeholders in the community take an active role in identifying opportunities, making recommendations and implementing the plan, and 2) other philanthropic, public, private, non-profit, and faith-based organizations come together to leverage funding, take leadership roles, and commit to a sustainable effort for the long-haul.

Long-Term Commitment and Resources

The time invested in a community will depend on the community and the strategies chosen. While recognizing that this work takes a long-term commitment, reasonable expectations will be set for results and benchmarks to ensure that the work is on the path to success.

Allegany Franciscan Ministries plans to commit over \$6.5 Million to the Common Good Initiative over the next two years, while we anticipate working with communities for at least five to seven years. The total amount available and flow of resources needed over time may change depending on the community, strategies chosen, and availability of funds.

Belief that an Impact can result from the Common Good Initiative

Allegany Franciscan Ministries believes and expects the following outcomes from this initiative:

1. Positive movement in health and wellness indicators.
2. Documented changes in systems that improve a community's health and wellness. These will be determined collectively by the community and Allegany Franciscan Ministries and must address causes and lead to outcomes.
3. Evidence that efforts will be sustained.
4. Evidence of community engagement, collaboration and partnership.
5. Evidence of community mobilization and capacity.



Allegany
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Ministries

Frequently Asked Questions

How did this program come about?

In late 2011, the Allegany Franciscan Ministries Board of Trustees began a process to identify a new strategic opportunity that would allow the organization to more deeply fulfill its mission, be more open to new and innovative ways to create healthier communities, provide for the highest and best use of available funding, promote systemic change, and continue to energize our community, volunteers and staff.

This past December, the Board of Trustees approved a new strategic enterprise called the “Common Good Initiative.” In keeping with our mission to serve together in the spirit of the Gospel as a compassionate and transforming healing presence within our communities, Allegany Franciscan Ministries will identify one community in each of the three regions we serve and work with residents and stakeholders to create opportunities, develop strategies and make investments that lead to positive health outcomes in each community.

The Common Good and Catholic Social Teaching

The “common good” is a central concept of Catholic Social Teaching and is summarized in the 2004 Compendium of the Social Doctrine of the Church, #164, chapter 4, part II:

The principle of the common good, to which every aspect of social life must be related if it is to attain its fullest meaning, stems from the dignity, unity and equality of all people. According to its primary and broadly accepted sense, the common good indicates “the sum total of social conditions which allow people, either as groups or as individuals, to reach their fulfillment more fully and more easily”.

Why one community or neighborhood, we have needs throughout the counties we serve?

Evidence suggests that a focused approach in one geographic area will help us leverage resources and make a greater, measurable impact. Allegany Franciscan Ministries expects to utilize our limited resources to build in-depth relationships in each community, involve residents in creating or developing creative and innovative opportunities, and direct our investments towards the long-term success of those initiatives and programs.

While Allegany Franciscan Ministries will begin dedicating a substantial amount of its available grant funds to the Common Good Initiative, we will maintain a limited number of our more traditional grants in each region. (See question “Will you still maintain a competitive grants program?” on the next page).

How will the communities be chosen?

Communities will initially be identified through analysis of social, health and economic indicators. In order to be consistent across regions, we are using data sources including, but not limited to, our local Children’s Services Councils, Census Bureau, County Health Departments and Florida Department of Health. Then, further work will be done to assess each community’s strengths and assets and to gather input directly from persons in the community. The Regional Commissions and Board of Trustees will make a final decision on one geographic community per region.

How much money will be committed to the Common Good Initiative?

Allegany Franciscan Ministries typically awards \$6 million annually through its available grants programs. There will be no change to the total grant budget for this year, nor any change to the total grant budget by region.

Of the total \$12 million anticipated to be available in the next two years, approximately \$6.5 million will be committed to the Common Good Initiative. The Miami-Dade Region will have \$1 million; Palm Beach Region will have \$2.5 million and the Tampa Bay Region will have \$3.2 million available for the Common Good Initiative.

Why is there a different allocation per region?

Total funds available in each region for our ministry are legally restricted to specific counties based on agreements made when Allegany Franciscan Ministries was formed. The allocation is in large part based on the total assets originally contributed to create Allegany Franciscan Ministries from each region. While the amount of available funds varies per region, Allegany Franciscan Ministries maintains equal staffing support in each region and through its central office.

Will you still maintain the competitive grants programs?

Allegany Franciscan Ministries offers several competitive and non-competitive grant programs. However, with the launch of the Common Good Initiative, there will be a significant reduction in the total amount of funds available for these grant programs making the selection of recipients more competitive.

In 2014, the Palm Beach and Tampa Bay regions will continue to offer both Major Grants and Tau Grants. Again, the total funds for the Major Grants and Tau Grant programs will be decreased. In Miami-Dade, nearly all the funds available will be directed to the Common Good Initiative with a small reserve of funds for other purposes that may or may not be directly related to the Common Good Initiative.

Each year, the allocation may change based on the needs of the community, available funds, and partners engaged with the initiative.

What do you expect to achieve through this initiative?

Allegany Franciscan Ministries believes and expects the following outcomes from this initiative:

1. Positive movement in health and wellness indicators.
2. Documented changes in systems that improve a community's health and wellness. These will be determined collectively by the community and Allegany Franciscan Ministries and must address causes and lead to outcomes.
3. Evidence that efforts will be sustained.
4. Evidence of community engagement, collaboration and partnership.
5. Evidence of community mobilization and capacity.

How do I get involved in this initiative?

As we begin to develop, refine and engage in this initiative, we will be looking to our current and past grant partners, community stakeholders, and residents to help us understand the community, share best practices, and connect us to others with whom we can partner and leverage resources. How can you help?

1. Get to know our organization, mission, and staff.
 - a. Attend an information sessions, lunch and learns, or other events
 - b. Sign Up for Our E-Newsletter
 - c. “Like” us on Facebook
2. Help us get to know you.
 - a. Tell us what trends you see in your community, programs, and amongst your peers
 - b. Share a success story
 - c. Make sure we are “following” you on your social networks

Next Steps and Timeline:

Beginning in January 2014, Allegany Franciscan Ministries has the following anticipated timeline to launch the Common Good Initiative.

January - February	Allegany Franciscan Ministries announces the Common Good Initiative and Grant programs for 2014
February - June	Community research, asset & readiness assessment conducted. Regional Commissions’ community selection recommendations presented to Board of Trustees for final selection in early Summer 2014.
June - October	Additional work in the community will be done to further identify opportunities, develop partnerships, and begin to set strategies for implementation.



Meeting Minutes
April 7, 2014
Ron Parrish, Chair

Roundtable Members Attending: Sean Baldwin, Linda Bartz, John Bolduc, Sean Boyle, Chris Dzadoovsky, Linda Hudson, Andrew Hunt, Karen Knapp, Andrea Kochanowski, Larry Lee, Tony Loupe, Robert McPartlan, Vern Melvin, Ron Parrish, Lisa von Seelen, and Genelle Yost.

Roundtable Members Absent: Terissa Aronson, Carol DeLoach, Mary Locke, Ken Mascara, Richard Stetson, and Wydee'a Wilson.

Guests Attending: Arlease Hall, Clint Sperber and Tonya Andreacchio.\

I. Welcome/Introductions and Pledges

Ron Parrish welcomed all members to the meeting. The Pledge of Allegiance and the Treasure Hunter Pledge were then conducted.

II. April Agenda/March Minutes

Vern Melvin made a motion to accept the April agenda and March minutes, seconded by Bob McPartlan. Motion carried unanimously.

III. February 2014 Financials

Esperanza Morales presented the financials for February. Membership dues received were from the Hunt Foundation of \$10,000.00. Grant revenues were \$7,276.47 from Children's Services Council and the United Way. Other income was \$1,888.00 for Bridges Out of Poverty training, the sale of Kids at Hope books/materials, and Kiss the Pig donations. The Kiss the Pig fundraiser was a success, with a total of \$7,270.65 collected. There was no savings account activity. Total income was \$9,164.47, at 68.44% for the year and expenses were \$34,723.89 at 39.41% for the year

Tony Loupe made a motion to approve the February 2014 financials, seconded by John Bolduc. Motion carried unanimously.

IV. Fort Pierce Men's Health Strategic Planning Initiative

New Equity Partners Consulting Group principles Dr. April Young, Rod Petrey, and Anthony Blazebe, as well as Upendo Shabazz-Phillips with Allegany Franciscan Ministries presented on findings on a study they did on men's health in Fort Pierce. They utilized surveys, focus groups, interviews and observation. The rate of incarceration is higher than any other community they have surveyed. These were the toughest group of men ever studied. There was a lot of suspicion, anger, resentment, and apathy. These men have spent a lot of time in prison and can't find work or housing. The number of men that have been tested for HIV is high as every six months a van comes to the neighborhood and tests them. Larry Lee added there is a 75% reduction of HIV/AIDS in that community and the Roundtable initiative regarding HIV/AIDS is paying off. New Equity suggested that maybe a van like the HIV one providing holistic well visits. These men are on the corner or under a tree, hanging out and making everyone else's lives miserable. They are a nuisance.

Summary Profile of Population

- 99% African American
- 38% employed
- 43% have high school diploma
- 59% earned less than \$20K per year

- 7% have college degrees
- 28% earned less than \$10K per year

Summary of Frequencies

- 70% previously incarcerated
- 31% with no place for health care
- 44% have a medical home
- 24% received dental care in previous year
- 17% report depression
- 74% report hypertension
- 19% report diabetes
- 50% smoke
- 93% have been tested for HIV

Digital Divide

- 86% have cell phones
- 38% have smart phones
- 43% have computers in the home with Internet access

Possible Measures: A Way Forward

- Use of technology (mobile phones) to expand access to care
- Append to a provider organization – use the HIV van for a mobile health clinic
- Begin with the self-selected group of under-served men – 40 men were interested in working on a solution
- View as a cutting-edge capital venture – a digital/mobile technology investment – create something new and sell to other communities. Talking with Johns Hopkins now.
- Envision implementation as a high-level tech initiative

V. Community Benchmarks

Christine Epps stated that as Roundtable members and policy makers, they make decisions and whatever is chosen today will be handed to a Steering Committee. The Steering Committee member should be second in command of member agencies and able to make decisions. They will be tasked with doing further research and look deeper into the issues and the “why”. She asked that before they leave today decide who the Steering Committee member will be.

Tonya Andreacchio and Clint Sperber presented statistics in St. Lucie County in the following areas:

Growing a Vibrant Economy – issues of economics, household income, poverty and unemployment.

Sustaining a Healthy Community – issues of public health – obesity, diabetes, HIV/AIDS, teen births, infant deaths, infant mortality, low birth rate, prenatal care, immunization, STD’s, access to care, uninsured, and oral health.

Discussion

- Larry Lee - Teen pregnancy is the root cause for generational poverty.
- Clint Sperber – It is important to note that infant deaths due to accidents is higher than the rate of death by HIV and homicide by firearm put together.
- Lisa von Seelen - Healthy Start is pushing for legislation for a FEMR Group to review all deaths. Exposure to violence while pregnant is also an indicator..

Achieving Educational Excellence – issues of education – educational attainment, free and reduced lunch, Kindergarten readiness, FCAT reading, non-promotion rates, graduation rate.

Discussion

- Chris Dzadovsky – There is research that shows 3rd grade reading levels are indicators in future prison planning.
- Vern Melvin – Were 70% of our children reading at grade level in 2006 and now only 50%?
- Genelle Yost – There have been six changes to the FCAT in the last 3 years. There is now a higher

level of expectation on the assessment. It is more difficult to reach the levels of proficiency now. This is the final year of the FCAT.

- Larry Lee – Representative Lee is asking for legislation for a pilot program in Fort Pierce to fund childhood literacy.
- Tony Loupe – There was a study done in Chicago that took a group of children in child care – one in a quality setting and one that was more of a babysitting service. Those in the quality center were more likely to have a job, own a home, and have money in a savings account.
- Tonya Andreacchio – in 2010-11 the Federal government changed the graduation rate and required all states to measure the same rates.
- Genelle Yost - Those students who transfer to college and earn a degree are not considered to have graduated.
- Sean Baldwin – So if we wanted to work on increasing graduations rates we cannot use this data. Sometimes GED's are consequence oriented and come after bad things happen. There is a GED program in the jail. Tony Loupe – The first year of VPK was in 2005-06. There were 1,500 students the first year and 2,700 now. There are 3,200 kindergarteners so Early Learning Coalition is getting a high percentage of them.

Keeping the Community Safe – issues of violence - delinquency referrals, marijuana, cigarette and alcohol usage, unintentional injuries, mortality rates, violent crime rates, gun violence, arrest rates,

Discussion

- John Bolduc – There has been a steady decline in the county, state and nation.
- Sean Baldwin - Community policing is more accepted, demographics are changing.
- Sean Baldwin – There are a small number of young men in gangs that are dealing with their conflicts by gunfire. Most of the guns recovered were stolen, but they do buy ammunition at Walmart which is great because they are being videotaped.
- Chris Dzadovsky – When he visited Pittsburg he noticed that all shell casings go to forensic analysis. Sean Baldwin – They used to be able to do that but four years ago the ATF took that away. He is trying to get it back. The FPPD is writing a grant to address the violence.
- Christine Epps – We have a disproportionate minority arrest rate.

Health Rankings – health outcomes, health factors (includes health behaviors, access and quality of care, social and economic factors, and physical environment).

Sean Boyle made a motion to nominate Clint Sperber as Chair of the Steering Committee and Tonya Andreacchio as Vice-Chair, seconded by Chris Dzadovsky. Motion carried unanimously.

Discussion

- Chris Dzadovsky – He will go back to the Board of County Commission and ask them to look at this and fund it on some level as it is an economic development issue and the Economic Development Council needs to be at the table. We need to attract corporations and business to St. Lucie County. Focus money is needed to take care of these issues so corporations will want to come to St. Lucie.
- Larry Lee – There are vacant board seats and the new director of the Economic Development Council should be at the table. That and education are the two most fundamental areas. The other seat is a faith network member we should address.
- Sean Baldwin – Is addressing Faith and the Lincoln Park Pastors Association has asked to be involved. He would like to invite them to sit at the table.
- Christine Epps - Other Roundtable members also have ideas about potential faith members.
- Chris Dzadovsky – Will ask the Board to impress on the new director of the Economic Development Council to come to the meetings. They fund them \$250,000 a year.
- Larry Lee – Collectively the members at the table have thousands of employees and big budgets. We should be able to produce some results.

VI. Prioritizing Indicators

Each Roundtable member completed a worksheet, prioritizing what they believe are the top indicators. The final tally showed the following results:

- 1 – Violent Crime Rate Child
- 2 – Child Maltreatment
- 3 – Violent Crime Rate Adult
- 4 – Reading on Grade Level by 3 Grade
- 5 – Infant Mortality
- 7 – Tied: Children below Poverty Level; Kindergarten Readiness; Juvenile Arrest/Referrals
- 9 – Unemployment
- 10 – Childhood Obesity
- 11 – Prenatal Care
- 12.5 – Tied: Oral Health; Graduation Rates
- 14 – Educational Attainment
- 15 – Low Birth Weight
- 16 – Uninsured Children
- 17 – Unintentional Injury/Death
- 18 – Reading on Grade Level by 10th Grade
- 19 – Teen Birth Rate
- 20 – Household Income
- 22 – Diabetes Deaths
- 23 – Non-promotion Rates
- 24.5 – Tied: Sexually Transmitted Disease; HIV/AIDS Infection
- 26.5 – Tied: Number of Physicians; Cigarette Use
- 28 – Immunizations
- 29 – Alcohol Use
- 30 – Marijuana Use

Discussion

- Christine Epps – We need to take at least the first five and start formulating a goal to give to the Steering Committee. They will look further at the other indicators and will be charged with looking at a scientific best-practice framework for the approval of the Roundtable. This group needs to set benchmarks and the Steering Committee will come back with strategy and best practice.
- Sean Baldwin – We should not assign a specific number or percentage. Let the Steering Committee recommend a specific objective and make sure objectives are achievable. They will do the research, establishing benchmarks, analysis, finding a framework, and strategies.
- Sean Boyle – Agrees with Sean Baldwin. We should narrow it down to five or six and combine some.
- Sean Baldwin – They need to take these priorities, narrow down the target, give the Roundtable the framework and strategies. Would like it if we use the same sort of model as the HIV/AIDS curriculum.
- Boyle – Just because something isn't a priority we won't stop working on it. We will continue to address it and we're not going to shift resources away from what's already working such as the teen birth rate.
- Linda Bartz – When she was doing the ranking she was thinking that same thing. She didn't put oral health as high because we are working on it and will continue to work on it but that doesn't mean it's important.
- Clint Sperber – Don't set us up for failure. To understand a strategy we need to know what resources are available, from a funding prospective too.
- Christine Epps – The Steering Committee will get the same presentation as we did today and they will dissect it and come up with strategies on how to improve these areas.

- Chris Dzadoovsky – This will be similar to Restoring the Village. We need to have community partners as resources.
- Sean Baldwin – We will not implement any strategy until the community has signed off on it. This is extremely important.
- Chris Dzadoovsky – Asked for members to support the County Commission engage Dr. Kennedy and the University of Cincinnati to observe what we have done and focus on funding opportunities. Help us refocus our funding sources to make the best possible decisions.
- Christine Epps – In the last Comprehensive Plan we were missing the evaluation piece. We have to evaluate every year. The University of Cincinnati’s evaluation of what we’ve done would be fantastic.
- Sean Baldwin – We need to re-thing the Level for each agency funding and also fundraising efforts. The Roundtable does not need to do fundraising. This is taking away resources from other agencies. The Executive Director should not be working on fundraising but on strategies. As the economy gets better and budgets get better a priority should be the funding of the Roundtable. If we do want to fundraise then we need to hire somebody to do it, not our Executive Director.
- Chris Dzadoovsky – Proposed that each agency provide an extra \$5,000. That would be substantial. If we focus on the economic development approach that changes the dynamics. People don’t want to hear social services.
- Sean Boyle – Agrees that the Executive Director doesn’t need to do fundraising.
- Ron Parrish – We need to look at funding resources today and if they are sufficient. Likes the idea of each member stepping up to the plate a little closer.
- Chris Dzadoovsky – There are millions of dollars available through County Commission Community Services. He will talk to his Board about the Roundtable being woefully underfunded. We should have a presentation to show to the funders that will be looking at these things.
- Linda Hudson – To follow up we need to show the presentation to the Economic Development Council because they are south county focused and of a totally different mindset. Their board and members need a presentation of major highlights.
- Ron Parrish – This is a lot of great dialogue with great momentum and we can’t let it slip by. We can make a difference in St. Lucie County.

City Commission Regular Meeting

Agenda Item # 12. g.

Meeting Date: 07/07/2014

Re: Crime Prevention Activities Update

Submitted For: Robert Bradshaw, City Manager

SUBJECT:

Discussion led by Commissioner Sessions regarding an update of crime prevention activities.

City Commission Regular Meeting

Agenda Item # 13. a.

Meeting Date: 07/07/2014

Re: City Manager's Activity Report

Submitted For: Robert Bradshaw, City Manager

SUBJECT:

City Manager's Activity Report

Attachments

City Manager's Activity Report



INTEROFFICE MEMORANDUM

FROM THE OFFICE OF THE
CITY MANAGER

TO: The Honorable Mayor and Members of the City Commission
FROM: Robert J. Bradshaw, City Manager *RJB*
RE: Department Activity Report
DATE: June 20, 2014

The information that follows is intended to keep the Commission abreast of the on-going activities, issues, programs and services within the City.

City Manager's Office

City Manager

- The City Manager held a Conference Agenda meeting on June 9, 2014.
- The City Manager, Deputy City Manager, Finance Director and Chief Accountant met with each member of the City Commission and each Department Head to discuss the proposed budget for FY2015.
- The Marketing Specialist attended Fort Pierce Area Council meeting on June 9, 2014.
- The City Manager met with the City Attorney and Administrative Services Director to discuss an employee grievance.
- The Deputy City Manager and City Engineer met with representatives from Cardno, TCRPC and FPUA regarding the progress of the King Plant site cleanup.
- The Marketing Specialist attended the ground breaking for new baseball fields on Quincy Avenue.
- The City Manager and Deputy City Manager attended weekly meetings with the Mayor to discuss current City issues.
- The City Manager and Deputy City Manager met with the Code Compliance Manager to discuss Animal Control issues.
- The City Manager, Deputy City Manager, Marketing Specialist and Executive Assistant participated in the Fort Pierce Police Department's Boys and Girls Club fundraiser on June 12, 2014.
- The Deputy City Manager attended the RFQ No. 14-020 Transportation Services Selection Committee meeting at the County.
- The City Manager and Code Compliance Manager met with Dr. Lyman regarding his animal control concerns.

City Manager's Office contd.

- The Marketing Specialist and Historic Preservation Officer met with a potential business owner regarding the permitting process and business tax receipts.
- The City Manager and City Attorney attended a meeting with staff regarding an EEOC matter.
- The City Manager met with Commissioner Perona regarding the agenda for the June 16, 2014 City Commission meeting.
- The Economic Development Team held a meeting to discuss economic development activities.
- The Deputy City Manager attended the Keep Fort Pierce Beautiful Advisory Board meeting on June 17, 2014.
- The Deputy City Manager participated in a conference call with Commissioner Dzadovsky regarding the Indian Hills project.
- The City Manager met with the City Attorney for an update on legal issues.
- The City Manager and Deputy City Manager met with Representative Lee regarding a Port Authority.
- The Deputy City Manager held a meeting with Urban Redevelopment staff
- The City Manager, Deputy City Manager and Police Chief met with Commissioner Sessions regarding the implementation of a short range plan for crime prevention.
- The Marketing Specialist attended the St. Lucie County Chamber Tourism Committee meeting on June 19, 2014.
- The Deputy City Manager met with 3 employees to review their performance evaluations.
- The City Manager met with the Building Official for an update on building issues.

City Clerk's Office

- Gave assistance and answered questions to the walk-in public on various aspects of Business Tax Receipts which included but not limited to:
 - New Applications: 23 Renewals: 0 Transfers: 1
- Gave assistance and answered questions to the walk-in contractors on various aspects of Contractor's Licensing which included but not limited to:
 - New Applications: 12 Renewals: 8
- Gave assistance and answered questions from the public who have contacted office by telephone.
- Gave assistance and answered questions received by the public via e-mail through the City's web-page.
- Assisted the public by researching and providing copies of various requested public records.
- Assisted the public, various departments, newspaper and other government entities by providing DVD copies of various commission meetings.
- Assisted public by processing and providing receipt for animal registrations payment.
- Assisted Code Compliance Manager by processing and providing a receipt for check received from St Lucie County Humane Society for impound fees in May.
- On-going updating of contractors' records for current Liability Insurance, Workman Compensation Insurance, and State License information.
- Preparation of legal advertisements, letters, resolutions, & ordinances for various departments for upcoming City Commission agenda items.
- Preparation of several Proclamations.
- Checked for correctness and completeness necessary paperwork submitted by contractors to go before the Board of Examiners of Contractors meeting to be held on July 08, 2014.
- Attended, recorded and transcribed minutes of the City Managers Conference Agenda held on June 09, 2014.
- Attended, recorded and transcribed minutes of the Fort Pierce City Commission Meeting held on June 16, 2014.
- Revenue Recovery working with Code Enforcement personnel on new businesses within the city limits that have not applied for a Business Tax Receipt.
- Licensing/Permit Clerk working with Building Department Permit Specialist to contact business tax applicants to set up appointments for building inspections and other issues associated with a business tax application.
- Daily balancing process of cash receipts and submittal to Finance Department for bank deposit.
- On-going implementation of computerization of annexation records.
- On-going implementation of scanning City Commission Meeting minutes, ordinances, resolutions, and the Fort Pierce Redevelopment Meeting minutes into the Optiview system.

City Clerk's Office contd.

- Assisting MIS Department in correcting and adding unit numbers to existing address data base.
- Preparation and delivery to St. Lucie County Courthouse recording division various paperwork to be recorded.
- Assisting Finance Department by signing and affixing the City Seal to necessary paperwork associated with release of liens.
- Assisting Planning Department personnel answering questions pertaining to business tax applications.
- Assisted Planning Department personnel by researching and providing copies of various ordinances, rezoning, conditional uses and annexations.
- Assisted City Attorney Office by doing research on various city issues.
- License Permit Specialist/Deputy City Clerk entering in the computer system new business tax rates for all business classifications and all additional charges to go into effect July 1, 2014.
- License Permit Specialist/Deputy City Clerk working on an on-going record retention projects.
- License Permit Specialist/Deputy City Clerk worked on 361 page report for business tax receipts renewals.
- On-going implementation of updating various forms and having them accessible through the City of Fort Pierce website.
- License/Permit Clerk Allison Martin assisted the Manager of Fort Pierce Animal Control Department and Grant Writer/Administrator with projects.
- License/Permit Clerk Joyce Kobbe working on various office projects.
- City Clerk attended 2014 FACC Summer Conference in St. Augustine.
- City Clerk attended United Way Trustees Event.
- City Clerk qualified three (3) candidates for Municipal Election.
- City Clerk worked with FPRA Grant Writer to assume duties of Enterprise Zone Coordinator.

Administrative Services Department

- **Procurement –**
 1. Purchasing Manager provided Procurement Training for Code Enforcement and City Clerk staff.
 2. Reviewed /processed purchase orders.
 3. Review and Renewal of Annual Contracts.
 4. Processing and/or completion of awards to vendors/contractors approved by Commission.
 5. Meetings:
 - a) Director of Administrative Services met with the City Attorney, City Manager, Chief of Police and Risk Manager regarding an EEOC issue.
 - b) Director of Administrative Services, City Attorney, Human Resources Manager, and a Representative of the Civil Appeals Board met regarding a personal Issue.
 - c) Purchasing Manager attended a Strategic Planning Meeting on RFQ 2014-010 King Plant Property Redevelopment for Phase 2 Request for Proposals.
 - d) Director of Administrative Services and the Director of Finance attended Annual Conference on Public Risk Management.
 - e) Director of Administrative Services and Human Resources staff attended a Webinar on Applicant Tracking.
 - f) Director of Administrative Services attended Insurance Committee Meeting.

- **Human Resources –**
 1. Coordinated Pre-employment physicals and background checks.
 2. Conducted New Employee Orientations
 3. Created several Personnel Action forms for employees.
 4. Distributed monthly Reports to each department such as Accrual Register, Time Sheets and payroll register to Police Department.
 5. Verification of payroll, car and clothing allowance.
 6. Completed Verification of Employment/Loss of Income forms.
 7. Pick-up Mail from the Post Office Box
 8. Cleaned and organized Human Resources Files for current and prior years
 9. Input employees data from Personnel Action forms such as, suspension, Police Officers salary incentive pay, resignation, retirement, annual and probation evaluation.
 10. Create and process retirement package for employees.
 11. On-going training of New Hire
 12. Civil Service Board meeting and elections.

- **Risk Management –**
 1. Coordinated Stress Seminar with Florida Blue June 25, 2014.
 2. Obtained LA Fitness Membership Discount for Employees.
 3. Attended Wicker Smith Claims Seminar June 13, 2014.
 4. CPR/AED/FA Training for City employees July 21 - 22, 2014.
 5. Accident and Injury Reviews.
 6. Audited, Closed, and Processed WC Claims.
 7. Processed Insurance Subrogation.
 8. Consulted with the City Carrier Regarding Liability Claims.
 9. Processed day to day Risk Management Duties.

Finance Department

- Met with each member of the City Commission and Department Heads regarding the proposed FY2015 budget.
- Prepared Draft No. 1 of the Proposed FY 2015 budget
- Day to Day Operations

MIS Department

- Work with State of Florida and AT&T when telephone cables were severed due to Veterans Park construction that impacted River Walk Center connectivity via telephones and computer systems.
- Met with City Manager, Deputy City Manager, Finance Director, and Chief Accountant on Fiscal Year 2015 MIS Budget.
- Held training with several departments on new procedures for PCard Visa Pay transactions starting July 5, 2015.
- Working with several departments with laptop on connectivity issues stemming from the upgrade of the State of Florida DMS VPN procedures.
- Searching for options for Commissioners to be able to engage in audio or video conferencing when not physically able to attend meetings.
- Working with the City Clerk office on annual renewal processes for Business Tax Receipts and Contractors Licenses.
- Working with SmartGov and Building staff to retrieve corrupt data from the old Black Bear PTWin software.
- Working with Marina to secure pricing for new software.
- Received quote from Selectron IVR reps for information on sending this function to the cloud or purchasing a new server and keeping the process in house.
- On-going training for several departments including the new State of Florida DMS SunCom CSA training.
- Submitting CSAs to reduce the cost of business telephone lines throughout the City.
- Ongoing maintenance support for Marina WiFi and camera system due influx of crime.
- Transferring data to new file servers for several departments.
- Upgrading out of lease copiers for several departments.
- Completed the router speed installation for Indian Hills, River Walk Center, Sunrise Theatre, and City Hall. Public Works department is the only one remaining.
- Deploying AppAssure Imaging, Backup, and de-duplication Citywide.
- Working on new servers, racks and Intune software citywide.
- Exploring cloud based options for different applications.
- Processing new computer equipment for various departments.
- Working on a WorkOptiFlow pilot program with Indian Hills Department.
- Working with vendor Group Business Software and the migration is eighty five percent complete to move Lotus Notes to the cloud and working with eight employees for testing.
- Working on Rights issue with NAS (on-going).
- Processing VOIP spread sheet for remaining remote site (Sunrise Theatre) and gathering all information required including old numbers to be ported.
- Marina data room is currently being upgraded to handle a new data rack, servers. Transferring data to the new NAS device (on-going).
- Major problems with email due to virus attacks to our system (on-going).
- Servers for Sunrise Theatre are being processed for distribution.
- Software integrations citywide (on-going).
- Working with AT&T and State of Florida on the fiber optic installation preparation for Public Works/Solid Waste (ongoing).
- Lotus Notes IQsuite e-mail spam, and archiving (ongoing).
- Updating MIS documentation and procedural policies (on-going).
- Received seventy (70) new work orders and completed one hundred thirty six (136) work orders.

Planning Department

- **Administrative/Meetings –**
 1. All Staff members conducted ‘Planner of the Day’ duties on a rotating basis.
 2. Walk-ins/Call-ins.
 3. Special Planning Board Meeting – June 10, 2014
 4. Historic Preservation Board Meeting – June 23, 2014
 5. Technical Review Committee Meeting – June 19, 2014
 6. Board of Adjustments Meeting – June 26, 2014
 7. TPO Traffic Impact Study Methodology Meeting
 8. Pre-Application Meeting - Proposed Family Dollar – Orange Ave & 18th street
 9. Land Management Module Training

- **Comprehensive Planning, Long Range Planning –**
 1. St. Andrew’s Zoning Text Amendment - CC Staff Report

- **Development Review –**
 1. Processing 7 Annexation Agreements
 2. 1010 Antilles Ave - Special Exception confirmation
 3. Boston Avenue/St. Andrews Abandonment Request - CC Staff Report
 4. 320 S Indian River Drive - St. Andrew’s Temporary Use - Conditional Approval
 5. Fresh Wind, Fresh Fire Conceptual Development Plan - CC Staff Report
 6. St. Marks/Papa’s Meat Market Alleyway Review
 7. 511 & 513 Georgia Avenue – Spin to Win Development - Pre Application Meeting
 8. 17th Street & Orange Ave. – 10,000 SF Retail Development – Pre Application Meeting
 9. Selvitz & Ralls Roads – Final Plat Review – TRC Review
 10. 110 S Ocean Drive – Conditional Use for Improvements – TRC Review

- **Historic Preservation –**
 1. 100/102 N 2nd Street - Stucco/Mural Replacement - HPB Conditional Approval
 2. 221 S Indian River Drive - Fence, Landscaping, & Lighting - HPB Approval

- **GIS Mapping –**
 1. ArcGIS Online Publisher Workflows Workshop
 2. Meeting with Planning Staff and Jerome Spivey, FPPW

Building Division

- **7131 Okeechobee Road (West Star)** – Permits have been issued for the fuel tanks which should abate the current unsafe situation.

- **320 S. Indian River Drive (St. Andrews School)** – Met with the project’s architect and contractor to help facilitate their upcoming renovation.

- **4600 Selvitz Road – (Dog & Cats Forever)** – Permit application and plans have been received for both the site work and addition.

Code Enforcement Division

- **Hearing – Special Magistrate Ross**
 1. 6 violation hearings
 - a) 1 continued by staff
 - b) 1 complied prior to hearing
 - c) 4 found in violation
 2. 2 penalty reduction requests
 - a) Massey Hearing – complied with the help of World Changers. All fines were waived.
 - b) Massey Hearing – new owner complied with violations and is making additional improvements. Reduced fine to \$100.00.
- **Code Enforcement –**
 1. Received 33 complaints
 2. Issued 19 written warnings
 3. Issued 1 citation
 4. Initiated 109 new cases: 63 general violations, 46 lot clearing violations
 5. Conducted 347 follow-up inspections
 6. Closed 83 cases
- **Animal Control –** (partial report – not all numbers in due to illness and family death)
 1. Responded to 110 dispatched calls
 2. Conducted 134 self-initiated calls
 3. Conducted 28 follow-up investigations
 4. Issued 5 citations and 3 written warnings
 5. Completed 7 bite reports
 6. Completed 0 cruelty reports
- **Revenue –**
 1. Processed 42 lien / title searches
 2. Received notice from Tax Collectors office of tax sale with excess proceeds of approximately \$11,000 that should be received shortly.
- **Miscellaneous –**
 1. The code manager attended hearing with Chief Baldwin, Lt. Curry, and several neighbors from the Paradise Park neighborhood to attempt to resolve a dispute. I do not believe we were successful and that the neighbor disputes will continue.
 2. The code manager met with Commissioner Alexander, City Manager Bradshaw and Deputy City Manager Mimms to discuss the above mentioned dispute.
 3. The code manager met with City Manager Bradshaw, Deputy City Manager Mimms and Attorney Schwerer to discuss legal concerns with the vendor ordinance.
 4. The code manager met with City Manager Bradshaw and Deputy City Manager Mimms to discuss the grant donation from United for Animals (twice).
 5. The code manager and Code Executive Assistant met with United for Animals to discuss their offer of a grant to the City's Spay & Neuter program.
 6. Finalized brochure to address parking problems along US 1. Code Officer Terry Denmark has started making contact with the car lots and explaining the ordinance change. St. Lucie County Code Enforcement has also been provided copies of the brochure – they fully support the City's new ordinance and have offered to assist in spreading the word.
 7. Three code officers and the code manager participated in the blood drive.
 8. The code manager attended the monthly TRC meeting.
 9. The code manager met with City Manager Bradshaw and Dr. Lyman of the Animal Emergency Center to discuss policies and procedures.
 10. The code manager met with City Manager Bradshaw, Deputy City Manager Mimms, Gloria Johnson and Johnna Morris to discuss the Community Response FY 15 budget.
 11. Met with Mr. Richardson at 1115 Avenue F to discuss the disputed lot clearing charges. The property was walked by both parties, boundaries identified and photos taken.
 12. Submitted a memo to City Manager Bradshaw and City Attorney Schwerer with my recommendations as to an appeal process for the above item. I suggested the matter be placed on a conference agenda for further discussion.

Engineering Department

- **Development Reviews** – Intake of six (6) Building Permit, Site Plan, or Certificate of Occupancy reviews.
- **Stormwater Division** – Currently preparing SMU fee information for St. Lucie County to be included in TRIM notices. Preparation of grant applications for St. Lucie Rivers Issue Team due August 31, 2014.
- **Traffic Control** – City continues maintenance of all signals. Staff is continuing a refurbishment program on City maintained signals to rewiring the existing signal mast arms. The existing wiring is degrading rapidly due to heat and age causing significant issues with traffic signal reliability. Staff is working with FDOT on the development of the new Phase 2 Signal Maintenance JPA requirements for FY 2015/16 which will look at increased performance requirements and adjusted reimbursement increase.
- **City Marina Reconstruction - Phase I – Islands** – Change Order No. 2 has been conditionally approved by Commission pending City Attorney review it was forwarded to City Attorney May 13, 2104. Staff continues waiting for the City Attorneys revision to forward back to Lucas Marine for their approval of the changes.
- **City Marina Reconstruction – Phase II – Docks** – Bellingham Marine continues the submittal process for approval of construction elements. Staff has completed the review and approval of Bellingham Marine design calculations. Bellingham Marine submitted for City Building Permit on June 25, 2014. Construction completion is anticipated May 2015.
- **Moore’s Creek Dredging** – Gator Dredging has completed the dredging activities for the project and anticipates starting spoil area haul off and clean up July 7, 2014.
- **S. 21st Street / Havana Ave. Sidewalk Project** – Comments have been submitted by FDOT and City staff on the 100% plans. Consultant is expected to have the revised plans resubmitted the week of July 7, 2014. Funding has been approved by FDOT for FY 2015.
- **31st Street Sidewalks from Okeechobee Road to Tennessee Avenue** – The construction contract has been sent to the City Attorney’s office for review and approval. A pre-construction meeting with FDOT and the contractor is scheduled for July 9, 2014. As soon as we are in receipt of the executed contract we will issue a Notice to Proceed.
- **Indian Hills Recreation Area - Stormwater Improvements** – Excavation for lake enlargement has commenced. To date, approximately 14,000 cubic yards of material has been removed and hauled to the HD King Property for backfill. Balance of excess material will be stocked piled at the southern compound area for future use. Water main relocation (16”) will begin within the next two weeks.
- **Veterans Memorial Park – Phase I** construction has begun. The contractor has completed the rough-in of the plumbing and poured the concrete floor. Framing work will begin next week. The site utility relocation work is underway and the bio-swale has been roughed-in. Construction completion scheduled for end of October 2014. Phase II has been reviewed and comments provided to the consultant. This phase will go out to bid once we are in receipt of the FDEP 319 Grant which is in October 2014.
- **Melody Lane Fishing Pier** – Structural and electrical plans have been disbursed for review and comments.
- **H.D. King Power Plant Clean-up** – The area designated as the 2014 Work has been completed at this time. Eleven monitoring wells have been installed around the perimeter of the site. Additional exploratory test pits have been done in the 2015 work area and it has been determined that additional contamination has been encountered below the water table. Cardno is currently compiling information gathered from the test pits, and preparing a cost estimate for the additional work.
- **Park Trail Subdivision** – Project substantially complete. A preliminary walk-thru will be scheduled once we are in receipt of the as-built drawings.

Public Works Department

- **Energy Efficiency & Conservation** – The lighting retrofit in the PWD is nearing completion and the crew will be moving to the Police Department next. Work will begin soon to retrofit all of the street lights to LED technology.
- **Phase II Window Retrofit Project** – Work has begun on the St. Anastasia building and will take approximately 90 days to complete.
- **HDRC Recreation** – Registration for the Summer Youth Basket Ball League will take place the week of June 23rd. Staff is also working with Kids at Hope to develop a Summer Camp for approximately 40 youth to begin on July 17, 2014. It is also our goal to designate the HDRC Percy Peek Gymnasium a Kids at Hope Facility.

Police Department

- **Staffing** – Deputy Chief Kirk has retired effective June 20, 2014. Detective Petry resigned effective June 2, 2014, to take a position at the Port St. Lucie Police Department. Officer Schauman resigned during field training. The police department currently has one opening for a civilian victim's assistant (candidate in final phase of hiring process) and four opening for police officers.
- **Violence Abatement** – On June 25, 2014, detectives arrested Shauntavious "Woosie" Ingram (16) for a double murder that occurred on January 16, on N. 18th Street. FPPD has partnered with SLCSO to continue gang task force operations throughout the summer. Upcoming meetings for the Comprehensive Gang Model include:
 - a) County Commission Workshop - July 8, 9:00, County Commission Chambers
 - b) Restoring the Village Advisory Team – July 10, 10:00 AM, City Hall 2nd Floor Conference Room
 - c) Roundtable Safe Neighborhoods Network – July 15, 9:00 AM, Children's Services Council, PSL
- **PAL** – PAL's summer camp has 75 kids registered that are participating in a wide range activities including swimming lessons and a fishing clinic (June 25). PAL is also working with Commissioner Sessions to set up a camp for delinquent youth beginning in July.
- **Williams Center** – Chief Baldwin attended the Ribbon Cutting for the Williams Center on June 27. A lease agreement for the police substation in this facility has been approved by legal staff and will be presented to the City Commission on July 7.

Urban Redevelopment Department

- **Grants Administrator –**
 1. Researched and prepared to write application to State through Florida Boating Infrastructure Grant (BIG) opportunity for either dinghy docks at City Marina or for repairs to various boat docks within City limits.
 2. Continued to write 2014-2015 CDBG Action Plan; created 1/2 page advertisement for citizen review period, etc.
 3. Created tracking materials, etc., in preparation of HUD monitoring visit.
 4. Provided oversight for 8 commercial facade, 11 public service and 5 Fort Pierce Authentic Tours grant awards
 5. Created PowerPoint presentation on Melody Lane Public Fishing Pier
 6. Extensive work in HUD IDIS computer system
 7. Continued to work toward completing Highwaymen Heritage Trail project
 8. Coordinated Fort Pierce Authentic Tours program (website updates, meeting advertisements, marketing opportunities, general oversight, etc.)
 9. Meetings:
 - a) Cocoa Beach - Florida Inland Navigation District Commissioner Meeting - Gave presentation (w/Tracy Telle) on Melody Lane Pier project in hopes of receiving award for grant application previously submitted to complete the construction of the pier.
 - b) Plythe Givens - marketing opportunities for FPAT
 - c) Mary Ann Carroll - Highwaymen Trail project
 - d) Employee review w/ Deputy City Manager
 - e) 3 full days - HUD Monitoring Visit
 - f) Online meeting - E-Service
- **Program Analyst –**
 1. FEMA
 - a) Marina Project
 - Monitoring funding requests and time extension
 - Filed quarterly report
 - b) Windows Expansion Project
 - Preparing pay applications and requests for reimbursements
 - Six month time extension approved – prepared for Commission approval
 - Met with project manager regarding time sheets
 - Filed quarterly report
 2. Enterprise Zone
 - a) Answering emails and phone calls pertaining to tax credits
 - b) Filed quarterly report
 3. SHIP
 - a) Soltman Avenue and 31st Street paperwork for rehab
 - b) Answering phone calls and questions from citizens
 4. NSP
 - a) Communications with Housing Authority regarding unit rentals at Orange Avenue
 - b) Assisted with audit

Marina

- Oversee daily operations for City Marina and Fisherman's Wharf Marina.
- Working with seasonal dockage and events (see weekly email "Marina Happenings" newsletter for updates).
- Consulting on Marina Project.
- City Attorney and Engineering Dept. working out contract language for Bellingham Marine contract.
- Bellingham Marine permits submitted.
- Dredging of Moore's Creek is scheduled to begin June 10th and completed by June 17th. Dredging potentially completed.
- Upgrading camera security system throughout marina facility.
- Working with St. Lucie County Tourism Department on the contract for 3 web cams. A license agreement has been completed. Commission approved June 16, 2014.
- Seacoast National Bank ATM machine at City Marina - submitted plans thru the building department for approval.
- Working with MIS to purchase and install a POS and dockmaster computer system.

Golf Course

- Met with City Manager, Deputy City Manager and Finance Director to discuss FY 2015 budget.
- New fleet of golf cars arrived and was put into service.
- Had rates June 1 thru Sept. 30 posted on City website.
- Day-to-day activities.

River Walk Center

Park Permits	1200.00
Programming	594.12
River Walk Center	2200.67
Special Events	3500.00
Garden Center	500.00
Maravilla	463.85
<u>Total</u>	<u>8457.97</u>

Sunrise Theatre

- Over the past weeks, the following performances and activities were presented in the Sunrise & Black Box Theatre: Fort Pierce Jazz and Blues Society and the Sunrise Theatre co-presented Tuesday Night Jazz Jam evenings on June 10; Comedy Corner Improv on Saturday, June 7 & 14; Performances on the Sunrise Theatre main stage included; The Free Summertime Movie Series sponsored by Humana began Sunday, June 8 at 3pm with a showing of As Good As It Gets; The first of four week long summer camps with Missoula Children's Theatre was held June 9 – 13. The show for the first week was King Arthur's Quest, a public performance was given on Friday, June 13 at 7PM.
- Assistance continues with future rental events and co-presentations with various community groups including, but not limited to: Fort Pierce PAL "Dancing With Our PAL's" on September 20; Grace Way Village "Are You Smarter Than A 5th Grader" on September 26th.
- Met with 2nd Street Bistro to discuss sponsorship of the tickets.
- Met with Donna from Tiki Bar, Cobb's Landing & Bluewater Grill and secured the ticket envelope sponsorship.
- On a daily basis offers and contracts are being negotiated with artists and their representatives for the 2014/15 Season and continue to be negotiated for the 2013/14 Season. The Membership campaign for the coming season is about to kick-off.
- Marketing and show sponsorship packages are being put together to solicit for the coming season's shows. Foundation grant opportunities are being researched and grant applications are being written and submitted.
- Budget projections and adjustments for this and next year's fiscal year continue to be reviewed and implemented.