C I T Y O F F O R T P I E R C E

CITY COMMISSION AGENDA

Regular Meeting - Tuesday, September 2, 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 -** Pastor Mary Carroll, Foundation Revival Center Church of Redemption

3. **PLEDGE OF ALLEGIANCE**

4. **ROLL CALL**

5. **APPROVAL OF MINUTES**

   a. Approval of Minutes from the August 18, 2014 meeting.

6. **PROCLAMATIONS**

   a. Proclamation declaring September as Hunger Action Month. Being received by Treasure Coast Food Bank.

7. **LETTERS TO COMMISSION**

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. Waive interest and penalties in the amount of $1766.96 for Demolition Lien totaling $7430.21against 815 Tumblin Kling Road, Ft. Pierce, FL owned by Carroll Collins, contingent upon payment of $5663.25 within 60 days.

b. Reduce Code Enforcement Lien in the amount of $9,000.00 against 314 N. 15th Street, Ft. Pierce, FL owned by WPG Group, 4410 NE 18th Avenue, Oakland Park, FL 33334 contingent upon payment of $1,016.12 within 60 days.

c. Approval of Memorandum of Understanding between the City of Fort Pierce and the Fort Pierce Utilities Authority regarding the billing of streetlights due to the City's streetlight retrofit program.

d. Approve the purchase of the six (6) remaining trail markers from Ampersand Graphics, Stuart, FL, in accordance with the attached quote, as a single source commodity in the amount of $17.050.02.

e. Approval to piggyback the Florida Sheriff's Association Contract no. 13-11-0904 (bid award period 10/1/13 through 9/30/14), Specification No. 47, for the purchase of a 2014 Elgin Pelican Street Sweeper from Environmental Products, Apopka, FL, in accordance with the attached quote, for the amount not to exceed $174,780.00.

f. Approval of Subordination of City Utility Interests Agreement between FDOT and the City of Fort Pierce for the Use and Benefit of the Fort Pierce Utilities Authority and St. Lucie County.

g. Request approval for a contribution of $500 to the Parent Academy of St. Lucie County from the Law Enforcement Trust Fund.

10. **PUBLIC HEARINGS**

a. Ordinance 14-018 - Right-of-way Abandonment - Boston Avenue Extension – East of South Indian River Drive. SECOND READING

b. Ordinance No. 14-019 - Amending Chapter 9, Article IV - Peddlers, Solicitors and Canvassers. FIRST READING (postponed from 8/4/2014 meeting)

11. **MISCELLANEOUS REPORTS & REQUESTS**

12. **CITY COMMISSION**

a. Approve Resolution 14-R26 appointing Leon Porter as an alternate member of the Code Enforcement Board.

b. Approve Resolution 14-R27 reappointing Michael A. Perri, Jr. to the Fort Pierce Utilities Authority Board.

c. Discussion on the consultant agreements entered into by the City Attorney.

13. **COMMENTS FROM THE CITY MANAGER**

a. City Manager's Activity Report

b. Reminder - A public hearing will be held at a special meeting on Monday, September 8, 2014 at 5:05 p.m. to consider a tentative budget for Fiscal Year 2014-2015 and the proposed millage rate.

14. **COMMENTS FROM THE COMMISSION**

15. **ADJOURNMENT**

City Commission Regular Meeting **Agenda Item # 5. a.**
Meeting Date: 09/02/2014
Re:

SUBJECT:
Approval of Minutes from the August 18, 2014 meeting.

Attachments

Minutes 08.18.2014

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, AUGUST 18, 2014.

1. CALL TO ORDER - Mayor Hudson called the meeting to order at 6:30 p.m.

2. OPENING PRAYER - Rev. John Lee of Mt. Olive Missionary Baptist 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 Alexander arrived at 6:33 p.m.

5. APPROVAL OF MINUTES

a. Approval of Minutes from July 30, 2014 Budget Workshop

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve the Minutes of the Budget Workshop on July 30, 2014.

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

Passed

b. Approval of Minutes from the August 4, 2014 Meeting.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Thomas Perona to approve the Minutes of the Regular Meeting on August 4, 2014.

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

Passed

c. Approval of Minutes from August 11, 2014 Closed Session.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve the Minutes of the Closed Session on August 11, 2014.

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

Passed

6. **PROCLAMATIONS**

7. **LETTERS TO COMMISSION**

8. **COMMENTS FROM THE PUBLIC**

Mr. Roy Darby, 619 South 6th Street
Mr. Paul Schall, 6008 Birch Drive
Rev. John Lee
Mr. Tony Lella, 345 NW Shorline Cir
Ms. Milagros Suarez
Ms. Felicia Bruce, 106 Mariner Bay Blvd
Capt. Chop Lege
Dr. Gina Dean, 1005 Kentucky Avenue

9. CONSENT AGENDA

a. Approval to increase Blanket Purchase Order # 140263 for Wuesthoff Medical Center from $9,500 to $16,000.

b. Waive interest, penalties, administrative fees in the amount of $3,630.96 for Demolition Lien totaling $11,275.46 against 703 N 23rd Street, owned by Milagros Suarez contingent upon payment of $7,644.50 within 60 days.

c. Approve purchase of two (2) billboards for Fort Pierce Authentic Tours Program (FPAT) in the total amount of $20,150.

d. Approve contribution of $6,500 to the Police Athletic League from the Law Enforcement Trust Fund.

e. Approval of renewal of an enterprise license agreement with Environmental Systems Research Institute, Inc. (ESRI) to provide access to ESRI term license software for GIS system on an unlimited basis including maintenance for a 3 year term in the amount not to exceed $120,900.

f. Approval of Memorandum of Understanding between Fort Pierce Utilities Authority (FPUA) and the City of Fort Pierce authorizing FPUA to make an advance distribution payment to the City in the amount of $1,250,000 to be repaid by deductions from future distribution payments.

g. Approval of renewal with Guardian for dental insurance coverage for the October 1, 2014 plan year.

h. Approval of the following provisions for the October 1, 2014 plan year: 1) renewal of contract with Public Risk Management of Florida Heath Trust (PRM) for a term of one year to provide group medical insurance coverage; 2) City absorbs the cost of $22,000 for the increase for employees with dependent coverage; and, 3) piggyback to an agreement between the FPUA and Physicians Immediate Care to provide primary level health care services to employees and their dependents for $160 per visit, and not to exceed $110,000 for the year.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander that the following items on the Consent Agenda be approved **- 9a, 9c, 9e, 9g, 9h.** Commissioner Alexander pulled item **9b.** Commissioner Sessions pulled items **9d, 9f.**

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

Passed

As to item **9b,** Commissioner Alexander asked if Ms. Suarez was the owner at the time of demolition.

Ms. Arraiz responded that Ms. Suarez was the property owner at the time of demolition and she was given the standard 60 days to pay $7,644.50, the hard cost of the demolition. She stated the amount does not include additional lot clearing liens on this property.

Commissioner Perona stated he would rather have all of the liens come before the Commission at one time and then go through the hard costs to set up an obligation and possible payment plan. Commissioner Becht asked that Ms. Arraiz be provided a good phone number from Ms. Suarez.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to postpone until the second meeting on September 15, 2014.

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

Passed

As to item **9d,** Commissioner Sessions is not against this disbursement; he stated this trust could be a place to look when the Commission is looking for last minute funding for crime prevention.

Chief Baldwin responded he would have to get with Ms. Johnson, but he believes there is around $30,000 currently in the fund. The trust is from seizures and forfeitures with the sole purpose to fight crime and prevent crime. It is not a huge amount of money, but it can be accessed to help PAL and other crime prevention measures that are allowable as per statute.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to approve Consent Agenda item **9d.**

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

Passed

As to item **9f,** Commissioner Sessions inquired as to the reason for the City's loan payment to be repaid from the city's distribution from FPUA. He stated it is like guaranteeing payment from our expected deductions.

Mr. Schwerer responded this was a joint agreement between the City Commission and the FPUA Board. He understood this to be the agreement reached that they would advance up to the sum stated with the understanding that it would be repaid by deductions from the City's annual distribution. It's a secured payment that was mutually agreed upon by both boards in the past.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Thomas Perona to approve Consent Agenda item **9f.**

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

Passed

10. PUBLIC HEARINGS

a. Ordinance 14-018 - Right-of-way Abandonment - Boston Avenue Extension – East of South Indian River Drive. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

Kori Benton, Historic Preservation Officer, appeared with a presentation and staff recommendation for the City Commission to approve this Ordinance with the encompassed conditions.

Mayor Hudson opened the Public Hearing.

John Liebler, Pastor at Saint Andrew's Church, stated he wanted the two Commissioners that were not in favor at the last meeting to know he fully respects their reasons for their vote. At that time there was a reasonable argument the City's best interests were not protected. He states this is no longer valid because he feels the City's interests today are protected by this Ordinance. The school is fully behind this, there have been no negative public comments against the proposal and he is requesting approval.

Ms. Yvette Simmons on behalf of St. Andrew's Episcopal Academy and Church, she stated she is here to encourage support of Ordinance 14-018. She stated their application has been presented and the applicant is prepared to give $170,000 for consideration for the proposed abandonment. It's an opportunity for the City to show people in Washington and Tallahassee that private/public partnerships work.

Ms. Michelle O'Neill stated the church has been in existence in downtown Fort Pierce for 122 years, andthe school will be celebrating 45 years. The school has applied and been approved for funding for families to be able to attend and obtain a quality education. Since 2007 the school has been offering scholarships to students; this year they offered over 75 to students whose families are looking for a wonderful christian education program. She stated in abandoning the right-of-way, the Commission will be able to meet the academy's dream. They have made a huge, financial commitment and they ask the Commission help them to make this dream come true.

Seeing no one further, Mayor Hudson closed the Public Hearing.

Commissioner Perona wanted to be very clear that he was reluctant to support the right-of-way abandonment more so because it was abandoning the proper procedure. He was not against it and he does not want to be in the way of this type of progress, but it is easier when it's done the right way. He commented that this is the reason for so many attachments, but feels St. Andrew's is going to be a great partner in downtown.

Commissioner Becht stated the problem with this abandonment is it is not the way the City historically and traditionally handled abandonments in Fort Pierce; it sets a bad precedent.

Commissioner Alexander welcomes the efforts St. Andrew's is doing for the downtown.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Reginald Sessions with discussion to approve Ordinance 14-018.

Commissioner Sessions stated there has been some mention of the partnership and benefits, he asked Mr. Benton to outline what he perceived those benefits to be as far as the public is concerned. Commissioner Becht interjected that if Mr. Benton is to do this he wants

him to report what they are committed to do tonight.

Commissioner Alexander called the question. Mayor Hudson stated the question is called.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Reginald Sessions to call the question and properly record meeting procedure.

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

Passed

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Reginald Sessions to approve Ordinance 14-018 with encompassed conditions.

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

NAY: Commissioner Edward Becht

Passed

b. Appeal of the Decision of the Historic Preservation Board, Certificate of Appropriateness 14-23, Mural Removal & Stucco, 102 N 2nd Street

Mr. Kori Benton, Historic Preservation Officer, appeared with a presentation and a staff recommendation for the City Commission to uphold the Board's decision and noting that the appellant retains the capacity to compile any developed documentation and information related to the represented position to submit for further review by the Historic Preservation Board.

Mr. Benton explained that due to the timeline and the outlying capacity for the Historic Preservation Board to encumber conditions on the request, the appellant sought to receive a decision from the City Commission here this evening.

Mr. Schwerer stated his office is supporting staff's recommendation that this matter be returned to the Historic Preservation Board and have a hearing. It might be resolved at that level and not need to come back before the Commission for an appeal.

Mayor Hudson opened the Public Hearing.

Mr. Ralf Fahmy, Chief Executive of the Investment Company, disagrees. He stated he did not believe that as a painting done in 1995, the mural had any historic value and he states he voiced his opinion but was not heard. Mr. Fahmy was out of town at the time of the hearing and was unaware his representative did not attend; he stated he found this out just recently.

Seeing no one else, Mayor Hudson closed the Public Hearing.

Commissioner Perona would like to make a motion this go back to the Historic Preservation Board to consider with the applicant and try to come up with a resolution.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander this item return to the Historic Preservation Board for further consideration and resolution.

Mr. Schwerer clarified this would be a motion for remand back to the Historic Preservation Board to have another hearing with all of the new information. It could be noticed and not

have to meet the time requirements for the scheduled Board meetings.

Mayor Hudson re-opened the Public Hearing.

Mr. Fahmy stated he is ready to move forward with the next board meeting on August 25, 2014 at 6 p.m.

Ms. Grohall will add the notice to the existing agenda for that meeting.

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

Passed

11. MISCELLANEOUS REPORTS & REQUESTS

a. Approval and Acceptance of the FPUA FY2015 Annual Budget and FY2014 Amended Budget.

Mr. Bill Thiess and Ms. Nina Hurtubise appeared with a presentation and staff recommendation to approve FY2014 amended budget and the FY2015 annual budget as presented. He stated the budget does reflect their continued efforts to drive down cost. The best example is the base rate of $37.32 currently for electric is $1.18 below the cost in 1996.

Mr. Thiess responded that the City receives a transfer of 6% as per the City Charter. The charter does not allow for the factoring in of PCA or PGA's that total $3.6 million, these items are excluded from the equation for transfer. A detailed statement will be supplied to the Commission identifying what revenues are not included in the City's transfer. It is also stated in the Charter that each utility must have rates and revenues that sustain each utility individually; each utility has to stand on its own from revenue standpoint.

It was noted the speed in which the PCA and PGA can be reduced depends on where FPUA is on the over/under collection. If they have a good collection and are seeing costs come down they could reduce it that month. If the numbers are down near zero and costs are going down they would have to hold off on reductions to avoid going negative.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve and accept FY2015 Budget and FY2014 Amended Budget.

Commissioner Sessions stated he will not be able to approve the recommendations in light of the budget increases of 1.6 increase in wastewater and natural gas and 3.7 increase in water rate of the amended 2014 budget.

Commissioner Alexander commented he will not be able to support the FPUA until they come back with something to benefit the community as a whole.

Mr. Schwerer clarified that under Charter Section 176 paragraph 12, the budget is brought to the Commission for their consideration, unless 4/5's of the majority of the Commission disapproves of any line item the budget will automatically become approved in 30 days. Since there is no motion to disapprove any line item the Commission can vote to approve and waive the 30 day period by such motion.

Commissioner Becht assented to this motion to waive the 30 day period.

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

Failed

b. Presentation on the Comprehensive Gang Model

Deputy Chief Amandro and Shaniek Maynard, Executive Director of the Roundtable of St. Lucie County, appeared with a presentation. Deputy Chief Amandro stated the City's crime rate is the lowest it has been in 37 years but he is not satisfied. Until the homicides and shootings are eliminated, there is a lot more work to be done. He stated the sustainability is incumbent upon the Roundtable; we need to show we have successes over the next couple of years of implementing the Comprehensive Gang Model. As we show our successes and share them with the community, it is felt we will be able to sustain the funding. It is our hope to continue funding with grant applications, if not, there are a lot of existing services.

Deputy Chief Amandro responded to Commissioner Alexander's concern about law enforcement getting out and walking in the community. He stated the City currently has a park and walk in place and bike patrol programs that have proven to be a success. Mr. Bradshaw added that management has met with Deputy Chief and they have a firm commitment to address these issues, they are a priority. Also, the Commission will be provided additional information from the office of the Deputy Chief on the demographics of the example cities provided in the presentation that most depict the City of Fort Pierce in comparison.

In response to Commissioner Alexander, Deputy Chief Amandro stated the Police Department has done an outstanding job hiring minorities, but not so well retaining them. Commissioner Sessions feels it is not an issue of the money. He stated there is something more going on. The City is committed to figuring that out, Deputy Chief Amandro said he is willing to work with the entire Commission and community leaders to address the problem.

Commissioner Becht commented some of the local youth had written and expressed they are losing hope. He stated the City has got to give the community the hope to give to the kids. He is looking for how this is going to be done. He is requesting specifics, preferably a top 10 list from the Ministries Council on immediate actions the City and County can take along with the police and health departments so the community can say that now something is being done.

Commissioner Sessions stated the City is in crisis and in need of immediate results.

Mr. Clive Sperber, Deputy Administrator for the Florida Department of Health in St. Lucie County, stated he was one of the members that attended the training in Dallas, and a key component of the outreach is the need to have individuals that understand the community. The scope of the project coordinator is to look at the big picture and see how this can be moved from neighborhood to neighborhood and across the county. The issues are bigger than they appear in some areas.

Ms. Arlease Hall expressed the importance of maintaining a dialogue with the community, not just the ministers. She stated they all need to be seated at the table right now, even the young and get them engaged.

Ms. Maynard stated she agreed wholeheartedly and between now and September 30th they are planning to meet with a number of groups to get buy in community wide. We cannot do this on our own. They will be talking with some of the community housing organizations, there is also a focus group with community gang members who are incarcerated and who are out. They will continue a dialogue with the youth. She stated it isn't all about talking, it is about listening.

12. CITY COMMISSION

a. Submittal of application for appointment to the Code Enforcement Board.

City Clerk, Linda Cox, indicated applications are attached and will come back at the next meeting in the form of a Resolution for approval.

b. Submittal of application for re-appointment to serve on the Fort Pierce Utilities Authority Board.

City Clerk, Linda Cox, indicated applications are attached and will come back at the next meeting in the form of a Resolution for approval.

c. Resolution 14-R24 appointing Arlo Koletzky to the Fort Pierce Authentic Tours Advisory Board.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht to approve Resolution 14-R24.

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

Passed

13. COMMENTS FROM THE CITY MANAGER

a. City Manager's Activity Report

Mr. Bradshaw wanted to let the Commission know that the City has started discussions to try and create a youth council to feed into the youth summit at the PAL Center. He will also be asking the Economic Development team to present an update at the second meeting in September on Commissioner Alexander’s job issues. He stated there are a lot of positive projects coming down the pipeline, job creation, types of situations that are going to mature shortly.

Chief Baldwin has submitted his request for retirement after 25 year service. The City is really appreciative of his efforts and recognizes all of the great things he has done for the community. The next step in the transition phase is to appoint an Acting Chief; the City would like to appoint Frank Amandro as the interim chief while the City goes through the hiring search process. Mr. Bradshaw is asking that the Commission be an integral part of the selection process. The manager’s office perspective is that they want the Commission input early on and they are requesting the Commission’s support.

b. Reminder - Because of the holiday, the next meeting will be held on Tuesday, September 2, 2014 at 6:30 p.m.

14. COMMENTS FROM THE COMMISSION

Commissioner Alexander wants the community to know that PAL kids are not the only ones in the community, but PAL kids have the upper advantage of PAL representation behind them. That means they have the police behind them and in turn they have the City behind them. He wants to be fair with all of the youth that attended the Prevention of Crime.

Commissioner Perona would like for the Urban Forester to address the concerns of Mr. Schall and the manner in which the City's trees are being trimmed. He was excited about the conversation tonight, real activity that is going to help the City move forward, not just a

quick fix. He feels it is important that everyone looks for ways to help out and make this process successful.

Commissioner Sessions wanted to comment on the young people at the Anti-Crime Prevention Summit they had as a result of their attendance at Crime Prevention in the Black Community Conference. They came back with ideas of their own. We had a lot of guest in town observing from the State Attorney General's office, board members as well as attendees from other counties. It was a very successful pilot program that he hopes and anticipates the City can continue on with. In response to the City Manager's memo about the Commission becoming more involved, he is requesting that a strategic plan be provided.

Commissioner Becht stated there was an email floating around about USA Today had a nice article on Fort Pierce. He would like to shake things up, maybe put a banner across the front door that states 'Ready for Business'. This is where we can make a difference with jobs, if we can accelerate the process for licensing, the process for zoning and the process for building permits then it shaves off time, allowing someone to be put to work sooner. He suggested to the departments to see how some procedures can be streamlined.

Commissioner Sessions stated you have a voice, your voice is your vote and election day is fast approaching.

Mayor Hudson stated that Aegis is having a job fair and is hiring 1400 people. If you are interested you can also apply online at aegiscareersusa.com. Today the children went back to school so please be careful out there. She attended a tunnel of hope at C.A. Moore and had a wonderful time welcoming the kids back to school, she also witnessed a table full of book bags that had been donated by the FPUA. They were very grateful.

15. ADJOURNMENT

There being no further business, Mayor Hudson declared the meeting adjourned at 10:15 p.m.

ATTEST:

_____ _____

CITY CLERK MAYOR COMMISSIONER

City Commission Regular Meeting **Agenda Item # 6. a.**

Meeting Date: 09/02/2014

Re: Treasure Coast Food Bank Hunger Action Month

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Proclamation declaring September as Hunger Action Month. Being received by Treasure Coast Food Bank.

Attachments

HungerAwareness

WHEREAS, hunger and poverty are issues of grave concern in the United States, the State of Florida, the Treasure Coast and the City of Fort Pierce; and

WHEREAS, the City of Fort Pierce is committed to taking steps to raise awareness about the need to combat hunger in every part of our county and to provide additional resources that citizens of the City of Fort Pierce need; and

WHEREAS, the City of Fort Pierce is committed to working with Treasure Coast Food Bank in educating people about the role and importance of food banks in addressing hunger and raising awareness of the need to devote more resources and attention to hunger issues; and

WHEREAS, more than 100,000 individuals on the Treasure Coast and in the City of Fort Pierce rely on food provided by the Treasure Coast Food Bank annually; and

WHEREAS, Treasure Coast Food Bank distributed more than ten million meals in 2013 through its network of food pantries, soup kitchens, shelters and other community organizations; and

WHEREAS, food banks across the country, including the Treasure Coast Food Bank – will host numerous events throughout the month of September to bring awareness and attention to encourage involvement in efforts to end hunger in their local community;

NOW, THEREFORE, I, Linda Hudson, Mayor of the City of Fort Pierce, Florida, do hereby proclaim that September 2014 be observed as:

"Hunger Action Month"

and urge all citizens and businesses to become involved in efforts to end hunger in our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Fort Pierce, Florida, to be affixed this 2nd day of September, 2014.

MAYOR COMMISSIONER

City Commission Regular Meeting **Agenda Item # 9. a.**

Meeting Date: 09/02/2014

Re: Demolition Lien Reduction - 815 Tumblin Kling Road

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

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SUBJECT:

Waive interest and penalties in the amount of $1766.96 for Demolition Lien totaling $7430.21against 815 Tumblin Kling Road, Ft. Pierce, FL owned by Carroll Collins, contingent upon payment of $5663.25 within 60 days.

SUMMARY:

Request by Carroll Collins, P. O. Box 4114, Ft. Pierce, FL 34948 to waive interest and penalties in the amount of $1766.96 leaving a balance due of $5663.25.

RECOMMENDATION:

Staff recommends waiving interest and penalties of $1766.96 leaving a balance due of $5663.25 payable in 60 days.

ALTERNATIVES:

1. Deny request.
2. Determine alternative amount.

RESPONSIBLE STAFF:

Colleen Greer, Code Enforcement Executive Secretary.

COORDINATED WITH:

Margaret Arraiz, Code Compliance Manager.
Kathy D'Arton, Accounts Receivable.

Fiscal Impact

Budgeted Y/N:

Fiscal Year: 2014

Account:

Amount: 5663.25

OTHER INFORMATION:

$5663.25 to the general budget.

Attachments

Request for Reduction

Breakdown

Tax Card

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: 815 TUMBLIN KLING ROAD FT. PIERCE, FL

Property Owner: CARROLL COLLINS

Mailing Address: P.O. Box 4114 FT. PIERCE, FL 34948

Telephone #: 772 461-2245 Cell Phone #: 772 370 2098

E-Mail Address: Collinsbonding@AOL.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 WAIVER
LOT CLEARING / DEMOLITION LIENS

Property address:	815 TUMBLIN KLING RD.				
Owner(s) of record:	CARROLL COLLINS				
Mailing address:	P.O. BOX 4114 FT. PIERCE FL 34948				
Property tax ID #:	2434-331-0010-000-9				
Original purchase date:	9-20-2012	Original purchase price:	$100 @		
Other Information:	☐ Inherited Property	☐ Purchased at Tax Sale	☒ Adjoining Property Owner		
Property is used for:	☐ Single Family	☐ Multi-family	☐ Commercial	☐ Industrial	☒ Vacant Lot
Name of person requesting waiver	CARROLL COLLINS	Relationship to owner(s):	SAME		
Telephone #:	772-461-2245	Mobile phone #:	772-370-2098		
E-mail:	Collinsbonding@AOL.COM	Preferred contact method:	772-461-2245		
What are owner(s) intentions for property:	Maintain as an investment - Develop at opportune time.				
Are there current code violations?	☒ No	☐ Yes	Explain: (please attached notice)		
Is a lien filed against the property?	☐ No	☒ Yes	If yes, what is the lien amount?	Demolition lien $5663.25	
Is property listed for sale?	☒ No	☐ Yes	If yes, what is listing price?		
Is property under contract for sale?	☒ No	☐ Yes	If yes, what is the sale price?		

City incurred charges (lot clearing, demolition, etc)	$ 5663.25
Administrative fees	$
Interest	$ 1766.95
Penalties	$
TOTAL AMOUNT DUE TO CITY	$ 7430.21
DOLLAR AMOUNT REQUESTING TO BE WAIVED	$ 1766.95
DOLLAR AMOUNT I AGREE TO PAY	$ 5663.25

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

Carroll Collins
(Signature of Owner or Representative)

CARROLL COLLINS
(Printed Name)

CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, CARROLL COLLINS, 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:

I request the waiver of the interest accrued on the demolition hard costs of the single family home and shed on this property. Please see file number 3481226 OR BOOK 3202, PAGE 1037 recorded in St. Lucie County on June 4, 2010. I obtained this property in September 2012 via a sheriff's deed. Previous outstanding property taxes total $3375.57 are past due, tax certificates have been issued. See attached.

Date: 7-8-2014

Signed: Carroll Collins

Print Name: CARROLL COLLINS

STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority CARROLL COLLINS who acknowledged before me that the information contained herein is true and correct. He / She is not personally known to me and has produced _____ as identification.

SWORN TO AND SUBSCRIBED before me this 8 day of July, 2014.

NOTARY PUBLIC-STATE OF FLORIDA
Lisa M. J. Grose
Commission # EE070088
Expires: MAR. 03, 2015
BONDED THRU ATLANTIC BONDING CO., INC.

Lisa M. J. Grose

Notary Public, State of Florida

PROPERTY RECORD CARD

Property Identification

Site Address:	815 Tumblin Kling Rd	ParcelID:	2434-331-0010-000-9
Sec/Town/Range:	34 :35S :40E	Account #:	33307
Map ID:	24/34S	Use Type:	Vac Res
Zoning:		City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: Carroll Collins

Address: PO Box 4114
Fort Pierce FL 34948-4114

Legal Description

34 35 40 N 440 FT OF E 66 FT OF W 264 FT OF NE 1/4 OF SW 1/4 OF SW 1/4-LESS N 25 FT- (DB 208-115) (O

More...

Sales Information

Date	Price	Code	Deed	Book/Page
9/20/2012	100	0118	SH	3451 / 0024
4/5/2006	175000	00	WD	2534 / 0891
8/29/1993	25000	00	WD	0860 / 1736
7/16/1993	100	01	PR	0852 / 1593

Assessment 2013

2013 Final:	13400
Assessed:	13400
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	342.51

Total Land and Building

Land Value:	13400 Acres: 0.44
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/Fl:	
1/2Bath:		HeatFuel:	-	Prm.Flors:	-
%A/C:		%Heated:		%Sprinkled:	

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.

Land Information

No.	Use Type	Type	Measure	Depth
1	0000-Vac Res	521 -Acres	0.67	

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

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3354222 OR BOOK 3097 PAGE 1027, Recorded 06/09/2009 at 12:47 PM

City of Fort Pierce
Notice of Unsafe Building
Affidavit

Date: 5/25/09

Property Address: 815 Tumblin Kling RD Tax ID#: 243433100100009

Legal Description: 34 35 40 N 440 FT OF E 66 FT OF W 264 FT OF NE 1/4 OF SW 1/4 OF SW 1/4-LESS N 25 FT- (DB 208-115) (OR 2534-891)

Owner: WP Homes LLC Mailing Address: 4533 Kelmar Drive
West Palm Beach FL 33415

This NOTICE certifies that the above property, building, structure or premise is unsafe and the owner (s) of record has been properly served.

Marc Meyers
Building Official, City of Fort Pierce, Florida

State of Florida, County of St Lucie

The foregoing instrument was acknowledged before me this 25 day of May, 2009,

by Marc Meyers who is personally known to me.

Kristie Kirstein
Signature of Notary

Print Name of Notary

KRISTIE KIRSTEIN
Notary Public - State of Florida
My Commission Expires Feb 27, 2011
Commission # DD 645152
Bonded Through National Notary Assn.

Attachment: Notice of Unsafe Building Letter

This certificate shall remain on file until such time as the condition(s) rendering the building, structure or premise unsafe have been abated.

COMPLIANCE CERTIFICATION

Corrective action has been taken and the building, structure or premise is no longer unsafe in regards to the attached **Notice of Unsafe Building Letter.** Said certificate being recorded in **OR Book** _____ **Page** _____, **Dated** _____ **in Record of certificate #** _____, **in the office of the Clerk of the Circuit Court of St. Lucie County, Florida.**

The structure has been repaired or demolished.

_____ _____
Date Building Official, City of Fort Pierce, Florida

State of Florida, County of _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____,

by _____ who is personally known to me.

_____ _____
Signature of Notary Print Name of Notary

Prepared by and Return to:

City of Fort Pierce
Building and Community Response
Attn: Kristie Kirstein
P O Box 1480
Fort Pierce FL 34954

COPY

CITY OF FORT PIERCE
Florida

BUILDING & CODE ENFORCEMENT DEPARTMENT
P.O. BOX 1480, FORT PIERCE, FLORIDA 34954
772-460-2200; FAX: 772-467-9836

COPY

May 25, 2009 **Tax ID#: 243433100100009** **Case # 09-3946**

WP Homes LLC
4533 Kelmar Drive
West Palm Beach FL 33415

Dolores, Reyes E Ra
8541 Butler Greenwood Dr
West Palm Beach FL 33411

ADDRESS: 815 Tumblin Kling Rd (2 structures – SFH & shed)

The above building(s) or structure has been found unsafe per City Ordinances and the International Property Maintenance Code s.108. The following violations exist:

1. Structural members damaged/unsafe
2. Foundations walls damaged/unsafe
3. Exterior walls damaged/unsafe
4. Roof & roof drainage damaged/unsafe
5. Stairways, decks, porches, and balconies damaged/unsafe
6. Window insect screens missing/damaged
7. Doors/windows – deadbolts/locks missing/damaged
8. Interior doors damaged/unsafe
9. Habitable space does not have an approved window
10. Plumbing not to code
11. Electrical equipment, wiring and appliances damaged/unsafe

COPY

[X] Building(s), structure(s), or premise(s) is condemned and shall be demolished within 30 calendar days.

The building or structure has been ordered vacated and posted to prevent further occupancy until work is completed and the final inspection has been approved. The demolition of the building or structure must fully comply with all local ordinances and the currently adopted Florida Building Code (FBC). **If no action has been taken by the legal owner to come into compliance within the time specified, the City may initiate demolition proceedings in accordance with codes, with all costs incurred charged against the owner of record and a lien filed upon such real estate.**

Any person having any legal interest in the property may appeal this notice by the Building Official to the Construction Board of Adjustments and Appeals (CBAA); such appeal shall be in writing in the form specified in the Rules of Procedure of the CBAA and shall be filed with the Building Official within 20 calendar days from the date of the notice with a $200 fee. Failure to appeal in the time specified will constitute a waiver of all rights to an administrative hearing.

If you have any questions regarding this notice, please contact Kristie Kirstein, at 772-460-2200 ext. 274.

Marc Meyers, Building Official

COPY

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3481226 OR BOOK 3202 PAGE 1037, Recorded 06/04/2010 at 11:45 AM

CITY OF FORT PIERCE
NOTICE OF LIEN

FOR DEMOLITION AND REMOVAL OF BUILDINGS
INVOICED 03/03/10

TO THE PUBLIC AND TO ALL WHOM IT MAY CONCERN:

The City Commission of the City of Fort Pierce, Florida under authority of Ordinance K-169 approves and authorizes the removal of the building on the following described properties lying and being situated in the City of Fort Pierce, Florida, and authorizes the amount of the bill for the removal of said structure to be placed as a lien on said property:

GROUP THREE DEVELOPMENT LLC 318 S STATE RD 7 MARGATE, FL 33068	18 35 40 S 1/2 OF S 1/2OF SW 1/4 OF SW 1/4-LESS W 60' FOR RD R/W- 2152 S JENKINS RD 2418-333-0002-000/6 INV #23334 03/03/10	$21,927.00
WP HOMES LLC 4533 KELMAR DR WEST PALM BEACH, FL 33415	34 35 40 N 440' OF E 66' OF W 264' OF NE 1/4 OF SW 1/4 OF SW 1/4-LESS N 25'- 815 TUMBLIN KLING RD 2434-331-0010-000/9 INV #23335 03/03/10	$5,663.25
	2	$27,590.25

Gloria Johnson
Director of Finance, City of Fort Pierce, Florida

Cassandra Steele
City Clerk, City of Fort Pierce, Florida

Approved as to form by: Rob Schwerer, City Attorney

CITY SEAL

COPY COPY COPY

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3766485 OR BOOK 3451 PAGE 24, Recorded 11/06/2012 at 02:27 PM
Doc Tax: $0.70

SHERIFF'S DEED

THIS INDENTURE, *Made this 20th day of September, in the year two thousand and twelve between* ***Ken J. Mascara, Sheriff of St. Lucie County, Florida****, Grantor party of the first part, and* ***Carroll Collins,*** *Grantee party of the second part, whose permanent address is 8375 Orange Avenue, Fort Pierce, 34945; County of St. Lucie, State of Florida.*

WHEREAS, *By virtue of a certain execution issued out of and under the seal of the Circuit Court for St. Lucie County aforesaid, dated the 16th day of July, 2012, in the suit of* ***Carroll Collins, as Assignee of Kondaur Capital Corp.,*** *Plaintiff, against* ***WP Homes, LLC, et al,*** *Defendant, Case Number 2008CA7751, directed and delivered to the said Sheriff, commanding him to levy on the goods and chattels, lands and tenements of said defendant, for the monies in said execution specified, the said Sheriff did levy on and seize all the estate, right, title and interest, which the said defendant,* ***WP Homes, LLC,*** *had in and to the property hereinafter described; and on the 20th day of September, 2012, the legal sale day, sold the said property at public auction at The Saint Lucie County Courthouse Addition, 218 South Second Street, Fort Pierce, Florida, having first given public notice of the time and place of such sale, by advertising said property for sale, in manner and form as required by the statute in such case made and provided, in The Tribune, an official newspaper published in said City of Fort Pierce, County of St. Lucie, State of Florida, once a week for four (4) consecutive weeks, for thirty days next preceding said day of sale; and at such sale the said property was sold to the said party of the second part, Grantee,* ***Carroll Collins,*** *for the sum of* ***One Hundred Dollars and 00/100 Dollars ($100.00)*** *credit bid ,he being the highest bidder therefore, and that being the highest sum bid for the same. The property is sold subject to all prior judgment liens and all liens and encumbrances.*

NOW BY THIS SHERIFF'S DEED, *That the said party of the first part ,Grantor,* ***Ken J. Mascara as Sheriff of St. Lucie County, Florida,*** *by virtue of the said execution, and pursuant to statute in such case made and provided, and in consideration of the sum of money so bid, the sum of One Hundred Dollars and 00/100 Dollars ($100.00) and paid by the said party of the second part, Grantee,* ***Carroll Collins,*** *at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, unto the said* ***Carroll Collins,*** *Grantee, the said party of the second part, the estate, right, title and interest, hereditaments, appurtenances and privileges in any way pertaining thereto, which the said Defendant,* ***WP Homes, LLC,*** *had on the 20th day of September, 2012, or at any time afterwards, of, in and to all that certain real property situated in the County of St. Lucie, Florida, known and described as follows:*

THE NORTH 440 FEET OF THE EAST 66 FEET OF THE WEST 264 FEET OF THE NE ¼ OF THE SW ¼ OF THE SW ¼ OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 40 EAST. SAID PROPERTY LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA; PHYSICAL LOCATION: 815 TUMBLIN KLING ROAD, FORT PIERCE, FLORIDA, 34981; PARCEL ID 2434-331-0010-000/9

COPY

TO HAVE AND TO HOLD *said described REAL property unto said party of the second part, Grantee, Carroll Collins, ITS SUCCESSORS and assigns forever, as fully and absolutely as the said party of the first part, Grantor, Ken J. Mascara as Sheriff as aforesaid, can or should convey by virtue of said execution and the laws relating thereto.*

COPY

Dated this 20th day of September, 2012.

KEN J. MASCARA
SHERIEF OF ST. LUCIE COUNTY

By Carl Ward
Carl Ward
Deputy Sheriff

Signed, sealed and delivered in presence of:

Linda R Kane

Jacqueline Franklin

COPY

STATE OF FLORIDA
COUNTY OF ST. LUCIE

Before me, the undersigned authority, appeared Carl Ward*, personally known to me, and who executed the foregoing instrument and acknowledged to me he executed said instrument for the purpose expressed therein.*

WITNESS *my hand and seal the* ***20th day of September, 2012.***

Paula A. Mascara
Notary Public

PAULA A. MASCARA
Commission # EE 099680
Expires August 31, 2015
Bonded Thru Troy Fain Insurance 800-385-7019

COPY



Bill History — Real Estate Account At 815 Tumblin Kling RD, FP

Real Estate Account #2434-331-0010-000/9 Parcel details Latest bill Full bill history

Get Bills by Email

Amounts as of 07/08/2014

Bill	Balance	Pay all: $3,375.57
2013 Annual Bill	$0.00	04/30/2014 **Paid** $413.97 **Receipt** #0115-20140430-004943
2012 Annual Bill	$0.00	02/20/2013 **Paid** $468.72 **Receipt** #0031-20130220-003509
2011 Annual Bill	$738.69	Pay this bill: $738.69
Issued certificate #4911	Face $532.68 Rate 18%	06/01/2012 Certificate issued 05/01/2012 Certificate advertised
2010 Annual Bill	$1,020.10	Pay this bill: $1,020.10
Issued certificate #4158	Face $965.57 Rate 0.25%	06/01/2011 Certificate issued 05/01/2011 Certificate advertised
2009 Annual Bill	$1,616.78	Pay this bill: $1,616.78
Issued certificate #4526	Face $1,236.89 Rate 7.25%	06/01/2010 Certificate issued 05/01/2010 Certificate advertised
2008 Annual Bill	$0.00	11/26/2008 **Paid** $1,483.80 **Receipt** #77-20081126-018446
2007 Annual Bill	$0.00	12/03/2007 **Paid** $2,769.25 **Receipt** #77-20071203-032714
2006 Annual Bill	$0.00	11/16/2006 **Paid** $92.33 **Receipt** #99-20061115-013288 *Effective 11/15/2006*
2005 Annual Bill	$0.00	11/15/2005 **Paid** $80.08 **Receipt** #99-20051115-16259
2004 Annual Bill	$0.00	12/03/2004 **Paid** $65.48 **Receipt** #10-20041203-2007
2003 Annual Bill	$0.00	12/02/2003 **Paid** $55.48 **Receipt** #3-20031202-4710
Total Balance	$3,375.57	Pay all: $3,375.57

Amounts as of 07/08/2014

MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Assistant to Code Enforcement

SUBJECT: **DEMOLITION LIEN REDUCTION**
Address: 815 Tumblin Kling Rd, Fort Pierce, FL
Owner: Carroll Collins

DATE: August 4, 2014

The following is a breakdown of the above property:

Description	Costs (General Fund)	Interest & Penalties	Administrative Fees
Demolition Lien	$5563.25	$1766.96	$100.00
TOTAL	$5563.25	$1766.96	$100.00

CAN BE WAIVED (ALL INTEREST, PENALTIES, AND ADMIN. COSTS) $1866.96
CANNOT BE WAIVED (ALL DEMOLITION COSTS) $5563.25
$7430.21

PROPERTY RECORD CARD

Carroll Collins Record: 1 of 1 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address:	815 Tumblin Kling Rd	ParcelID:	2434-331-0010-000-9
Sec/Town/Range:	34 :35S :40E	Account #:	33307
Map ID:	24/34S	Use Type:	Vac Res
Zoning:		City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: Carroll Collins

Address: PO Box 4114
Fort Pierce FL 34948-4114

Legal Description

34 35 40 N 440 FT OF E 66 FT OF W 264 FT OF NE 1/4 OF SW 1/4 OF SW 1/4-LESS N 25 FT- (DB 208-115) (O

More...

Sales Information

Date	Price	Code	Deed	Book/Page
9/20/2012	100	0118	SH	3451 / 0024
4/5/2006	175000	00	WD	2534 / 0891
8/29/1993	25000	00	WD	0860 / 1736
7/16/1993	100	01	PR	0852 / 1593

Assessment 2013

2013 Final:	13400
Assessed:	13400
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	342.51

Total Land and Building

Land Value: 13400 Acres: 0.44
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/Fl:	
1/2Bath:		HeatFuel:	-	Prm.Flors:	-
%A/C:		%Heated:		%Sprinkled:	

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.

Land Information

No.	Use Type	Type	Measure	Depth
1	0000-Vac Res	521 -Acres	0.67	

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

City Commission Regular Meeting **Agenda Item # 9. b.**

Meeting Date: 09/02/2014

Re: Lien Reduction Request - 314 N 15th Street, Ft. Pierce, FL

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

---

SUBJECT:

Reduce Code Enforcement Lien in the amount of $9,000.00 against 314 N. 15th Street, Ft. Pierce, FL owned by WPG Group, 4410 NE 18th Avenue, Oakland Park, FL 33334 contingent upon payment of $1,016.12 within 60 days.

SUMMARY:

Staff and the Special Magistrate recommend that the City Commission reduce fines totaling $9,000.00 against 314 N 15th Street, Ft. Pierce, FL to $1,016.12 based upon the following:

1. Previous owner James Frangella complied the property and came before the City Commission July 7, 2008 for a reduction of lien. The Commission reduced the lien to $1,016.12 payable within 60 days. The reduced lien was not paid and the lien reverted back to the original amount.
2. The violation was for an inoperative vehicle.
3. The current owner purchased the property without doing a lien search. Once they found out about the lien, they contacted Code Enforcement and proceeded to do a request for lien reduction with the promise of payment within the 60 days.

RECOMMENDATION:

Staff recommends reducing the lien from $9,000.00 to $1,016.12 payable within 60 days.

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: $1,016.12

OTHER INFORMATION:

$1,016.12 to the general fund.

Attachments

Breakdown
Tax Card
Minutes
Reduction Request

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**
314 N 15th, Fort Pierce, FL

DATE: September 2, 2014

The following is a breakdown of the above property:

	Costs (General Fund)	Recording Fees	Administrative Fees
CASE # 06-1924	$9,000.00	$.00	$.00
TOTAL	$9,000.00	$.00	$.00

CAN BE WAIVED (ALL COSTS) $9,000.00

PROPERTY RECORD CARD

Dor Real Estate LLC Record: 1 of 2 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address:	314 N 15th St	ParcelID:	2409-509-0024-000-7
Sec/Town/Range:	09 :35S :40E	Account #:	21480
Map ID:	24/09N	Use Type:	SF Res
Zoning:	R4	City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: Dor Real Estate LLC

Address: 1682 Osprey Rd
Weston FL 33327

Legal Description

KILLER`S S/D BLK 2 N 30 FT OF LOT 4 AND ALL LOT 5 AND W 8 FT OF VAC ALLEY ADJ ON E (OR 3596-1083)

Sales Information

Date	Price	Code	Deed	Book/Page
1/8/2014	17500	0001	WD	3596 / 1083
2/3/2009	100	0111	QC	3056 / 2954
9/4/2008	65000	00	WD	3013 / 1125
5/31/2005	75000	00	WD	2265 / 2225
10/25/2001	34000	00	DE	1449 / 0939
3/29/1994	100	01	QC	0893 / 1294
4/1/1985	0	01	CV	0462 / 1970
11/1/1980	18000	01	CV	0344 / 2533

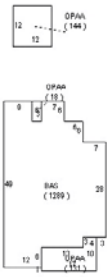
Assessment 2013

2013 Final:	21500
Assessed:	21500
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	549.51

Total Land and Building

Land Value: 6900 Acres: 0.31
Building Value: 14600
Finished Area: 1289 SqFt

BUILDING INFORMATION





Exterior Features

View:	-	RoofCover:	MS - Mtl Shingles	RoofStruct:	GA - Gable
ExtType:	HD+ - HD+	YearBlt:	1930	Frame:	-
Grade:	D+ - D+	EffYrBlt:	1950	PrimeWall:	SW - Wd Shingle
StoryHght:	0010 - 1 Story	No.Units:	1	SecWall:	-

Interior Features

BedRooms:	3	Electric:	AV - AVERAGE	PrmIntWall:	PB - PANEL BOARD
FullBath:	2	HeatType:	-	AvgHt/Fl:	
1/2Bath:	0	HeatFuel:	-	Prm.Flors:	DP - Double Pine
%A/C:	0	%Heated:	0	%Sprinkled:	0

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.
FEN4 - CHAINLINK 4'	Y	1	260	AV	AV	1995

Land Information

No.	Use Type	Type	Measure	Depth
1	0100-SF Res	Bl -Front Ft	85	158

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

MINUTES
SPECIAL MAGISTRATE
CITY OF FORT PIERCE
100 NORTH U.S. # 1
FORT PIERCE, FL 34950
August 6, 2014

Special Magistrate Blandino called the meeting to order at 9:00 AM.

All present stood for the Pledge of Allegiance.

The first item on the agenda was the **Swearing in of Code Officers**: Code Compliance Manager Margaret Arraiz, Code Officer Shaun Coss and Building Administrator Paul Thomas.

Staff present was Recording Secretary, Colleen Greer, Assistant City Attorney Steve McCain, and Code Officers Andy Avery, Isaac Saucedo, and Terry Denmark.

The next item on the agenda was **New Violation Cases with A Party Present:**

Item 5A-01 is case #12-0231, 610 N 14th Street, Ft. Pierce, FL. The property is currently owned by Ignacio Torres, 3290 NW 45th Street, Miami, FL 33142. The violations were IPMC 304.13 windows are in disrepair, IPMC 304.14 missing screens on windows, IPMC 506.1 and 506.2 plumbing is in disrepair, IPMC 605.1 electrical installed without permits and installed incorrectly, IPMC 605.3 light fixtures missing, IPMC 704.1 fire protection system missing/damaged (no smoke detectors), and City Ordinance section 8.5-42, 22-3 appears to be an illegal rooming house. Mr. Torres arrived after Mr. Thomas presented his case. A brief recess was taken during which time Mr. Torres signed a stipulation to have the repairs done within 60 days or a fine of $100 would be assessed for each day the violation(s) continue past that date.

Item 5A-05 is case #14-0508, 2551 Peters Road, Ft. Pierce, FL. The property is owned by Crossroads Plaza FP II & III, 4800 N Federal Highway, Suite 205-B, Boca Raton, FL 33431. The code section(s) in violation are 16-46, 16-47, 16-48 (1) (7) (9) (10) (15) nuisance as a condition; 5-370 exterior property and landscaping

Item 5A-06 is case #14-0509, Peters Road, Ft. Pierce, FL. The property is owned by Crossroads Plaza FP II & III, 4800 N Federal Highway, Suite 205-B, Boca Raton, FL 33431. The code section(s) in violation are 16-46, 16-47, 16-48 (1) (7) (9) (10) (15) nuisance as a condition; 5-370 exterior property and landscaping.

Officer Coss presented both cases stating he had learned from Richard D. Sneed, Jr., Attorney at Law and legal counsel for the violator that a sale of the property was scheduled to close and Staff was agreeable to continuing the case for 30 days.

Special Magistrate Blandino agreed to continue the case and rescheduled it for September 3, 2014.

The next item on the agenda is a case for **Review & Determination**

Item 5A-09 is case #14-0826, 309 Decordre Court, Ft. Pierce, FL. The property is owned by Shanawatti Bisesar, 5814 Shannon Dr., Ft. Pierce, FL 34951. The code section(s) in violation are 5-1.105.1 permit required, 5-368 (1) (4) property maintenance and 16-46, 16-47, 16-48 (1) (5) outside storage.

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 **New Violation Cases Where No One is Present.**

Item 5A-03 is case #13-2324, 1810 N 21st Street, Ft. Pierce, FL. The property owner is Dreida Goodman (Est), 3239 S 7th Street, Ft. Pierce, FL 34982. The code section violation(s) is 5-369 vacant buildings.

Item 5A-04 is case #14-0396, 724 Texas Court, Ft. Pierce, FL. The property owner is Alan J & Dana Branca, 724 Texas Court, Ft. Pierce, FL 34950. The code violation(s) are 5-73 house numbers, 5-368 (4) property maintenance, 5-369 vacant buildings.

Item 5A-08 is case #14-0737, 812 Kaufman Avenue, Ft. Pierce, FL. The property owner is Lanaise A. Valsaint, 4708 Palmetto Dr., Ft. Pierce, FL 34982. The code section violation(s) are 5-368 (1) property maintenance, 16-46, 16-47, 16-48 (10) (D) non-operable vehicles.

Item 5A-10 is case #14-0834, 406 Decordre Court, Ft. Pierce, FL. The property owner is David & Jennifer Pachtman, 16651 Westwood Lane, Ft. Lauderdale, FL 33326. The code section violation(s) are 5-368 (1) (4) property maintenance.

Item 5A-11 is case #14-0839, 313 Decordre Court, Ft. Pierce, FL. The property owner is David & Jennifer Pachtman, 16651 Westwood Lane, Ft. Lauderdale, FL 33326. The code section violation(s) are 5-368 (4) property maintenance, 16-46, 16-47, 16-48 (1) (5) outside storage.

Special Magistrate Blandino ruled that the violations do exist and the violators who are not present are deemed to have admitted guilt. He further ordered that they be given the number of days recommended by the Code Enforcement Officer on the case summary sheet to come into compliance or they would be fined the amount also shown on the summary sheet.

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

Item 6B-15 is case #09-1924, 314 N 15th Street, Ft. Pierce, FL. The property was owned by James B. Frangella, 1009 N 7th Street, Ft. Pierce, FL 34950. The current owner is WPG Group, 4410 NE 18th Avenue, Oakland Park, FL 33334. The code section(s) in violation was 16-46, 16-47, 16-48 (10) (D) non-op/unlicensed vehicles.

Margaret Arraiz presented the Facts of the Case. The case was initiated on June 21, 2006. The case came before the Special Magistrate on November 1, 2006 who gave the property owner 15 days to comply or a fine of $250.00 per day would be assessed. An inspection was made on January 16, 2007; the property was not in compliance and the fine began. A lien was recorded on February 27, 2007. Another inspection was made on February 21, 2007; the property was now in compliance and the fines stopped. The total amount of the lien is $9,000.00. On April 18, 2008 Staff received a lien reduction request from Mr. Frangella and the City Commission reduced the lien to $1,016.12 payable in 60 days. Mr. Frangella did not pay this reduced lien so it reverted back to the original amount of $9,000. On July 23, 2014 Staff received a lien reduction request from Mr. Tim Gallagher, WPG Group, 4410 NE 18th Avenue, Oakland Park, FL offering to pay the $1,016.12 original lien reduction. There was no one present to represent the case until after Special Magistrate Blandino made his findings and recommendation.

Special Magistrate Blandino reviewed the 7 criteria required by Rule 17 and recommended the City Commission reduce the lien to $1,016.12 payable in 60 days. If not paid within that time the lien would revert back to the original amount. The City Commission meeting will be September 2, 2014.

Mr. Gallagher arrived after the rulings and he was informed of the proceedings and told when the City Commission would meet.

The next meeting will be September 3, 2014.

There being no further business the meeting was adjourned at 9:30 A.M.

ATTEST:

Colleen Greer

SECRETARY TO THE SPECIAL MAGISTRATE

Margaret Arraiz

CODE ENFORCEMENT MANAGER

The Taped Recording of this Meeting had a technical Problem and Staff was unable to save it.

Building & Code Enforcement Department
100 N. US Hwy 1
PO Box 1480
Fort Pierce, FL 34954

Phone : 772-460-2200
Fax : 772-468-0457

Code Compliance Manager
Peggy Arraiz

RECEIVED
APR 18 2008
BUILDING & CODE

FORT PIERCE
THE SUNRISE CITY

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

Date: 4/18/08	~~James Frangella~~				
Property address:	314 N. 15th street				
Owner(s) of record:	James Frangella				
Mailing address:	P.O. Box 1902 Ft. Pierce FL 33454				
Property tax ID #:					
Original purchase date:	2005	Original purchase price:	75,000		
Property is used for: (circle one)	Single Family (owner or tenant occupied)	Multi-family	Commercial	Industrial	(Vacant) ~~Rent~~
Name of person requesting reduction:	James Frangella	Relationship to owner(s)			
Telephone #:	489-4609	Mobile phone #:	No		
E-mail:	No	Preferred contact method:	Phone		
What are owner(s) intentions for property:	To Sell				
Amount of Fine:	$ 8750 - 9,000 (LC)	Date Fine Initiated:			

Are there current code violations?	No	Yes	Explain: (please attached notice)
Is a lien filed against the property?	No	Yes	If yes, what is the lien amount?
Is property listed for sale?	No	Yes	If yes, what is listing price?
Is property under contract for sale?	No	Yes	If yes, what is the sale price?

Amount of Fine / Lien	$ 8750 - 9000.00 (LC)
Administrative fees	$
Interest	$
Penalties	$
DOLLAR AMOUNT REQUESTING TO BE WAIVED	$ ~~10,000~~ $8750
DOLLAR AMOUNT I AGREE TO PAY	$

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.

James Frangella
(Signature of Owner or Representative)

James Frangella
(Printed Name)

Building & Code Enforcement Department
100 N. US Hwy 1
PO Box 1480
Fort Pierce, FL 34954

Phone : 772-460-2200
Fax : 772-468-0457

Code Compliance Manager
Peggy Arraiz

RECEIVED
APR 18 2008
BUILDING & CODE

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 (460-2200 x358) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Lois Caudill (460-2200 x213) 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. 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: 314 N. 15th Street

Property Owner: James Frangella

Mailing Address: P.O. Box 1902 Ft pierce Fl 33454

Telephone #: 489-4609 Cell Phone #: No

E-Mail Address: NO

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

I, James Frangella, 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:

I would like to start off with I do appreciate your time. My property was a Rental. I worked out of town and my wife is disabled so the tenant delived the Rent to. my Mother who intruned went straight to the bank and payed the mortage My wifes mother was dying of cancer at the time a since has passed on, so she was also out of town or this would have never went on. the tenant was so bad the Housing Authory Refused to pay the Rent any more. I will submit a copy of the paper work. I had to evict them it took 2 months.

Date: 4/18/08

Signed: James Frangella

Print Name: James Frangella

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority James Frangella who acknowledged before me that the information contained herein is true and correct. He / She is not personally known to me and has produced FL Drivers License F652-442-63-025-0 as identification.

SWORN TO AND SUBSCRIBED before me this 18th day of April, 2008.

Lois Caudill

Notary Public, State of Florida

Lois Caudill
My Commission DD342030
Expires September 20, 2008

with in that time they destroyed my house, which I had totally Remodel! Now I am trying to sell because I was injuryed and am not working and can't afford the mortage and the house on the inside is not Rentable. They put holes in the walls you can walk threw. I can not locate them. They went back to Haut. I do not even have enough equity to cover the fines and the bank is going to FORclose. I am Rely Between a Rock and a hard place. I am asking you for your help please. Thank you very much!

City Commission Regular Meeting **Agenda Item # 9. c.**

Meeting Date: 09/02/2014

Re: City Streetlight Retrofit

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Approval of Memorandum of Understanding between the City of Fort Pierce and the Fort Pierce Utilities Authority regarding the billing of streetlights due to the City's streetlight retrofit program.

SUMMARY:

All affected City departments have reviewed the MOU and have no objections to the approval of this document.

The MOU has been reviewed and approved as to form and correctness by the City Attorney.

RECOMMENDATION:

Approve MOU

ALTERNATIVES:

Deny MOU

RESPONSIBLE STAFF:

William G. Thiess, P.E., Director of Utilities
Robert V. Schwerer, City Attorney

COORDINATED WITH:

William G. Thiess, P.E., Director of Utilities
Robert V.Schwerer, City Attorney

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

This MOU will result in reducing the City's expenditures for street lighting maintenance. The specific amount will be determined based on actual performance.

Attachments

Streetlight Retrofit

Memo from City Attorney re: MOU

500 Boston Avenue (34950)
PO Box 3191, Fort Pierce, FL 34948

Phone: 772.466.1600
Fax: 772.467.2504

Director of Finance
"Committed to Quality"

MEMORANDUM

TO: Fort Pierce City Commission

FROM: Nina B. Hurtubise, CPA
FPUA Director of Finance

THROUGH: William G. Thiess, P.E.
FPUA Director of Utilities

DATE: August 6, 2014

SUBJECT: City Commission Agenda Request for August 18, 2014 Meeting
Memorandum of Understanding for Advance Distribution Payment to the City
Memorandum of Understanding for City Streetlight Retrofit

I am forwarding for consideration and approval by the City Commission during the August 18, 2014 City Commission meeting, the following Memorandums of Understanding:

1) Memorandum of Understanding between Fort Pierce Utilities Authority (FPUA) and the City of Fort Pierce (the City) authorizing FPUA to make an advance distribution payment to the City in the amount of $1,250,000.00 to be repaid by deductions from future distribution payments.

2) Memorandum of Understanding between FPUA and the City formalizing changes requested by the City related to the billing of streetlights due to the City's streetlight retrofit program.

Please return one original signed copy to me in order to process the payment. If you have any questions or are in need of additional information, please feel free to contact me.

cc: City Manager
City Clerk

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
CITY OF FORT PIERCE, FLORIDA AND FORT PIERCE UTILITIES AUTHORITY
CITY STREET LIGHT RETROFIT

THIS MEMORANDUM OF UNDERSTANDING is made by and between the **CITY OF FORT PIERCE** ("City"), a Florida Municipal Corporation, and **FORT PIERCE UTILITIES AUTHORITY** ("FPUA"), a municipal authority created by the Charter of the City of Fort Pierce, FL.

WHEREAS, FPUA currently bills the City monthly for street light energy and maintenance; and

WHEREAS, the City has initiated a program to retrofit existing streetlights with light emitting diode (LED) technology;

NOW, THEREFORE, the City and FPUA hereby agree to the following terms and conditions concerning the City's energy savings initiative as it relates to City-owned street lighting:

1. **Adjustments to Monthly Billing.** For each of the high pressure sodium and metal halide lights for which FPUA currently has maintenance responsibilities and that the City retrofits with LED technology, FPUA will modify the energy and maintenance charges as follows:
   a. The energy portion will be recalculated using the rated kW value provided to FPUA by ConEdison Solutions ("new rate"). At the completion of the project, FPUA will take measurements to verify the actual consumption. If any adjustments are found to be necessary, FPUA will notify the City and discuss appropriate actions to adjust and reconcile the billing calculations.
   b. The maintenance portion will be eliminated. Any work performed by FPUA on the LED lights and their associated components will be billed to the City on a time and material basis. FPUA shall provide the City with detailed invoices on a monthly basis. This billing shall recover all FPUA internal costs for labor (including contract labor when applicable), parts, and vehicle costs. Appropriate overhead costs shall apply. The current unit prices for FPUA labor and vehicles, which are subject to future revisions without the need to amend this Memorandum, are provided in Attachment A.

2. **Exchange of Information.** The City will provide all relevant information for the lights converted to LED in order to update FPUA's electric system records and adjust the monthly billing records. To that end, FPUA will assist the City Engineering department to establish a web-based interface to be used by the City contractor that will track the changes made in the field.

3. **Timing of Billing Adjustments.** In order to minimize the administrative burden, FPUA will rely on regular updates from the City occurring, at a minimum, on a weekly basis throughout the course of the project in order to adjust the monthly billing as follows:
   a. Lights that are replaced on or before the 15th calendar day of the month will be billed for that month at the new rate as described above and for all subsequent billing cycles.
   b. Lights replaced after the 15th calendar day of the month will be billed at the current rate for that month and the new rate will go into effect for all subsequent billing cycles.

4. **Warranty Replacements.** The City will provide, at no cost to FPUA, spare LED fixtures to make replacements as necessary when a fixture fails during the initial warranty period. The failed fixtures removed from the field by FPUA will be provided to the City with relevant data (e.g., date removed and FPUA pole number) so that the City may pursue a warranty replacement.

IN WITNESS WHEREOF, the parties have caused the execution of this Memorandum of Understanding by their duly-authorized officials the day and year set forth below.

ATTEST:

_____
City Clerk

(Seal)

CITY OF FORT PIERCE

BY: _____
Linda Hudson
Mayor

DATE: _____

Approved as to Form and Correctness:

BY: _____
City Attorney

ATTEST:

Secretary

(Seal)

FORT PIERCE UTILITIES AUTHORITY

BY: Dick M. Dakin
Chairman 8/5/14

DATE: 8/5/14

Approved as to Form and Correctness:

BY: _____
FPUA Attorney

ATTACHMENT A

SCHEDULE OF UNIT PRICES AS OF JULY 1, 2014

Labor Rates	
Classification	Straight Time[1,2] (base hourly rate)
Line Specialist	$32.25
Line Specialist In Charge	$32.75
Winch Truck Operator	$19.66
Apprentice Line Specialist	$15.38 – $29.21[3]
Crew Supervisor	$35.72
Foreman	$34.29

Vehicle Rates	
Vehicle Type[4]	Hourly Rate
Pickup truck	$19.00
Dump truck	$25.00
Small bucket truck	$44.75
Medium bucket truck	$50.25
Large bucket truck	$93.50
Small digger truck	$59.00
Large digger truck	$91.00
Mini derrick & trailer	$39.50
Pole trailer	$10.25

Notes:

1. Most City street light maintenance will be performed during regular hours with FPUA crews. Work performed during emergency conditions may be billed at 1.5 or 2.0 times the regular rate in accordance with FPUA Rules and Regulations. If contract labor is utilized, the contracted unit prices as billed by the contractor will be billed to the City.

2. Overhead adders are calculated by applying 50.63% increase to the base rate plus $13.13 per hour.

3. Actual rate for Apprentice Line Specialist will vary according to progression in apprenticeship program.

4. Vehicles listed are those that are most commonly used. If other vehicles are utilized, they will be billed at the customary rate used by FPUA. If rental equipment is utilized, it will be billed at the actual cost to FPUA.

CITY OF FORT PIERCE - OFFICE OF THE CITY ATTORNEY

MEMORANDUM

RECEIVED
TIME
AUG 27 2014
CITY OF FT. PIERCE
CITY MANAGER'S OFFICE

TO: Robert J. Bradshaw, City Manager

FROM: Robert V. Schwerer, City Attorney

SUBJECT: FPUA – City Street Light Retrofit

DATE: August 27, 2014

Attached please find two (2) originals of Memorandum of Understanding between the City and FPUA as to City Street Light Retrofit. The same has been approved as to form and correctness.

Please let me know if you have any questions.

Robert V. Schwerer, Esq.
City Attorney

/mlp
Attachment

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
CITY OF FORT PIERCE, FLORIDA AND FORT PIERCE UTILITIES AUTHORITY
CITY STREET LIGHT RETROFIT

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   b. The maintenance portion will be eliminated. Any work performed by FPUA on the LED lights and their associated components will be billed to the City on a time and material basis. FPUA shall provide the City with detailed invoices on a monthly basis. This billing shall recover all FPUA internal costs for labor (including contract labor when applicable), parts, and vehicle costs. Appropriate overhead costs shall apply. The current unit prices for FPUA labor and vehicles, which are subject to future revisions without the need to amend this Memorandum, are provided in Attachment A.

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4. **Warranty Replacements.** The City will provide, at no cost to FPUA, spare LED fixtures to make replacements as necessary when a fixture fails during the initial warranty period. The failed fixtures removed from the field by FPUA will be provided to the City with relevant data (e.g., date removed and FPUA pole number) so that the City may pursue a warranty replacement.

IN WITNESS WHEREOF, the parties have caused the execution of this Memorandum of Understanding by their duly-authorized officials the day and year set forth below.

ATTEST:

_____
City Clerk

(Seal)

CITY OF FORT PIERCE

BY: _____
Linda Hudson
Mayor

DATE: _____

Approved as to Form and Correctness:

BY: _____
City Attorney

ATTEST:

_____
Secretary

(Seal)

FORT PIERCE UTILITIES AUTHORITY

BY: Dit M. Dk.
Chairman 8/5/14

DATE: 8/5/14

Approved as to Form and Correctness:

BY: _____
FPUA Attorney

ATTACHMENT A

SCHEDULE OF UNIT PRICES AS OF JULY 1, 2014

Labor Rates	
Classification	Straight Time[1,2] (base hourly rate)
Line Specialist	$32.25
Line Specialist In Charge	$32.75
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Vehicle Rates	
Vehicle Type[4]	Hourly Rate
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Dump truck	$25.00
Small bucket truck	$44.75
Medium bucket truck	$50.25
Large bucket truck	$93.50
Small digger truck	$59.00
Large digger truck	$91.00
Mini derrick & trailer	$39.50
Pole trailer	$10.25

Notes:

1. Most City street light maintenance will be performed during regular hours with FPUA crews. Work performed during emergency conditions may be billed at 1.5 or 2.0 times the regular rate in accordance with FPUA Rules and Regulations. If contract labor is utilized, the contracted unit prices as billed by the contractor will be billed to the City.

2. Overhead adders are calculated by applying 50.63% increase to the base rate plus $13.13 per hour.

3. Actual rate for Apprentice Line Specialist will vary according to progression in apprenticeship program.

4. Vehicles listed are those that are most commonly used. If other vehicles are utilized, they will be billed at the customary rate used by FPUA. If rental equipment is utilized, it will be billed at the actual cost to FPUA.

City Commission Regular Meeting **Agenda Item # 9. d.**

Meeting Date: 09/02/2014

Re: Purchase Remaining Trail Markers for Highwaymen Heritage Trail

Submitted For: Libby Woodruff, Grant Writer, Urban Redevelopment

---

SUBJECT:

Approve the purchase of the six (6) remaining trail markers from Ampersand Graphics, Stuart, FL, in accordance with the attached quote, as a single source commodity in the amount of $17.050.02.

SUMMARY:

Phase I of Highwaymen Heritage Trail Project has been completed, first three (3) signs have been designed, installed and vendor paid. A grant was approved and awarded through the Florida Humanities Council during Fiscal Year 2012 which funded Phase I. The grant has been awarded for the final phase of the project, design and installation of the remaining six (6) trail markers.

Ampersand Graphics designed the trail markers for Phase I and for standardization staff is requesting that this item is treated as a "single source" purchase.

The Purchasing Department has reviewed and investigated this request and found that all information and justification to be correct.

Project completion is anticipated for January 2015

RECOMMENDATION:

Approve the purchase of the six (6) remaining trail markers from Ampersand Graphics, Stuart, FL, in accordance with the attached quote, as a single source commodity in the amount of $17.050.02.

ALTERNATIVES:

Do not approve the purchase.

RESPONSIBLE STAFF:

Libby Woodruff, Grants Administrator

COORDINATED WITH:

Nicholas Mimms, Deputy City Manager
Gelencia Carter, Purchasing Manager

Fiscal Impact

Budgeted Y/N: See below

Fiscal Year: 2014

Account: 103-9002-554-48-30

Amount: 17,050.02

FISCAL IMPACT:

50% of this expense will be reimbursed to the City via a grant from the Florida Humanities Council. The remaining 50% was allocated through CDBG's 'Art in Public Places' activity during the 2013-2014 program year.

Attachments

Ampersand Graphics Quote

Ampersand Graphics
340 S.E. Seville Street
Stuart, FL 34994
Ph: (772) 283-1359
FAX: (772) 288-3314
Web: http://

Estimate #: 1186

www.ampersand-graphics.com

Created Date:	8/11/2014 5:07:07PM	**Prepared For:**	City of Fort Pierce
Salesperson:	House Account	**Contact:**	Libby Woodruff
Email:		**Office Phone:**	(772) 460-2200
Phone:	N/A	**Office Fax:**	(772) -
Fax:	N/A	**Email:**	annesat@aol.com
Entered by:	Gina OBrien	**Address:**	Post Office Box 1480 Fort Pierce, FL 34945

Description: Re Quote: Highwaymen Project - Phase II

		Quantity	Unit Price	Subtotal
1	**Product:** Specialty	6	$2,841.67	$17,050.02
	Description: High Pressure Laminate Signs - Full Color Single Sided, Custom Contour Cut Frame, Posts, Round Ball Finials, Base Plates in black. NO INSTALLATION INCLUDED Backus Studio Intermodal Transit Station Obelisk Pinewood Cemetery Mary Ann Carroll Harold Newton • 6 Ea., Highwaymen Trail Markers - Small			

Estimate Total:	$17,050.02
Subtotal:	$17,050.02
Total:	$17,050.02

Payment Terms: Balance due upon receipt.

Client Reply Request

☐ **Estimate Accepted "As Is". Please proceed with Order.** ☐ **Other:** _____

☐ **Changes required, please contact me.** **SIGN:** _____ **Date:** / /

Print Date: 8/25/2014 10:39:29AM

SYSTEM\Estimate_Estimate01

City Commission Regular Meeting **Agenda Item # 9. e.**

Meeting Date: 09/02/2014

Re: Purchase of one (1) 2014 Elgin Pelican Street Sweeper

SUBJECT:

Approval to piggyback the Florida Sheriff's Association Contract no. 13-11-0904 (bid award period 10/1/13 through 9/30/14), Specification No. 47, for the purchase of a 2014 Elgin Pelican Street Sweeper from Environmental Products, Apopka, FL, in accordance with the attached quote, for the amount not to exceed $174,780.00.

SUMMARY:

The Public Works Department is seeking approval to replace a 1999 Elgin Pelican Street Sweeper No. 45007 that has provided the City of Fort Pierce with 15 years of service. The Elgin Pelican is a specialized piece of equipment that utilizes water and powerful brushes to sweep the City streets and keep our stormwater system clean. Normal wear and tear combined with the elements has taken a toll. It is no longer feasible to repair this unit and it should be surplused.

Elgin is the most suitable for our needs. The Elgin Pelican performance is superior to the other machines tested and also the most user friendly from an operator's standpoint, as well as the technician's, that have utilized the equipment.

The Purchasing Department has reviewed and investigated the procurement process for this item and found all terms and conditions meet the piggyback requirements of the City of Fort Pierce.

RECOMMENDATION:

Approval to piggyback the Florida Sheriff's Association Contract no. 13-11-0904 (bid award period 10/1/13 through 9/30/14), Specification No. 47, for the purchase of a 2014 Elgin Pelican Street Sweeper from Environmental Products, Apopka, FL, in accordance with the attached quote, for the amount not to exceed $174,780.00.

Approval of the requested expenditure needed to replace this specialized piece of equipment.

ALTERNATIVES:

Decline approval of this piece of equipment.

RESPONSIBLE STAFF:

Public Works Department

COORDINATED WITH:

Purchasing Department.

Fiscal Impact

Budgeted Y/N:	N
Fiscal Year:	2014
Account:	40242005346430
Amount:	$174,780.00

FISCAL IMPACT:

Funds for this purchase are available in the Solid Waste account # 402-4200-534-64-30. The Quote for this vehicle was obtained through the Florida Sheriffs Association contract.

Attachments

Street Sweeper Quote

FSA Itemized Pelican Price Sheet & Specs

Environmental Products of Florida

Elgin, Vactor, Envirosight, KEG Technologies and Sewer Equipment Co. of America

ELGIN PELICAN PROPOSAL

Prepared for: CITY OF FORT PIERCE
Prepared by: NICK CAUSEY
Date: JUNE 10TH, 2014



2525 Clarcona Road ♦ Apopka, FL 32703
Phone: 407-798-0004 ♦ Fax: 407-798-0014
www.EPOFC.com

Environmental Products of Florida
Elgin, Vactor, Envirosight, KEG Technologies and Sewer Equipment Co. of America

June 10th, 2014

City of Fort Pierce
Attn: Billie Borland
52 Savannah Road
Fort Pierce, FL 34982

I am pleased to present the following proposal on a new 2014 Elgin Pelican. I have listed the sweeper's specifications below for your review. The sweeper is priced per the Florida Sheriff's Contract Specification # 47. If you have any questions or concerns, please feel free to contact me. Thanks again!

New Pelican Dual Standard Features

74 HP John Deere Shared Power
Alternator, 120 amp
Anti Siphon water fill
Automatic engine shutdown (oil pressure/engine temperature)
Automatic pickup in reverse
B20 biodiesel compatible
Back up alarm, electric
Battery, maintenance free
Brakes, power
Broom, main, hydraulically suspended
Broom, main, in cab pressure control
Broom, main, prefab, disposable
Broom, side broom, hydraulically suspended
Broom, side broom, in cab pressure control
Bumper pads, front jack
Coolant recovery system
Doors, see through glass, prop-able
Electronic Throttle
Engine, hour meter
Gauges & Warning lights:
  engine oil temperature
  engine oil pressure
  fuel level
  speedometer & odometer w/trip set
Fenders, over front wheels
Flushing system for hopper/conveyor

Fuel tank, 35 gallons
Fuel Water separator with indicator light
Heater, pressurizer with filtered air, defroster
Air cleaner, two-stage, dry type with restriction indicator
Alternator, 120 amp
Anti Siphon water fill
Automatic engine shutdown (oil pressure/engine temperature)
Automatic pickup in reverse
B20 biodiesel compatible
Back up alarm, electric
Battery, maintenance free
Brakes, power
Broom, main, hydraulically suspended
Broom, main, in cab pressure control
Broom, main, prefab, disposable
Broom, side broom, hydraulically suspended
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Bumper pads, front jack
Coolant recovery system
Doors, see through glass, prop-able
Electronic Throttle
Engine, hour meter
Gauges & Warning lights:
  engine oil temperature
  engine oil pressure
  fuel level
  speedometer & odometer w/trip set
Fenders, over front wheels
Flushing system for hopper/conveyor
Fuel tank, 35 gallons
Fuel Water separator with indicator light
Heater, pressurizer with filtered air, defroster
Hose, hydrant fill, 16' 8" with coupling
Air cleaner, two-stage, dry type with restriction indicator
Light, spotlight, adjustable, one per side broom
Lights, 2 combination, tail/stop lights
Lights, headlights, multiple beam

Lights, low water light
Low Hydraulic Warning
Main broom controls in cab
Manuals, operator and parts
Mirror, inside rear view
Mirrors, outside, front mounted 6" fish eyes
Mirrors, outside, front post mounted, west coast type, one each side
Parking brake with interlock
Rear Camera & in cab monitor
Return to sweep feature
Seat Belts (both sides for dual)
Seats, extra wide cordura suspension seats with arm rests
Signals, self-canceling directional with hazard switch
Sprung guide wheel, heavy duty
Steering wheel, tilt and telescoping
Sun visors
Tachometer, diesel engine
Tires, tubeless radials
Tow loops, four
Water tank, fill gauge
Water tank, molded polyethylene:
220 gallon total nominal capacity
Wheels, dual guide
Wheels painted grey
Window, opening front opera
Windshield washer
Windshield wipers with intermittent setting
Windshield, tinted

Included Enhancements/Options

25' Water Fill Hose
Side Broom Tilt Left
Side Broom Tilt Right
A/C with Heater
AM/FM Radio/ CD/Auxiliary Input
Conveyor Clean Out
Service Manual
Auto Lube System
2 Rear Flood/Backup Lights
1 LED Strobe with Guard

Remote Controlled Heated Mirrors
Dual Limb Guards
Front Guard Rail
Hydraulic Temp. Shutdown
Air Restriction Indicator in Cab
Freight to FL and Delivery to Fort Pierce

Total Contract Price: $174,780.00

Training: Operator and general maintenance training provided at no additional cost.

Thank you for your consideration,

Nick Causey, East Coast Regional Manager
Environmental Products of Florida
Email: ncausey@epofc.com
Cell: (904) 537-8799
Fax: (904) 339-9595

FSA PELICAN PRICING SPEC # 47

Part #	Description	Price
BASE	Pelican Base Unit w/ AC/Heater/Vent/Def	$157,745.00
1089502	Side Broom Tilt Left	$2,250.00
1089502	Side Broom Tilt Right	$2,250.00
1086377	Conveyor Cleanout	$400.00
0702417	PELICAN P SERVICE	$120.00
1089429	HYDRAULIC LEVEL & TEMPERATURE SHUTDOWN	$430.00
UP1101244	AM/FM RADIO WITH CD & 2 MAP LIGHTS	$0.00
1088612	Air Restriction Guage	$315.00
1101318	PACKAGE 5: ONE LED STROBE W/ GUARD	$750.00
1101064	Dual Limb Guards w/ Crossbar	$2,640.00
UP1101324	Front Light Mounting Rail	$615.00
1087995	25' Water Fill Hose	$155.00
1101326	Two (2) Rear Flood Lights	$425.00
1093229	Heated Remote Controlled Mirrors	$1,000.00
1087995	Automatic Lubrication System	$5,685.00
	TOTAL PRICE	$174,780.00

BID AWARD ANNOUNCEMENT

13-11-0904

Effective Dates:
October 1, 2013– September 30, 2014

OFF-ROAD UTILITIES, MEDIUM/HEAVY TRUCKS, & OTHER FLEET EQUIPMENT

Participating Sheriffs Offices & Local Governmental Agencies of the State of Florida

Coordinated By

The
Florida Sheriffs Association
& Florida Association of Counties

FLORIDA SHERIFFS ASSOCIATION

FAC
FLORIDA ASSOCIATION OF COUNTIES
All About Florida

FLORIDA SHERIFFS ASSOCIATION
& FLORIDA ASSOCIATION OF COUNTIES

3 WHEEL MECHANICAL BROOM STREET SWEEPER
SPECIFICATION #47

2014 Elgin Pelican
2014 Global M3

ALL ITEMS FACTORY INSTALLED UNLESS OTHERWISE INDICATED

INSTRUCTIONS: Listed above, you will find the model numbers of the vehicles that will be included in this year's contract.

1. ENGINE:

    a. 4 cylinder diesel engine 74 HP minimum.
    b. 120 AMP alternator
    c. Fuel water separator
    d. 35 gallon fuel tank capacity

2. TRANSMISSION:

    a. Hydrostatic drive type
    b. 35 gallon reservoir
    c. Capable of 20 MPH minimum

3. CAB:

    a. Sealed type cab with filtered intake.
    b. Tilt and telescoping steering column
    c. Tinted glass
    d. Sound suppressed
    e. Intermittent windshield wipers with washer
    f. Full gauge and warning lights for engine monitoring
    g. Climate controlled cab, heater, defroster and air conditioned
    h. If cab is not center mounted, it must have dual controls for operating on either right or left hand side.

4. FRAME:

    a. 116" wheelbase
    b. Rail type channel frame

5. SAFETY ITEMS:

    a. Dual west coast mirrors with spot mirrors
    b. Headlights, turn, brake and hazard lights
    c. Worklights for gutter brooms
    d. Cab mounted warning strobe light with protective cage
    e. Backup alarm
    f. Rearview backup camera

6. BRAKES/STEERING:

    a. Hydraulic power assisted service bakes
    b. Parking brake

c. Turning radius 15' maximum

7. DEBRIS HOPPER:

   a. 3.5 yard capacity minimum
   b. 9'6" minimum dump height

8. CONVEYOR:

   a. Rubber belt type with flights
   b. Hydraulic drive

9. MAIN BROOM:

   a. 32" diameter minimum
   b. 56" width tube type
   c. Hydraulic drive

10. GUTTER BROOMS:

   a. Right & left side brooms to have adjustable down pressure located in cab.
   b. 36" diameter minimum
   c. Segmented type broom
   d. Hydraulic drive

11. WATER SPRAY SYSTEM:

   a. 220 gallon water tank
   b. Run dry type water pump
   c. 15' hydrant fill hose
   d. Water spray jets adjacent to all brooms
   e. Water filter

FLORIDA SHERIFFS ASSOCIATION & FLORIDA ASSOCIATION OF COUNTIES

3 WHEEL MECHANICAL BROOM STREET SWEEPER SPECIFICATION #47

2014 Elgin Pelican

The Elgin Pelican purchased through this contract comes with all the standard equipment as specified by the manufacturer for this model and FSA's base vehicle specification(s) requirements which are included and made a part of this contract's vehicle base price as awarded by specification by zone.

ZONE:	Western	Northern	Central	Southern
BASE PRICE:	$157,745.00	$157,745.00	$157,745.00	$157,745.00

While the Florida Sheriffs Association and Florida Association of Counties have attempted to identify and include those equipment items most often requested by participating agencies for full size vehicles, we realize equipment needs and preferences are going to vary from agency to agency. In an effort to incorporate flexibility into our program, we have created specific add/delete options which allow the purchaser to tailor the vehicle to their particular wants or needs.

The following equipment delete and add options and their related cost are provided here to assist you in approximating the total cost of the type vehicle(s) you wish to order through this program. Simply deduct the cost of any of the following equipment items you wish deleted from the base unit cost and/or add the cost of any equipment items you wish added to the base unit cost to determine the approximate cost of the type vehicle(s) you wish to order.

NOTE: An official listing of all add/delete options and their prices should be obtained from the appropriate dealer in your zone when preparing your order. Additional add/delete options other than those listed here may be available through the dealers, however, those listed here must be honored by the dealers in your zone at the stated prices.

VEHICLE:	Pelican			
DEALER:	Environmental Products of Florida Corp.	Environmental Products of Florida Corp.	Environmental Products of Florida Corp.	Environmental Products of Florida Corp.
ZONE:	Western	Northern	Central	Southern
BASE PRICE:	$157,745.00	$157,745.00	$157,745.00	$157,745.00

Order Code	Delete Options	All Zones
	Single Left Hand Steering in lieu of Dual Steering	NA
1110638 [1]	Single Gutter Broom in lieu of Dual Gutter Brooms *With single steer* [1]	$7,068.00[1]
	Downgrade - specify	
	Downgrade - specify	
	Downgrade - specify	
	Downgrade - specify	
	Downgrade - specify	
	Downgrade - specify	

Order Code	Add Options	All Zones
11112848 [1]	Upgrade option - specify *Pelican waterless* [1]	$36,500.00[1]
1088612 [1]	Upgrade option - specify *Air restriction gauge* [1]	$315.00[1]
1093229 [1]	Upgrade option - specify *Dual rear floods and backup lights* [1]	$425.00[1]
1101318 [1]	Upgrade option - specify *Strobe with guard* [1]	$750.00[1]
1101326 [1]	Upgrade option - specify *Arrow stick* [1]	$1,475.00[1]
1101017 [1]	Remote adjustment heated mirrors	$1,000.00[1]
1089502 [1]	Side broom tilt *Each* [1]	$2,250.00[1]
1087668 [1]	Automatic lubrication system	$5,685.00[1]
1092236 [1]	Lifeliner hopper liner	$3,725.00[1]
1101314 [1]	Beacon light with protector	$675.00[1]
	Electric side broom tilt indicator *Standard with tilt* [1]	Std[1]
1087539 [1]	Broom hours and mileage recorder	$345.00[1]
1087553 [1]	Diesel cold weather start aid	$490.00[1]
1101065 [1]	Limb guards	$2,640.00[1]
1099914 [1]	Sliding rear window	$740.00[1]
	Litter hose	NA
	Front broom	NA
	Powder coating - specify	Std
1089429 [1]	Optional equipment - specify *Hydraulic temperature level shutdown* [1]	$430.00[1]

VEHICLE:	Pelican			
DEALER:	Environmental Products of Florida Corp.	Environmental Products of Florida Corp.	Environmental Products of Florida Corp.	Environmental Products of Florida Corp.
ZONE:	Western	Northern	Central	Southern
BASE PRICE:	$157,745.00	$157,745.00	$157,745.00	$157,745.00

0702417 [1]	Optional equipment - specify *Service manual* [1]	$120.00 [1]
1086377 [1]	Optional equipment - specify *Conveyor clean out* [1]	$400.00 [1]
1087545 [1]	Optional equipment - specify *Conveyor stall alarm* [1]	$600.00 [1]
1087995 [1]	Optional equipment - specify *25' water fill hose* [1]	$155.00 [1]
	Temporary tag	$0.00
	Transfer existing registration (must provide tag number)	$150.00
	New state tag (specify state, county, city, sheriff, etc.)	$100.00
Main PL [1]	Maintenance Plan - specify *Full maintenance per year. (4 years maximum)* [1]	$14,400.00 [1]
	Maintenance Plan - specify	
Warr P [1]	Warranty - specify *Cost per year (Maximum 4 additional years, 1 year standard)* [1]	$2,000.00 [1]
	Warranty - specify	
0% Discount [1]	Discount percentage off manufacturer's current published retail prices for non-specified options and any optional models bid. This discount ONLY APPLIES to a downgrade or an upgrade to the model listed in this specification. It does ot apply to a completely different make or model. (The discount is applied to the manufacturer's current published retail prices.)	[1]

City Commission Regular Meeting **Agenda Item # 9. f.**

Meeting Date: 09/02/2014

Re: Subordination of City Utility Interests

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Approval of Subordination of City Utility Interests Agreement between FDOT and the City of Fort Pierce for the Use and Benefit of the Fort Pierce Utilities Authority and St. Lucie County.

SUMMARY:

Subordination of utility interests associated with the Jenkins/Okeechobee Road Widening Project.

RECOMMENDATION:

Approve Subordination Agreement

ALTERNATIVES:

Do not approve agreement

RESPONSIBLE STAFF:

Linda W. Cox, City Clerk

COORDINATED WITH:

William G. Thiess, P.E., Director of Utilities

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

Subordination of Utility Interests

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500 Boston Avenue (34950)
PO Box 3191, Fort Pierce, FL 34948

Phone: 772.466.1600
Fax: 772.467.2504

Director of Finance
"Committed to Quality"

MEMORANDUM

TO: Fort Pierce City Commission

FROM: Nina B. Hurtubise, CPA
FPUA Director of Finance

THROUGH: William G. Thiess, P.E.
FPUA Director of Utilities

DATE: August 20, 2014

SUBJECT: City Commission Consent Agenda Request for September 2, 2014 Meeting
Subordination of City Utility Interests – Parcel No. 803.2R (05-15-14)

I am forwarding for consideration and approval by the City Commission during the September 2, 2014 City Commission meeting a permanent Subordination of Utility Interest documents associated with the Jenkins/Okeechobee Road Widening Project.

Please return all 3 copies of the Subordination documents to me for execution by the FDOT. If you have any questions or are in need of additional information, please feel free to contact me.

cc: City Manager
City Clerk

C14-08-335

23-UTL.04-06/93
Modified for SR 70 (Okeechobee Road) @
CR 611 (Jenkins Road)

This instrument prepared under the direction of:
Dawn Raduano, Esq.
Legal Description prepared by:
Louis Cefolia P.S.M. (05-06-14)
Document prepared by:
Grace K. Abel (05-15-14)
Department of Transportation
3400 W. Commercial Boulevard
Ft. Lauderdale, Florida 33309

Parcel No.	803.2R(05-15-14)
Item/Segment No.	4289841
Section	94030-2516
Managing District:	04
S.R. No.	70
County:	St. Lucie

SUBORDINATION OF CITY UTILITY INTERESTS

This AGREEMENT, entered into by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, and the CITY OF FORT PIERCE FOR THE USE AND BENEFIT OF THE FORT PIERCE UTILITIES AUTHORITY OF THE CITY OF FORT PIERCE, FLORIDA, hereinafter called the CITY and ST. LUCIE COUNTY hereinafter referred as COUNTY.

W I T N E S S E T H:

WHEREAS, the CITY presently has an interest in certain lands that have been determined necessary for highway purposes for a County Road; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the CITY to the FDOT and the COUNTY; and

WHEREAS, the FDOT is willing to pay to have the CITY'S facilities relocated if necessary during construction to prevent conflict between the facilities so that the benefits of each may be retained.

WHEREAS, after construction is complete the FDOT shall transfer the Right Of Way acquired for County Road 611 (Jenkins Road), to the COUNTY.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, CITY and FDOT agree as follows:

CITY subordinates to the interest of FDOT its successors and assigns, any and all of its interest in the lands as follows, viz:

Parcel No. 803 Item/Segment No. 4289841
(Section 94030-2516)

A portion of the Southwest One-Quarter (SW 1/4) of the Southwest One-Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4) of Section 19, Township 35 South, Range 40 East, St. Lucie County, Florida, being more particularly described as follows:

(Continue on the next page)

Commence at the Southwest Corner of the Northwest One-Quarter (NW 1/4) of said Section 19, thence North 00°05'07" West, along the West line of said Northwest One-Quarter (NW 1/4) of Section 19 and the Baseline of Survey of County Road 611 (Jenkins Road), a distance of 31.13 feet; thence North 89°54'53" East at a right angle to the last described course, a distance of 40.00 feet to a point on the Easterly Existing Right of Way line of County Road 611 (Jenkins Road) as shown on Sheets 3 and 5 of the Florida Department of Transportation Right of Way Map for Item/Segment No. 4289841, Section 94030-2516 and the POINT OF BEGINNING; thence North 00°05'07" West, along a line 40.00 feet Easterly of and parallel to the West line of said Northwest One-Quarter (NW 1/4) of Section 19, a distance of 636.43 feet to a point on the North line of the Southwest One-Quarter (SW 1/4) of the Southwest One-Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4) of Section 19; thence North 88°29'34" East, along said North line of the Southwest One-Quarter (SW 1/4) of the Southwest One-Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4) of Section 19, a distance of 20.01 feet; thence South 00°05'07" East, along a line 60.00 feet Easterly of and parallel to the West line of said Northwest One-Quarter (NW 1/4) of Section 19, a distance of 339.52 feet; thence South 88°49'07" East, a distance of 10.00 feet to said Easterly Existing Right of Way line of County Road 611 (Jenkins Road); thence South 00°05'07" East, along said Easterly Existing Right of Way line, a distance of 15.00 feet; thence North 88°49'07" West, a distance of 10.00 feet to a point on said line 60.00 feet Easterly of and parallel to the West line of the Northwest One-Quarter (NW 1/4) of Section 19; thence South 00°05'07" East, along said line 60.00 feet Easterly of and parallel to the West line of said Northwest One-Quarter (NW 1/4) of Section 19, a distance of 281.85 feet; thence South 88°19'06" West, a distance of 20.01 feet to the POINT OF BEGINNING.

Containing 12,880 square feet, more or less.

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R.B. & PAGE
Easement	03/31/08	NNN/1031 No. 16 SR 70 Jenkins LLC, a Florida limited liability company	City of Fort Pierce, Florida for the use and benefit of the Fort Pierce Utilities Authority	2959/441
Easement	10/27/08	NNN/1031 No. 16 SR 70 Jenkins LLC, a Florida limited liability company	City of Fort Pierce, Florida for the use and benefit of the Fort Pierce Utilities Authority	3031/118

PROVIDED that the CITY has the following rights:

1. The CITY shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon the lands described herein in accordance with the FDOT'S current minimum standards for such facilities as required by the FDOT, Utility Accommodation Manual or the COUNTY'S minimum standards as applicable in the effect at the time the agreement is executed. Any new construction or relocation of facilities within the lands will be subject to prior approval by the FDOT or the COUNTY after transfer. Should the FDOT or COUNTY fail to approve any new construction or relocation of facilities by the CITY or require the CITY to alter, adjust, or relocate its facilities located within said lands, the FDOT or the COUNTY, as applicable hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements.

2. Not withstanding any provisions set forth herein, the terms of the utility permits shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.

3. The CITY shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim such trees, brush, and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the FDOT's/COUNTY'S facilities.

4. The CITY agrees to repair any damage to FDOT/COUNTY facilities and to indemnify the FDOT or COUNTY against any loss or damage resulting from the CITY exercising its rights outlined in Paragraphs 1 and 3 above.

5. The FDOT shall transfer and assign to the COUNTY all its rights and obligations under this subordination to the COUNTY and the COUNTY shall accept the transfer and assignment of said rights and obligations herein.

IN WITNESS WHEREOF, the COUNTY has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor or Vice-Mayor of said Board, the day and year aforesaid.

ATTEST: Sue Kornow
Print Name: SUE KORNOW
Clerk (or Deputy Clerk)

CLERK OF THE CIRCUIT COURT ST. LUCIE COUNTY

APPROVED AS TO FORM AND CORRECTNESS:
COUNTY ATTORNEY

ST. LUCIE COUNTY
By Its Board of County Commissioners

BY: Frannie Hutchinson
Print Name: Frannie Hutchinson
Its ~~Mayor~~ Chair
(or ~~Vice-Mayor~~)

STATE OF FLORIDA

COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me this 12 day of August, 2014, by Frannie Hutchinson, Mayor (or ~~Vice-Mayor~~), who is personally known to me or who has produced _____ as identification.

CAROL A. BISHOP
Commission # EE 191842
Expires May 26, 2016
Bonded Thru Troy Fain Insurance 800-385-7019

Carol A. Bishop
Print Name: _____
Notary Public in and for the County and State last aforesaid.
My Commission Expires: _____
Serial No., if any: _____

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Signed, sealed and delivered in the presence of witnesses:

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

_____

Print Name: _____

By: _____
Name: JAMES A. WOLFE
Title: District Secretary for District IV

_____

Print Name: _____

Attorney approved as to form:

_____
Name: DAWN RADUANO

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this _____ day of _____, 201____, by JAMES A. WOLFE, District Secretary for District IV, who is personally known to me or who has produced _____ as identification.

_____

Print Name: _____
Notary Public in and for the County and State last aforesaid.
My Commission Expires: _____
Serial No., if any: _____

IN WITNESS WHEREOF, the Utility has caused these presents to be executed in its name, and its Corporate Seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

ATTEST: _____

Print Name: Michael A. Perri, Jr.

Its _____ Secretary

FORT PIERCE UTILITIES AUTHORITY OF THE CITY OF FORT PIERCE, FLORIDA

By: _____

Print Name: Darryl Thomas-Bey

Vice Chairman

Attorney approved as to form and correctness:

By: _____

Print Name: Rupert N. Koblegard, III

STATE OF FLORIDA

COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me this 19th day of August, 2014, by Darryl Thomas-Bey, Vice Chairman of FORT PIERCE UTILITIES AUTHORITY OF THE CITY OF FORT PIERCE, FLORIDA, who is personally known to me or who has produced Personally Known as identification.

_____

Print Name: Florinda Kay Mazzarella

Notary Public in and for the County and State last aforesaid.

My Commission Expires: _____

Serial No., if any: _____

FLORINDA KAY MAZZARELLA
MY COMMISSION # FF 112605
EXPIRES: August 14, 2018
Bonded Thru Notary Public Underwriters

IN WITNESS WHEREOF, the City has caused these presents to be executed in its name, and its Corporate Seal to be hereunto affixed, by its proper officers thereunto duly authorized, the date and year first above written.

_____
LINDA HUDSON, MAYOR COMMISSIONER

ATTEST:

_____
LINDA W. COX, CITY CLERK

(CITY SEAL)

APPROVED AS TO FORM
AND CORRECTNESS:

_____
Robert V. Schwerer, City Attorney

State of Florida

County of St. Lucie

The foregoing instrument was acknowledged before me this ___ day of _____, 2014, by Linda Hudson, Mayor of the City of Fort Pierce, Florida, who is personally known to me.

_____

Print name: _____
Notary Public in and for the County and
State last aforesaid.
My Commission Expires:

City Commission Regular Meeting **Agenda Item # 9. g.**

Meeting Date: 09/02/2014

Re: FY 2014 Law Enforcement Trust Fund Contribution

SUBJECT:

Request approval for a contribution of $500 to the Parent Academy of St. Lucie County from the Law Enforcement Trust Fund.

SUMMARY:

According to Florida Statute 932.7055, the police department is required to spend 15% of Law Enforcement Trust Fund revenue from forfeitures and seizures each year in support of crime prevention activities. This donation will support the Parent Academy of St. Lucie County Empowering Parents for the Annual Breakfast Sponsorship. Their mission is to "strengthen our community by providing St. Lucie County parents information about, and access to, the resources and opportunities available to them." The requested contribution will be applied to meeting the statutory obligation for FY2014 and will provide meaningful support to community based activities. This expenditure meets the requirements of Florida's Statute 932.7055.

RECOMMENDATION:

Approve the contribution request.

ALTERNATIVES:

Deny the request.

RESPONSIBLE STAFF:

Deputy Chief Amandro

COORDINATED WITH:

Stephanie Smith

Fiscal Impact

Budgeted Y/N:	N
Fiscal Year:	2014
Account:	102.3003.521.4830
Amount:	500

OTHER INFORMATION:

$500 is available within the Law Enforcement Trust Fund, line item 102.3003.521.4830, as outlined. No impact to general fund budget.

Attachments

Invoice

Annual Report
Brochure

Parent Academy of St. Lucie County
Empowering Parents

2940 South U.S. Highway 1, Suite C-12
Fort Pierce, Florida 34982
Phone 772-466-0523

INVOICE

INVOICE #171
DATE: AUGUST 15, 2014

FOR: FORT PIERCE POLICE DEPARTMENT

DESCRIPTION	AMOUNT
Parent Academy Annual Breakfast Sponsorship, 2014-2015 Sponsorship includes: (a) Inclusion in all Parent Academy quarterly newsletters (b) Inclusion on Parent Academy website and Facebook page. (c Recognition at events	$500.00 TOTAL $500.00

A Great Year at Parent Academy!

2013-2014



Parent Academy
of St. Lucie County
EMPOWERING PARENTS

Coral Square
2940 S. U.S. Highway 1, Suite C-12
Fort Pierce, FL 34982
772-466-0523
www.parentacademyslc.org

Parent Academy of St. Lucie County
Data Review: July 1, 2013 to April 24, 2014

Total Workshops: 85 **Total Attendance:** 912

City	Total	Percent
Fort Pierce	480	53%
Port St. Lucie	359	40%
Other	15	1%
Not Given	58	6%

Race	Total	Percent
Asian	8	.8%
Black	410	45%
Pacific Islander	1	.1%
Amer. Indian	5	.5%
White	234	26%
Not Given	248	27%
Multiracial	6	.6%

Ethnicity	Total	Percent
Hispanic	108	12%
Not Hispanic	771	85%
Not Given	33	3%

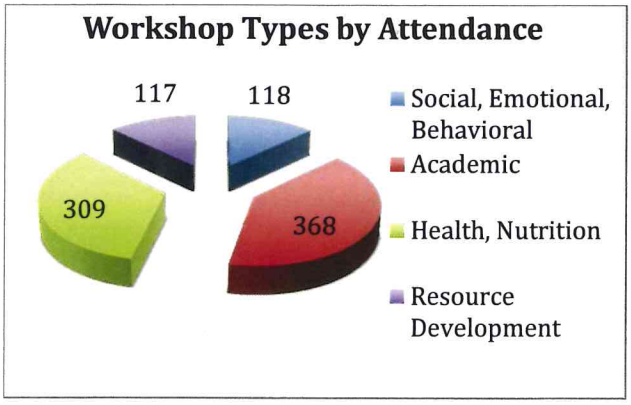
Top Zip Codes	Total	Percent
34946	35	3.8%
34947	128	14%
34950	152	16.6%
34952	41	4.49%
34953	119	13%
34982	126	13.8%
34983	109	11.95%
34984	41	4.49%
34986	33	3.6%
Not Given	56	6%

Computer/ Internet	Total	Percent
Yes	474	52%
No	242	27%
Not Given	196	21%

Employment	Total	Percent
Yes	135	15%
No	747	82%
Not Given	30	3%

Workshop Evaluation – All Workshops

Evaluation Statement	Agree	Disagree
Information provided is useful to me as a parent.	100%	
I would recommend this workshop to another parent.	99.9%	.1%
The instructor/facilitator was knowledgeable about the material presented.	100%	





Rep. Larry Lee, Jr. visits adult literacy class.

Adult Literacy Outcomes

- ✓ 88% of parents in English as a Second Language (ESL) classes who have been pre and post tested, demonstrated a learning gain. The average increase in English proficiency for all parents who have been pre and post tested was 43% (percent of increase/change) when comparing pre and post assessments.
- ✓ Parents enrolled in health literacy classes had a 42% learning gain when comparing pre and post assessments. (Health Literacy is supported by a grant from the Florida Literacy Coalition & Florida Blue.)
- ✓ 77% of parents enrolled in pre GED classes for a minimum of 4 months demonstrated a gain of one educational functioning level (EFL) or two-grade levels in English and/or math.



Adult Literacy Race Distribution

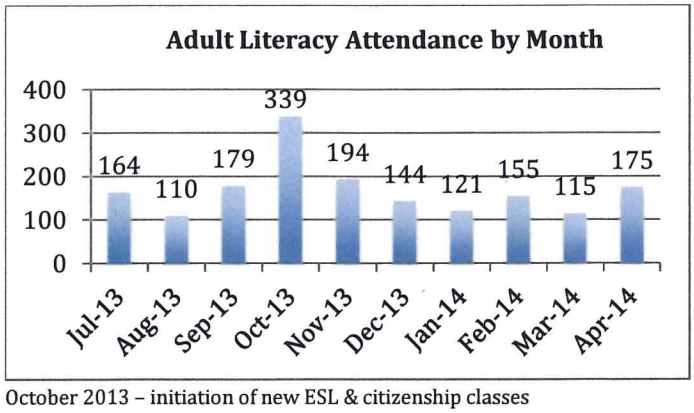
Race	Percent
Black	14%
Native Hawaiian/Pacific Islander	1%
White	13%
Not Given	72%

Adult Literacy City of Residence

City of Residence	Percent
Fort Pierce	86%
Port St. Lucie	14%

Ethnicity: Adult Literacy

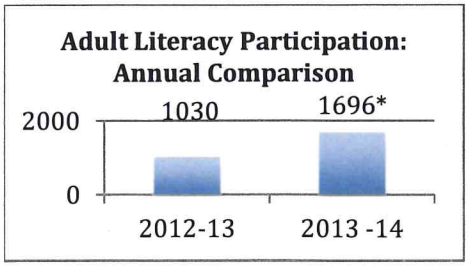
Ethnicity	Percent
Hispanic	84%
Not Hispanic	14%
Not Given	2%



October 2013 – initiation of new ESL & citizenship classes



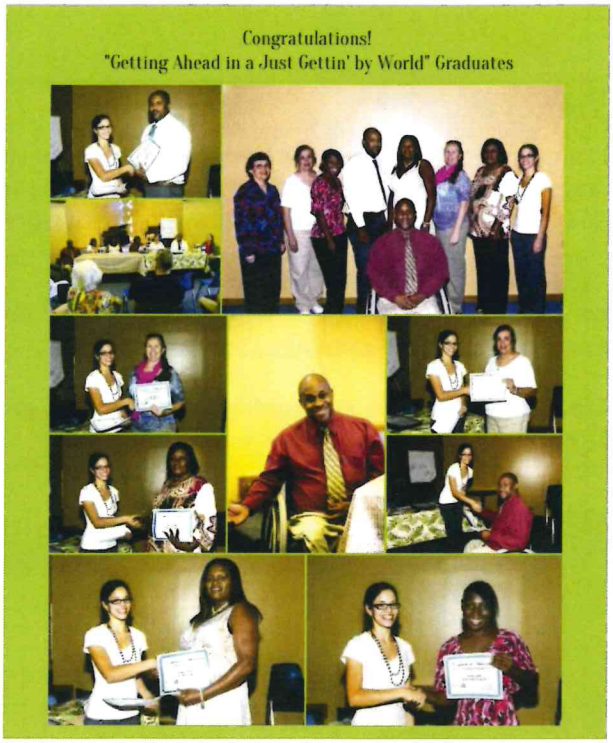
Students demonstrated healthy recipes.



*2013 – 14 data is as of 4.24.14

Total Parents Served

July 1, 2013 – April 24, 2014: 2,608
Since opening in February 2012: 5,681



Supporting *Getting Ahead*

- ✓ 20 graduates (2 classes) with individualized plans for resource development
- ✓ 100% gain in understanding of resources necessary to move from poverty to prosperity
- ✓ Graduate testimonial of personal improvement in perseverance, mental, language, social capital, health, relationships and financial resources
- ✓ Establishment of support structure for *Getting Ahead*

Getting Ahead is offered in partnership with Grace Way Village with support from United Way of St. Lucie County.

Parent Academy Board of Directors

Brad Gould, Dean, Mead, Minton & Zwemer

Vice - Mayor Linda Bartz, City of Port St. Lucie; Roundtable of St. Lucie County

Terri Sloan-Bartz, Seacoast National Bank

Sean Boyle, Children's Services Council

Vashti "Jackie" Dunn, Treasure Coast Early Learning Academy

Suzanne Ensmann, Indian River State College

Kathryn Hensley, School Board of St. Lucie County; HANDS Clinic

Hazel Hoylman, In the Image of Christ

Karen Knapp, United Way of St. Lucie County

Rep. Larry Lee, Jr., Florida Legislature; State Farm Insurance & Lighthouse Foundation

Craig Logue, Mariposa Elementary

Judi Miller, Big Brothers Big Sisters

Edgar Morales, Florida Department of Health in St. Lucie County

Roderick Natta, Title 1 Advisory Council

Craig Perry, Huntington Learning Center

R. Danny Pierre-Louis, Haitian Advisory Council

Eric Seibenick, Early Learning Coalition

Michelle Sheperd, Dean, Mead, Minton & Zwemer

Linda Tapia, Hispanic Advisory Council

Chris Taylor, Retired Educator

Queen Townsend, African-American Advisory Council

Olivia Watkins, Retired Educator

Parent Academy of St. Lucie County

Empowering Parents Every Day!



Parents enrolled in health literacy class learn health terms.



Ruth "Danny" Pierre-Louis discusses healthcare with students.

Empowering Healthy Families

Through a grant awarded by Florida Blue and the Florida Literacy Coalition, Parent Academy of St. Lucie County has twenty-six parents enrolled in a ten-week health literacy class. The class is helping these parents, primarily ESL adult learners, acquire information and resources that will help them navigate the medical system and make informed health decisions for their families.

There is a growing recognition among health care providers and adult educators around the country that limited English language can have a significant impact on one's health. According to the 2003 National Assessment of Adult Literacy's report, fourteen percent of adults have below basic health literacy skills. Parent Academy is joining with Florida Blue and the Florida Literacy Coalition as well as the Department of Health in St. Lucie County, HANDS Clinic, Florida Community Health Centers, Inc., and Healthy Kids of St. Lucie County to provide every St. Lucie County family with the skills and tools to utilize health care effectively.



Parents play a game to reinforce health literacy skills.







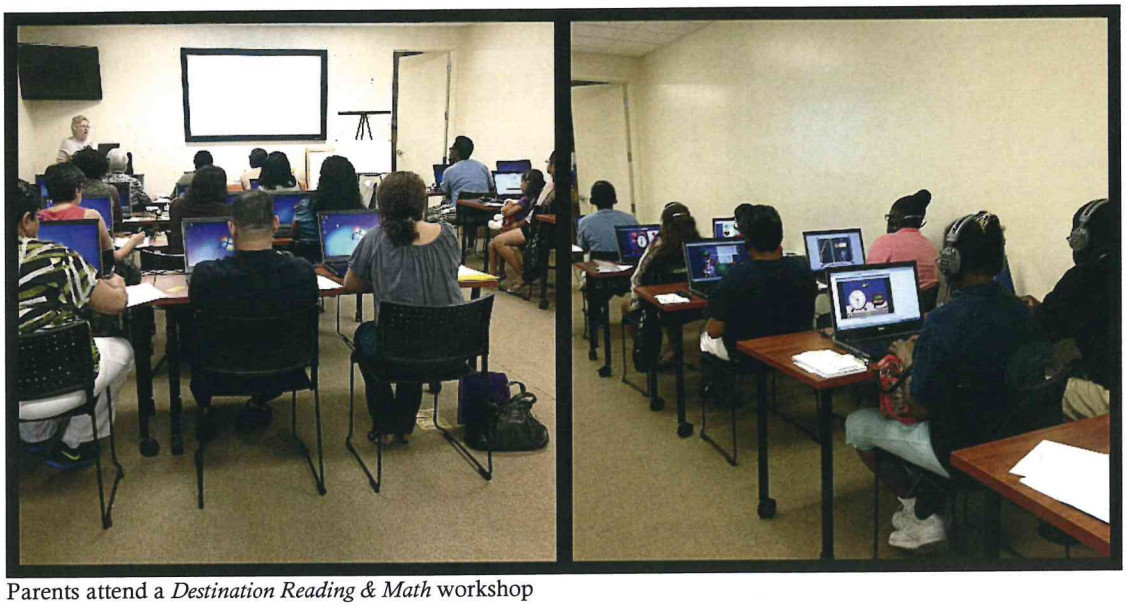




Celebrating accomplishment

Parents enrolled in pre GED, beginning ESL and intermediate ESL classes recently celebrated their advancement to the next level in their adult education studies. Parent Academy instructors Isabella Escalona and Joan Moore were excited to recognize not only each parent's accomplishment, but also their commitment to learning. "Each day our parents are better able to help their children in school and are getting closer to their goals of better job opportunities and obtaining their GED", says Isabella Escalona, Parent Academy Program Specialist and adult education teacher. "Several of our students have already successfully transitioned to Indian River State College to continue their adult education studies and that is our goal", continues Escalona. "We are very proud of all of them."

Special thanks to Myrna Rodriguez and Kevin Singletary, ALPI Head Start, and Teresa Ledezma, Centro San Juan Diego Church, for helping us honor our parents.



Parents attend a *Destination Reading & Math* workshop

Empowering digital learning

Parent Academy of St. Lucie County is partnering with St. Lucie Public Schools and Houghton Mifflin Harcourt, Inc. to ensure that parents are knowledgeable of all of the digital learning resources that will support their child's academic achievement. The *Destination Reading and Math* workshop is offered on an ongoing basis. Parents receive hands-on practice in accessing the program as well as ways to use it at home.

Rep. Larry Lee, Jr. & some new friends



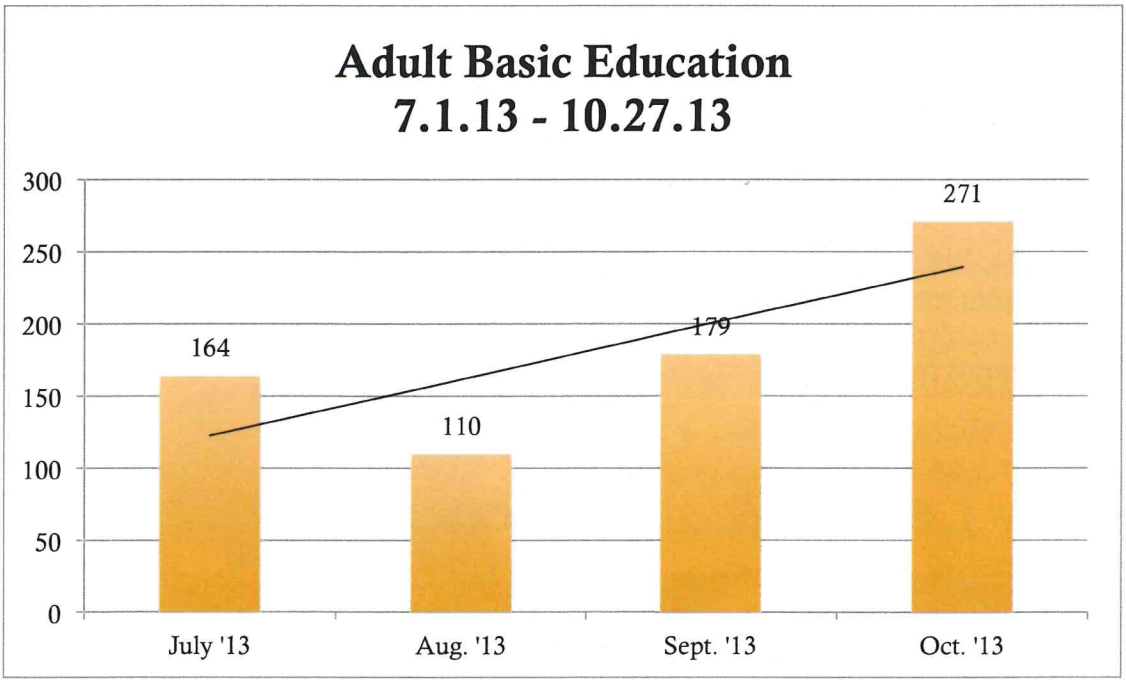
Rep. Larry Lee, Jr. and Parent Academy parent learners

Parent Academy pre GED students were thrilled to have the Honorable Larry Lee, Jr. present a lesson on state government. Rep. Lee reviewed how an idea becomes a bill and progresses to a vote in the House and Senate. He also applauded the class' commitment to learning so that they can better support their children and families. The adult learners embraced Rep. Lee's "pay it forward" challenge and continue to share ways they can contribute to the movement. Thank you, Rep. Lee, for our T-shirts and for taking the time to share your knowledge, experience and passion for improving our community, one kindness at a time.


Parent Academy's Wednesday evening ESL class

Adult education classes continue to grow

Parent Academy's adult education classes continue to expand. For the period of October 21 through October 24, 86 parents were at Parent Academy either in class or doing independent study. Executive Director Nancy Brown states that, "This shows that Parent Academy is fulfilling a true need in the community and one that is critical to student academic success and in moving families upward economically."



Parent Academy's adult learning program includes classes for pre GED, ESL, citizenship, healthy living and individual study. A primary goal of the program is to improve the literacy of parents so they can better help their children in school, obtain a higher wage jobs and to work towards their chosen career. As the parents grow in their skills and confidence, Parent Academy staff supports their transition to Indian River State College so that they can achieve their dreams. The chart above shows a 65.24% increase in adult basic education programs at Parent Academy for the period of July 1, 2013, through October 27, 2013, for a total of 724 parents.

Empowering Positive Parenting

Parents learn the science behind behavior in Parent Academy's four-week *Positive Parenting* class. Led by certified behavior analyst Valerie Hall, the class teaches the principles that can be used to increase wanted behaviors and diminish those that are undesirable for every age child. Parents also have time to share and get individualized strategies to meet the needs that they are identifying.



319 Parents attend Parent Academy Workshops/ 1,043 Total Parents Served

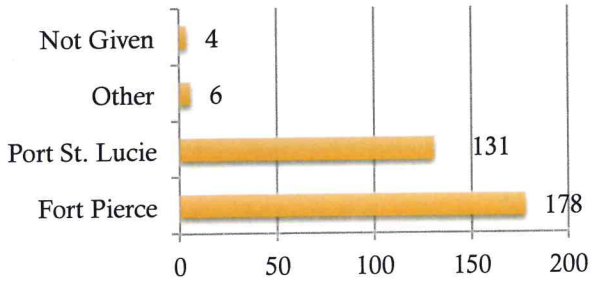
Workshop Category	# of Workshops	Attended	Evaluation Data		
			Evaluation Statement	% Agree	% Disagree
Social, Emotional, Behavioral	4	50	Information provided is useful to me as a parent.	100%	
			I would recommend this workshop to another parent.	100%	
			The instructor/facilitator was knowledgeable about the material presented.	100%	
Academic	11	79	Information provided is useful to me as a parent.	100%	
			I would recommend this workshop to another parent.	100%	
			The instructor/facilitator was knowledgeable about the material presented.	100%	
Health, Nutrition	8	190	Information provided is useful to me as a parent.	99.994%	.006%
			I would recommend this workshop to another parent.	100%	

319 St. Lucie County parents attended a Parent Academy workshop between July 1, 2013, and October 27, 2013. The chart above shows the number of workshops per type as well as parent evaluation data. Including the 724 parents working in an adult literacy program, Parent Academy served 1,043 parents between July 1, 2013, and October 27, 2013.

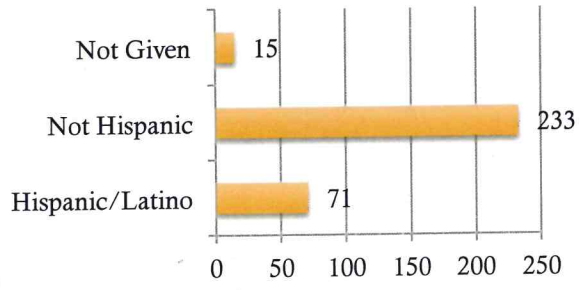
Parent Academy serves a diverse population

Data for parents attending a Parent Academy workshop indicate the diversity of parents participating in the many offered programs. The charts below show data for the city where these parents live as well as race and ethnicity information.

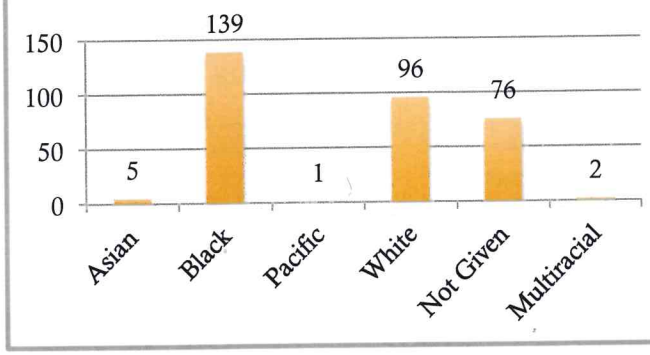
Home Address City
Workshop Attendance
7.1.13 - 10.27.13



Ethnicity
Workshop Attendance
7.1.13 - 10.27.13



Race
Workshop Attendance
7.1.13 - 10.27.13



Common Zip codes
Workshop Attendance
7.1.13 – 10.27.13
(Only includes zip codes with count of 10 or more)

Zip code	Attendees
34952	18
34953	49
34982	55
34983	45

How to contact Parent Academy of St. Lucie County

Coral Square
2940 South U.S. Highway 1, Suite C-12
Fort Pierce, FL 34982
772-466-0523
www.parentacademyslc.org
Visit us on Facebook

Raising Funds for Our Work



2013-14 Breakfast Sponsors

The Brennity at Tradition

Houghton Mifflin Harcourt, Inc.

Seacoast National Bank

Dean, Mead, Minton & Zwemer

Tulepan Management LLC

Aztec Graphix

EGP, Inc.

Friends of St. Lucie County Public Health

Fort Pierce Police Department

Treasure Coast Early Learning Academy

United Way of St. Lucie County



Parent Academy also thanks St. Lucie Public Schools for their partnership, collaboration and leadership.

Parent Academy Board Members and their Affiliations

Brad Gould, Chair, Dean, Mead, Minton & Zwemer

Roger Baker, HANDS Clinic

Vice - Mayor Linda Bartz, City of Port St. Lucie; Roundtable of St. Lucie County

Terri Sloan-Bartz, Seacoast National Bank

Sean Boyle, Children's Services Council

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Linda Tapia, Hispanic Advisory Council

Chris Taylor, Retired Educator

Queen Townsend, African-American Advisory Council

Olivia Watkins, Retired Educator

Parent Academy
of St. Lucie County
EMPOWERING PARENTS

City Commission Regular Meeting **Agenda Item # 10. a.**

Meeting Date: 09/02/2014

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

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SUBJECT:

Ordinance 14-018 - Right-of-way Abandonment - Boston Avenue Extension – East of South Indian River Drive. SECOND READING

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 expansion plans 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 and 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.
•The City of Fort Pierce Commission, at their August 4th, 2014 meeting voted 3-2 to direct staff to prepare and advertise a revised draft of Ordinance 14-018 to include the specified provisions.
•St. Andrew's Episcopal Academy has agreed to provide payment in the amount of $110,000 to the City of Fort Pierce to complete improvements to the proposed Public Access Parcel.
•The revised Ordinance 14-018, containing the specified provisions, is being presented to the City Commission for First Reading.

RECOMMENDATION:

Approval

ALTERNATIVES:

- Approval with Variable Conditions
- Denial

RESPONSIBLE STAFF:

Kori Benton, Historic Preservation Officer

COORDINATED WITH:

- Tracy Telle, PE, Assistant City Engineer
- Rebecca Grohall, AICP, Planning Manager

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact

Attachments

Proposed Ordinance No. 14-018
Staff Report
Abandonment App
Site Aerial and Proposed Abandonment Distribution
Survey
OLD - Previous Appraisal Report Submitted
OLD - Conceptual Plan with Boston Avenue & Previously Proposed Easement Overlay
Planning Board Minutes
City Commission Meeting Minutes - 7.7.2014
NEW - Updated Appraisal Report of Boston Avenue
NEW - Appraisal Report of St. Andrews' Proposed Public Access Parcel
NEW - St. Andrews' Conceptual Plan for Proposed Public Access Parcel
NEW - Letter of Commitment from St. Andrew's
NEW - Sketch & Legal Description of St. Andrews' Proposed Public Access Parcel

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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 DEVELOPMENT OF A PUBLIC ACCESS PARCEL TO BE DEDICATED AND CONVEYED TO THE CITY; PROVIDING FOR THE ABANDONMENT TO BECOME EFFECTIVE UPON SATISFACTION OF CERTAIN CONDITIONS; FURTHER PROVIDING FOR CONFLICT AND SEVERABILITY;** 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, pursuant the Charter and City Code 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 determined that the herein described right-of-way or thoroughfare is not needed for roadway or thoroughfare purposes; and

WHEREAS, the City of Fort Pierce, in consideration of future development proposed by St. Andrew's Episcopal Academy, Inc. ("SAEA") and St. Andrew's Episcopal Church, Inc. ("SAEC"), and subject to the conditions precedent set out in this Ordinance as hereafter provided, has agreed to abandon the subject right-of-way upon the performance and happening of said conditions prior to said abandonment becoming effective.

NOW BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA;

SECTION 1. That portion of right-of-way generally known as Boston Avenue lying east of South Indian River Drive and west of the Indian River within the City of Fort Pierce, Florida (more particularly described as follows), be and is hereby vacated and abandoned, subject to the conditions set forth in this Ordinance, said right-of-way legally described as:

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 8947'36"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 0908'15"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.

Also depicted on Exhibit "A", attached hereto and incorporated herein.

SECTION 2. Abandonment of said right-of-way shall be conditioned upon the happening and fulfillment of the following conditions precedent:

1. The entry and execution of an approved Developer's Agreement between the City of Fort Pierce and SAEA and SAEC, providing for and addressing, among other matters:
    a. The design, construction and conveyance (by fee simple title) from SAEA and SAEC to the City of Fort Pierce a Pedestrian Plaza Parcel, said parcel more particularly described and identified as follows:

A TRACT OF LAND LYING IN SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING 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 AT 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 68.16 FEET ; THENCE LEAVING SAID WATERS EDGE AND EAST FACE OF SEAWALL, RUN SOUTH 85°18'06"WEST, A DISTANCE OF 16.31 FEET; THENCE RUN NORTH 67°33'49"WEST, A DISTANCE OF 59.18 FEET; THENCE RUN NORTH 08°15'00"WEST, A DISTANCE OF 36.82 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 71.44 FEET TO THE POINT OF BEGINNING.
SAID TRACT CONTAINING 0.08 ACRES MORE OR LESS.

Also depicted on Exhibit "B", attached hereto and incorporated herein.

b. Provisions for the repair and maintenance of the bulkhead; and

c. Requiring a unity of title between certain parcels owned by SAEA and SAEC.

2. Approval by the City of Fort Pierce of a Final Site Plan for the St. Andrew's School Expansion development (generally described as school and ancillary facilities including an auditorium/gymnasium, multi-use playing field, parking and drop-off areas and other associated infrastructure) no later than twelve (12) months from the date of final passage of this Ordinance.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall be and become effective upon all conditions precedent heretofore described being met and fulfilled.

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 August 8, 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 August 18, 2014; and was duly introduced, read by title only, and passed on second and final reading on September 2, 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 3rd day of September, 2014.

_____
Linda Hudson,
Mayor Commissioner

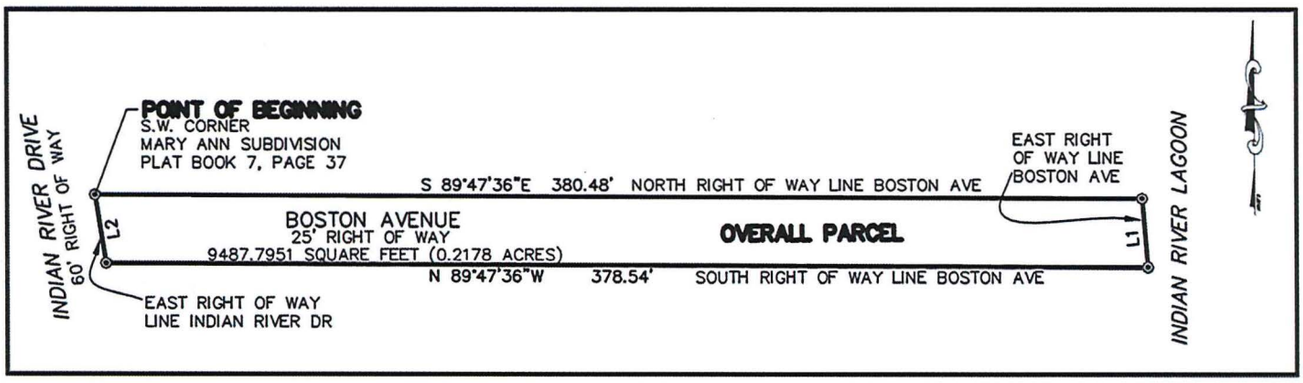
ATTEST:

_____
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:

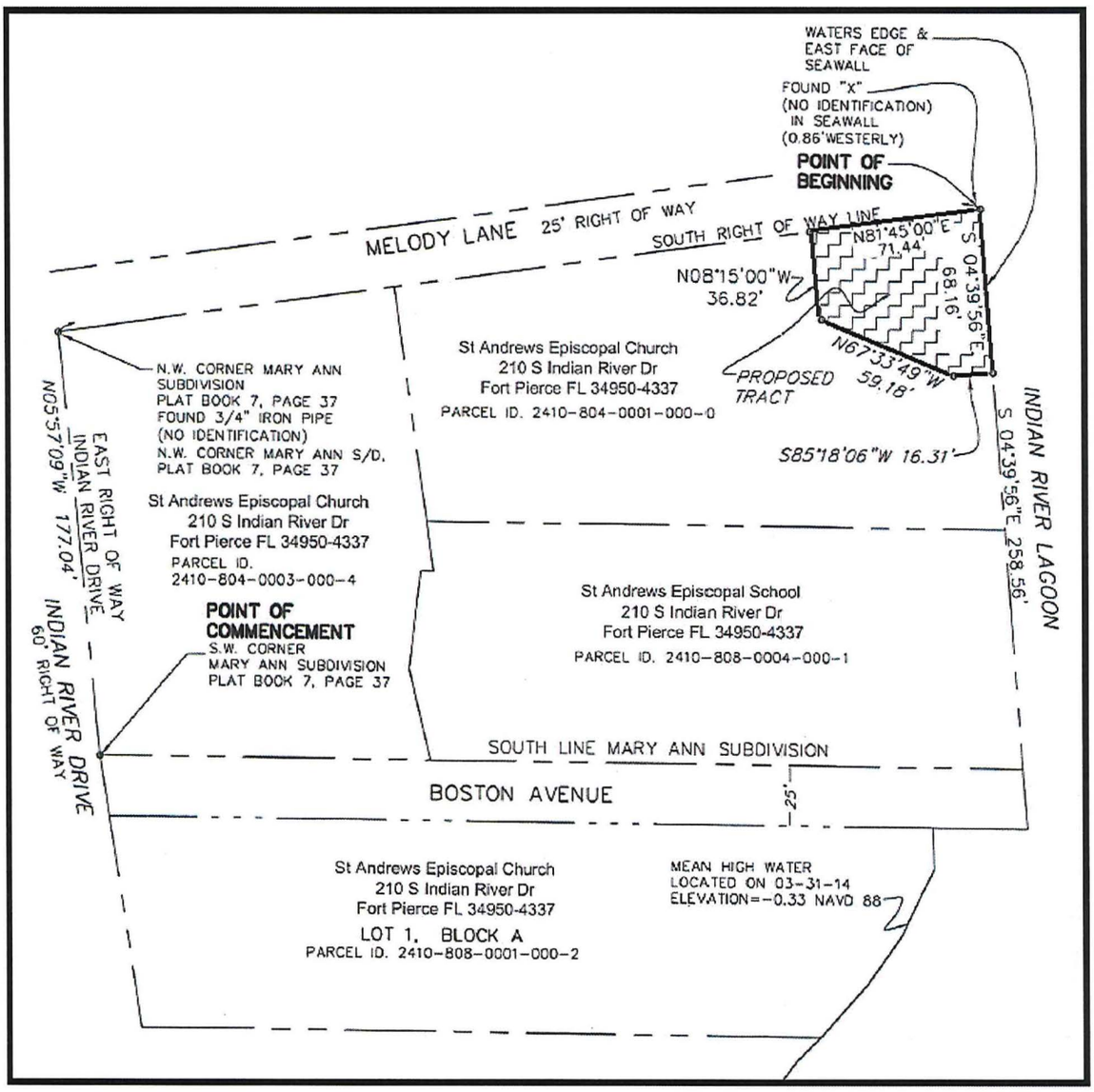
A PORTION OF BOSTON AVENUE LYING EASTERLY OF INDIAN RIVE DRIVE, SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST.LUCIE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SAID PARCEL CONTAINING 0.22 ACRES MORE OR LESS.

EXHIBIT B to ORDINANCE No. 14-018

Dedication of a Public Access Parcel



Legal Description:

A PARCEL OF LAND LYING IN SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING 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 AT 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 68.16 FEET ; THENCE LEAVING SAID WATERS EDGE AND EAST FACE OF SEAWALL, RUN SOUTH 85°18'06"WEST, A DISTANCE OF 16.31 FEET; THENCE RUN NORTH 67°33'49"WEST, A DISTANCE OF 59.18 FEET; THENCE RUN NORTH 08°15'00"WEST, A DISTANCE OF 36.82 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 71.44 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINING 0.08 ACRES MORE OR LESS.

CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

TO: 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: August 8, 2014

STAFF REPORT

Owner(s):

St Andrews Episcopal Church
210 S Indian River Dr
Fort Pierce FL 34950-4337

St. Andrews Episcopal Academy
210 S Indian River Dr
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

Land Area of Subject ROW: .22 acres

Staff Analysis:

In accordance with City Code Section 17-1, Abandonment, narrowing, etc., of streets, 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 in the 1920s, after dredging and shoaling extended the river bank east of Indian River Drive several hundred feet into the Indian River Lagoon. The property boundaries were extended eastward, continuing the Boston Avenue right-of-way eastward as well, terminating at the existing seawall established and maintained by the City of Fort Pierce. The subject 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 riverfront. Although this section of Boston Avenue remains unpaved, it provides legal access to a parcel of land, and to the former apartments, which would be landlocked otherwise. The noted apartment complex was demolished in 2003.

St. Andrew's Episcopal Academy has purchased 2.31 acres of property adjacent to this section of Boston Avenue; supplementing the 2.77 acres of land owned by St. Andrew's Church representative of their established facilities. The request is based upon St. Andrew's acquisition of land abutting this extension of Boston Avenue, and their preparation of a development plan to pursue expansion of their existing private school in Downtown Fort Pierce. The abandonment and acquisition of this section of right-of-way provides greater flexibility and capacity for design as St. Andrews prepares plans for the prospective expansion.

Staff has noted that 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 shall 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.

Code of Ordinances

City of Fort Pierce Code Section 17-1 outlines considerations of the abandonment, narrowing, etc., of streets as follows:

> (a) No street, alley or way shall be closed, abandoned, relinquished or narrowed except by ordinance.
>
> (b) The person requesting abandonment of any street alley, or right-of-way shall be responsible for the payment of all costs involved in, or incurred by, the process of vacating and abandonment of any street, alley, or right-of-way.
>
> (Ord. No. K-106, § 1, 10-1-01)

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 includes a section of right-of-way abutting the water front. The applicable Goals, Objectives and Policies identified 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, amphitheaters, and address public access to the waterfront.

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 initial concept presented by Staff was centered upon the expansion of existing waterfront access along Melody Lane, the implemented concept at the Inlet Linear Park facilitated by the acquisition of public access easements, and the presented elements of the City's Comprehensive Plan, however; a variety of design approaches and concepts are encompassed within the identified policies, providing numerous approaches to achieve the recognized vision.

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.

The recommendation forwarded by the Planning Board encompassed the endorsement of the initial option identified to exchange the subject right-of-way for an easement along the waterfront, extending from Melody Lane to the southern boundary of Boston Avenue, as it fulfilled the commitment of the City of Fort Pierce to maximize public access to the waterfront, and appeared to minimize impacts to the proposed expansion of St. Andrew's Episcopal Academy.

Applicant Proposal:

The applicant and representative of the request have expressed concerns regarding the acquisition of a linear access easement for the public along the waterfront, extending from Melody Lane south to the terminus of Boston Avenue. The applicant and representative have presented two counter proposals, or requested options for the City Commission to consider in exchange for the abandonment of the subject section of Boston Avenue. The two proposals are outlined as follows:

1) Payment of Appraised Market Value: The applicant would pay the City of Fort Pierce $170,000, the appraised market value of the Right-of-way requested to be abandoned; or

2) Dedication & Development of a Public Access Parcel: The applicant would convey to the City a Public Access Parcel along the Indian River. The proposed conveyance is presented in the attached Sketch & Legal Description of the Public Access Parcel and the Conceptual Rendering of Public Access Space. In addition to dedication of the Parcel, the applicant would agree to improve the Parcel substantially as shown on the enclosed artist's rendering as presented in the attached St. Andrews'

Conceptual Plan for Proposed Public Access Parcel, concurrent with the development of the applicant's property, and upon receipt of any necessary approvals and permits from the City. The presented improvements include paving, benches, decorative lighting (power to be supplied by City), landscaping and a central elevated base where the City may display a sculpture or other art feature (art to be supplied by City). The present value of the Parcel ($60,000) coupled with the estimated cost of the design and installation of the improvements as presented in the artist's rendering (estimated at approximately $100,000) are estimated to accrue very near the presented value of the right-of-way requested to be vacated. The cumulative value is estimated at nearly $160,000 to complete this proposal.

The elements contained with the advance of Option 2, Dedication & Development of a Public Access Parcel, embrace identified Comprehensive Plan Policies 1.8.2 (3) and 7.4.3 through the enhancement of public open spaces via the expansion of public access to the waterfront beyond the current terminus at Melody Lane. The proposal also encompasses enriched open space features to compliment the present walkway and future Melody Lane Fishing Pier. Furthermore, the design offers to advance the integrated open space system present along the waterfront, supplementing the linear walkway that stretches nearly a mile from Seaway Drive to this extended point. The Conceptual Plan presented similarly embodies pedestrian accommodations and landscape plantings alongside the waterfront to augment the established pedestrian corridor.

The applicant has further indicated that a component of both counter proposal options includes a guarantee of maintenance for the seawall by the property owner of real property abutting the seawall. The costs associated with the continued maintenance of this section of bulkhead along the waterfront is immeasurable as this time, as the City has not compiled such figures or identified this as a priority capital improvement project. The presented commitment provides an opportunity to offset future costs or repair or reconstruction to this essential infrastructure.

The selection of either option presented by the applicant would necessitate the advertisement and authoring of a revised Ordinance to facilitate formal action taken upon the request for Abandonment and the associated components for inclusion.

City Commission - Public Hearing August 8, 2014

The City Commission, at their August 4th, 2014 meeting, voted 3-2 to support the recommendation of Staff to direct the preparation and advertisement of a revised draft of Ordinance 14-018 to include the following provisions:

1) The dedication of the proposed Public Access Parcel as presented by St. Andrew's;
2) A Developer's Agreement detailing commitments to construct the presented amenities within the Public Access Parcel, as well as maintenance of the bulkhead abutting their privately held property, and potential successors; and
3) A reversion clause that authorizes the City of Fort Pierce to regain ownership of the subject extension of Boston Avenue if a Site Plan is not approved by the City Commission within twelve (12) months;

Ordinance 14-018 has been revised to encompass the noted provisions and is presented to the City Commission for consideration.

Staff Recommendation

The proposed Ordinance 14-018 is consistent with the City of Fort Pierce Comprehensive Plan and does not adversely impact the health, safety, and welfare of the community, therefore Staff recommends approval.

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

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:

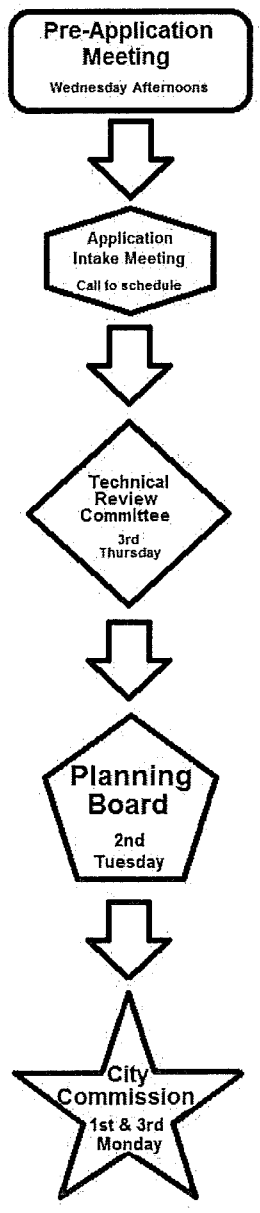
☐ Easement Abandonment ☒ Right-of-Way Abandonment

Reason for Abandonment Request: 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	St. Andrew's Episcopal Academy, Inc. c/o John Leibler, Restor/Board Chair
Property Owner(s)	**Applicant/Representative, Title, Company**
210 South Indian River Drive	210 South Indian River Drive
Street Address	Street Address
Fort Pierce, Fl. 34950	Fort Pierce, Fl. 34950
City State Zip	City State Zip
(772) 461-7689	(772) 461-7689
Phone Number	Phone Number
frjohn@mystandrews.com	frjohn@mystandrews.com
Email Address	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.*

Carter Aydlett

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

as identification.

Barbara A. Bradford

Signature of Notary

NOTARY PUBLIC STATE OF FLORIDA

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

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- ☐ Complete, notarized application

Application Type:

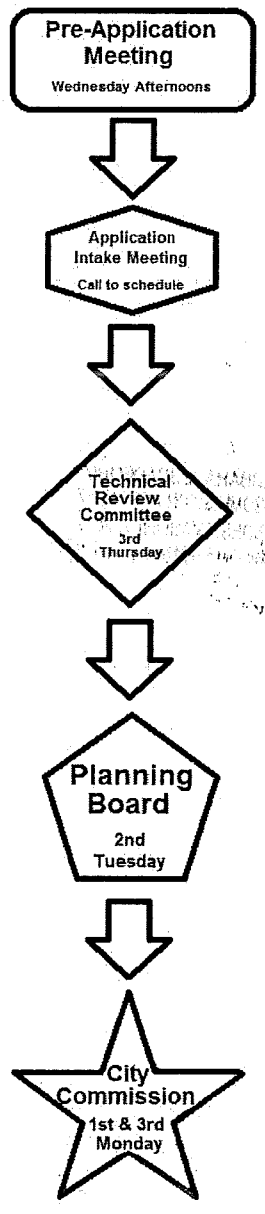
☐ Easement Abandonment ☒ Right-of-Way Abandonment

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



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): 2410-804-0001-000-2

Project description: Abandon right-of-way of Boston Avenue east of Indian River Drive, see attached legal and sketch for parcel C

St. Andrew's Episcopal Academy, Inc.	St. Andrew's Episcopal Academy, Inc. c/o John Leibler, Restor/Board Chair
Property Owner(s)	**Applicant/Representative, Title, Company**
210 South Indian River Drive	210 South Indian River Drive
Street Address	Street Address
Fort Pierce, Fl. 34950	Fort Pierce, Fl. 34950
City State Zip	City State Zip
(772) 461-7689	(772) 461-7689
Phone Number	Phone Number
frjohn@mystandrews.com	frjohn@mystandrews.com
Email Address	Email Address

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Celia 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

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- ☐ Encumbrance Title Search
- ☐ Complete, notarized application

Application Type:

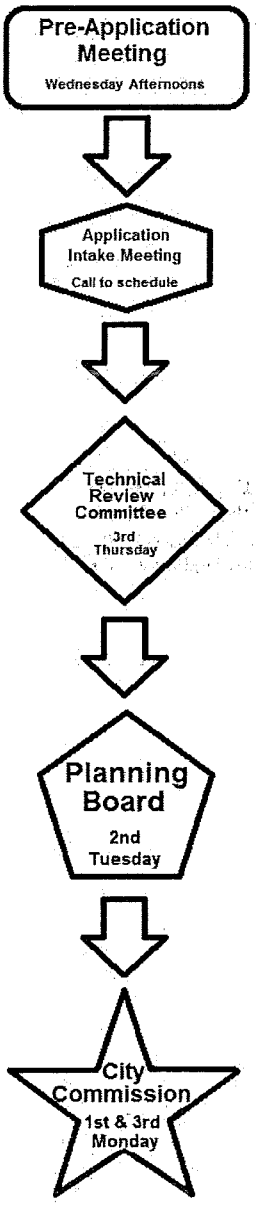
☐ Easement Abandonment ☒ Right-of-Way Abandonment

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.

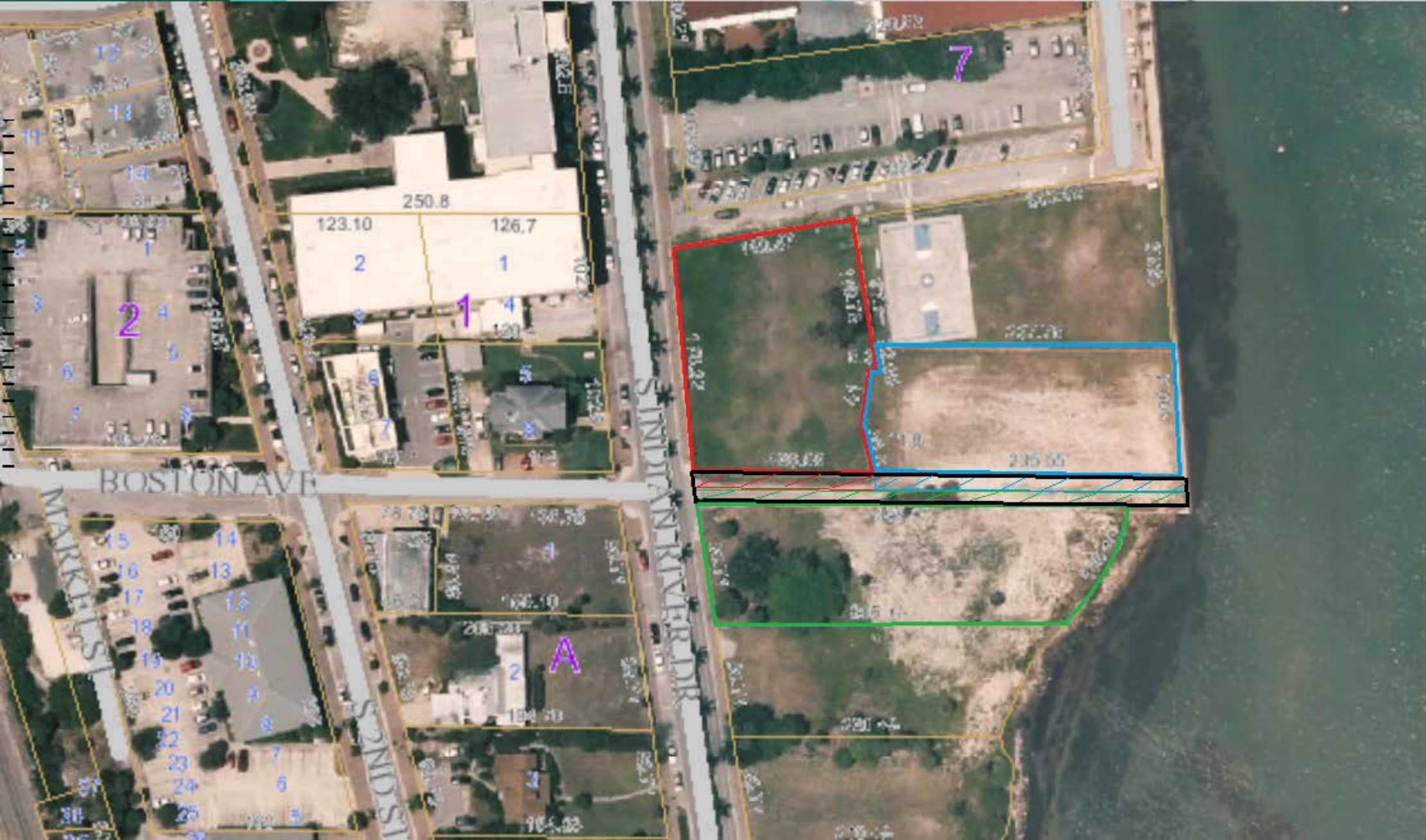
Is the right of way in use or unopened? ☐ In Use ☒ Unopened

Application Outlook



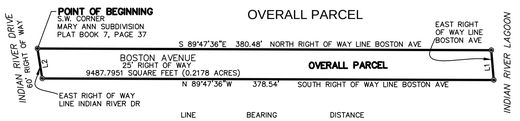
Boston Avenue Extension

Site Aerial


BOSTON AVE
MARKET ST
SCONSIN ST
INDIAN RIVER DR
250.8
123.10
126.7
2
1
A
7

DETAILS OF BOSTON AVENUE SPLIT

OVERALL PARCEL



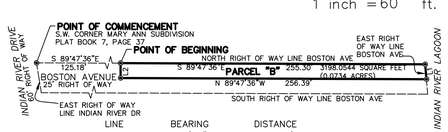
LINE	BEARING	DISTANCE
L 1	S 04°46'02"E	25.09'
L 2	N 09°08'15"W	25.34'

PARCEL "A"



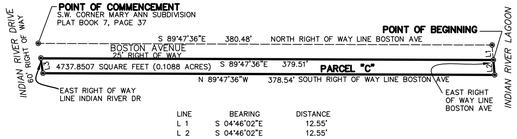
LINE	BEARING	DISTANCE
L 1	S 00°12'24"W	12.50'
L 2	N 09°08'15"W	12.67'

PARCEL "B"



LINE	BEARING	DISTANCE
L 1	S 04°46'02"E	12.55'
L 2	N 00°12'24"E	12.50'

PARCEL "C"



LINE	BEARING	DISTANCE
L 1	S 04°46'02"E	12.55'
L 2	S 04°46'02"E	12.55'
L 3	N 09°08'15"W	12.67'

LEGAL DESCRIPTION: OVERALL PARCEL

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 FOLLOW:

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 WAY OF SAID BOSTON AVENUE; THENCE RUN S 04°46'02"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 EAST 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.

LEGAL DESCRIPTION: PARCEL "A"

A PORTION OF BOSTON AVENUE LYING EASTERLY OF INDIAN RIVE DRIVE, SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST.LUCIE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

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 125.18 FEET MORE OR LESS; THENCE LEAVING SAID SOUTH LINE, RUN S 00°12'24"W, A DISTANCE OF 12.50 FEET; THENCE RUN N 89°47'36"W, A DISTANCE OF 123.12 FEET MORE OR LESS TO THE EASTERLY RIGHT OF WAY LINE OF INDIAN RIVER DRIVE (60 FOOT RIGHT OF WAY); THENCE RUN N 09°08'15"W ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 12.67 FEET MORE OF LESS TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 0.03 ACRES MORE OR LESS.

LEGAL DESCRIPTION: PARCEL "B"

A PORTION OF BOSTON AVENUE LYING EASTERLY OF INDIAN RIVE DRIVE, SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST.LUCIE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

COMMENCE 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 255.30 FEET MORE OR LESS TO THE POINT OF BEGINNING; THENCE CONTINUE S 89°47'36"E, A DISTANCE OF 125.18 FEET MORE OR LESS TO THE EASTERLY RIGHT OF WAY OF SAID BOSTON AVENUE; THENCE LEAVING SAID SOUTH LINE, RUN S 04°46'02"E, A DISTANCE OF 12.55 FEET; THENCE LEAVING EAST LINE OF BOSTON AVENUE, RUN N 89°47'36"W, A DISTANCE OF 256.39 FEET MORE OR LESS; THENCE RUN N 00°12'24"E, A DISTANCE OF 12.50 TO THE POINT OF BEGINNING.

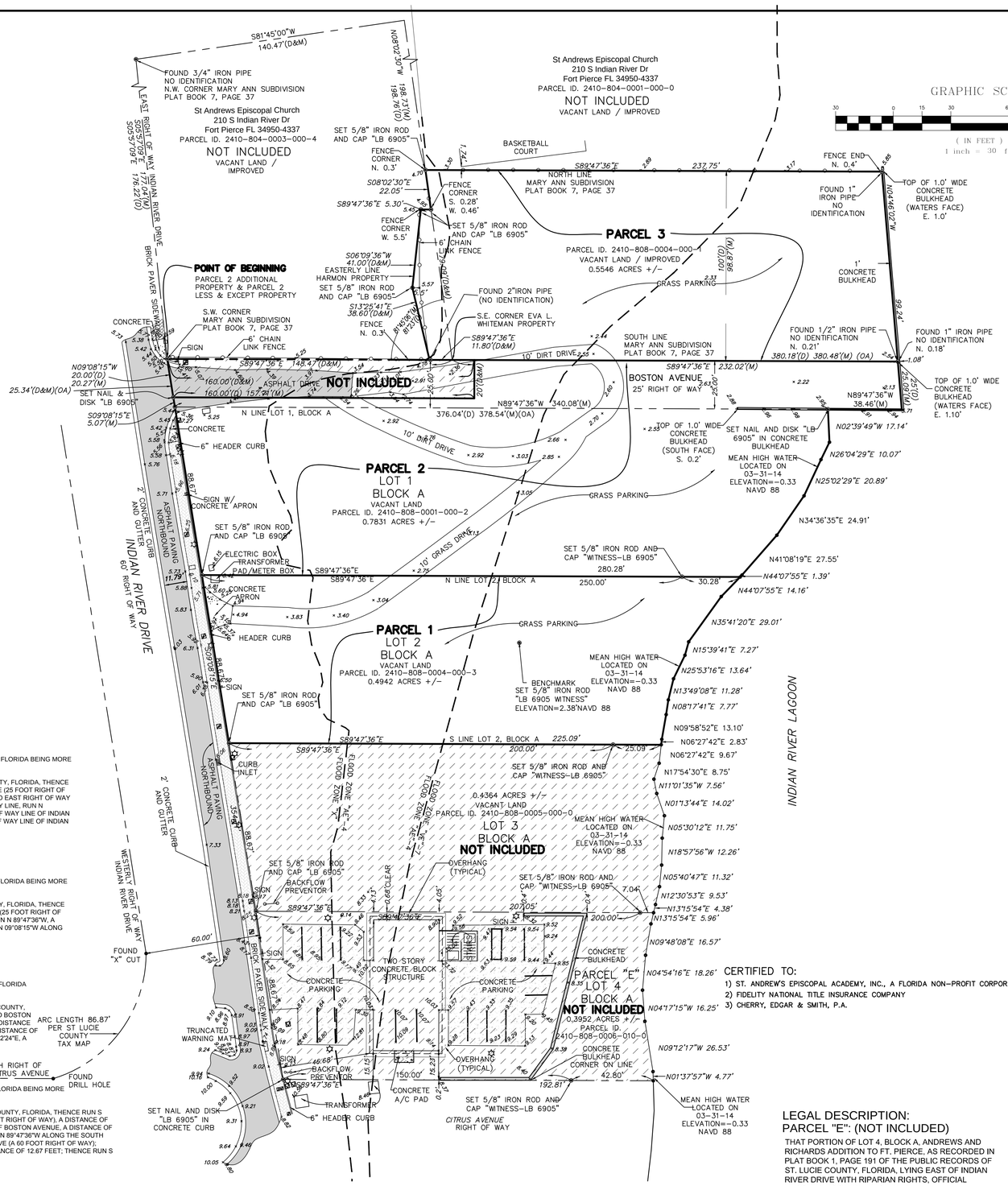
SAID PARCEL CONTAINING 0.07 ACRES MORE OR LESS.

LEGAL DESCRIPTION: PARCEL "C"

A PORTION OF BOSTON AVENUE LYING EASTERLY OF INDIAN RIVE DRIVE, SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST.LUCIE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

COMMENCE 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 WAY OF SAID BOSTON AVENUE; THENCE RUN S 04°46'02"E ALONG SAID EAST RIGHT OF WAY OF BOSTON AVENUE, A DISTANCE OF 12.55 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 04°46'02"E, A DISTANCE OF 12.55 FEET; 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 EAST RIGHT OF WAY LINE OF INDIAN RIVER DRIVE, A DISTANCE OF 12.67 FEET; THENCE RUN S 89°47'36"E, A DISTANCE OF 379.51 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 0.11 ACRES MORE OR LESS.


S81°45'00"W 140.47'(D&M)
N08°22'30"W 198.21'(D)
FOUND 3/4" IRON PIPE NO IDENTIFICATION N.W. CORNER MARY ANN SUBDIVISION PLAT BOOK 7, PAGE 37
St Andrews Episcopal Church 210 S Indian River Dr Fort Pierce FL 34950-4337 PARCEL ID. 2410-804-0003-000-4
NOT INCLUDED VACANT LAND / IMPROVED
St Andrews Episcopal Church 210 S Indian River Dr Fort Pierce FL 34950-4337 PARCEL ID. 2410-804-0001-000-0
NOT INCLUDED VACANT LAND / IMPROVED
EAST RIGHT OF WAY INDIAN RIVER DRIVE
S05°57'09"E 176.21'(D)
SET 5/8" IRON ROD AND CAP "LB 6905"
FENCE CORNER N. 0.3'
BASKETBALL COURT
S89°47'36"E 237.75'
NORTH LINE MARY ANN SUBDIVISION PLAT BOOK 7, PAGE 37
FENCE END N. 0.4'
FOUND 1" IRON PIPE NO IDENTIFICATION
TOP OF 1.0' WIDE CONCRETE BULKHEAD (WATERS FACE) E. 1.0'
N04°46'02"W 99.24'
S08°02'30"E 22.05'
FENCE CORNER S. 0.28' W. 0.46'
S89°47'36"E 5.30'
FENCE CORNER W. 5.5'
6' CHAIN LINK FENCE
PARCEL 3
PARCEL ID. 2410-808-0004-000-1 VACANT LAND / IMPROVED 0.5546 ACRES +/-
GRASS PARKING
POINT OF BEGINNING
PARCEL 2 ADDITIONAL PROPERTY & PARCEL 2 LESS & EXCEPT PROPERTY
S06°09'36"W 41.00'(D&M)
EASTERLY LINE HARMON PROPERTY
SET 5/8" IRON ROD AND CAP "LB 6905"
S13°26'41"E 38.60'(D&M)
FOUND 2"IRON PIPE (NO IDENTIFICATION)
S.E. CORNER EVA L. WHITEMAN PROPERTY
S89°47'36"E 11.80'(D&M)
S.W. CORNER MARY ANN SUBDIVISION PLAT BOOK 7, PAGE 37
SOUTH LINE MARY ANN SUBDIVISION PLAT BOOK 7, PAGE 37
FOUND 1/2" IRON PIPE NO IDENTIFICATION N. 0.21' 380.18'(D) 380.48'(M) (OA)
FOUND 1" IRON PIPE NO IDENTIFICATION N. 0.18'
1' CONCRETE BULKHEAD
CONCRETE
SIGN
6" CHAIN LINK FENCE
S89°47'36"E 148.47'(D&M)
160.00'(D&M) ASPHALT DRIVE 160.00'(D) 157.21'(M)
NOT INCLUDED
10' DIRT DRIVE
S89°47'36"E 232.02'(M)
BOSTON AVENUE 25' RIGHT OF WAY
N89°47'36"W 38.46'(M)
TOP OF 1.0' WIDE CONCRETE BULKHEAD (WATERS FACE) E. 1.10'
N89°47'36"W 340.08'(M)
376.04'(D) 378.54'(M)(OA)
N09°08'15"W 20.00'(D) 20.27'(M)
25.34'(D&M)(OA)
SET NAIL & DISK "LB 6905"
S09°08'15"E 5.07'(M)
N LINE LOT 1, BLOCK A
CONCRETE
6" HEADER CURB
SIGN W/ CONCRETE APRON
PARCEL 2
LOT 1
BLOCK A
VACANT LAND
PARCEL ID. 2410-808-0001-000-2
0.7831 ACRES +/-
TOP OF 1.0' WIDE CONCRETE BULKHEAD (SOUTH FACE) S. 0.2'
SET NAIL AND DISK "LB 6905" IN CONCRETE BULKHEAD
MEAN HIGH WATER LOCATED ON 03-31-14 ELEVATION=-0.33 NAVD 88
N02°39'49"W 17.14'
N26°04'29"E 10.07'
N25°02'29"E 20.89'
N34°36'35"E 24.91'
GRASS PARKING
SET 5/8" IRON ROD AND CAP "LB 6905"
ELECTRIC BOX TRANSFORMER PAD/METER BOX
S89°47'36"E
CONCRETE APRON
10' GRASS DRIVE
SET 5/8" IRON ROD AND CAP "WITNESS-LB 6905"
280.28'
250.00'
30.28'
N41°08'19"E 27.55'
N44°07'55"E 1.39'
N44°07'55"E 14.16'
N35°41'20"E 29.01'
N15°39'41"E 7.27'
N25°53'16"E 13.64'
N13°49'08"E 11.28'
N08°17'41"E 7.77'
N09°58'52"E 13.10'
N06°27'42"E 2.83'
N06°27'42"E 9.67'
N17°54'30"E 8.75'
N11°01'35"W 7.56'
N01°13'44"E 14.02'
N05°30'12"E 11.75'
N18°57'56"W 12.26'
N05°40'47"E 11.32'
N12°30'53"E 9.53'
N13°15'54"E 4.38'
N13°15'54"E 5.96'
N09°48'08"E 16.57'
N04°54'16"E 18.26'
N04°17'15"W 16.25'
N09°12'17"W 26.53'
N01°37'57"W 4.77'
PARCEL "E"
LOT 4
BLOCK A
NOT INCLUDED
0.3952 ACRES +/-
PARCEL ID. 2410-808-0006-010-0
CONCRETE BULKHEAD CORNER ON LINE
42.60'
192.87'
MEAN HIGH WATER LOCATED ON 03-31-14 ELEVATION=-0.33 NAVD 88
INDIAN RIVER LAGOON
BENCHMARK SET 5/8" IRON ROD "LB 6905 WITNESS" ELEVATION=2.38'NAVD 88
MEAN HIGH WATER LOCATED ON 03-31-14 ELEVATION=-0.33 NAVD 88
SET 5/8" IRON ROD AND CAP "LB 6905"
S89°47'36"E S LINE LOT 2, BLOCK A 225.09'
200.00'
25.09'
SET 5/8" IRON ROD AND CAP "WITNESS-LB 6905"
0.4364 ACRES +/-
VACANT LAND
PARCEL ID. 2410-808-0005-000-0
LOT 3
BLOCK A
NOT INCLUDED
OVERHANG (TYPICAL)
SET 5/8" IRON ROD AND CAP "WITNESS-LB 6905"
7.04'
20.05'
200.00'
SIGN
CONCRETE BULKHEAD
TWO STORY CONCRETE BLOCK STRUCTURE
CONCRETE PARKING
CONCRETE PARKING
OVERHANG (TYPICAL)
150.00'
CONCRETE A/C PAD
TRANSFORMER
6" HEADER CURB
SET 5/8" IRON ROD AND CAP "WITNESS-LB 6905"
CITRUS AVENUE RIGHT OF WAY
SET NAIL AND DISK "LB 6905" IN CONCRETE CURB
INDIAN RIVER DRIVE 60' RIGHT OF WAY
2' CONCRETE CURB AND GUTTER
ASPHALT PAVING NORTHBOUND
CURB INLET
SIGN
SET 5/8" IRON ROD AND CAP "LB 6905"
FLOOD ZONE X
FLOOD ZONE AE-7
FLOOD ZONE AE-8
BRICK PAVER SIDEWALK
BACKFLOW PREVENTOR
WESTERLY RIGHT OF WAY INDIAN RIVER DRIVE
FOUND "X" CUT
60.00'
ARC LENGTH 86.87' PER ST LUCIE COUNTY TAX MAP
NORTH RIGHT OF WAY CITRUS AVENUE
FOUND DRILL HOLE
TRUNCATED WARNING MAT
SIGN
BACKFLOW PREVENTOR
46.68'
S89°47'36"E
88.67'
88.67'
88.67'

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

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.



Harry D. Gray, MAI, SRA
Cert Gen RZ662



Bryan A. Neill
Cert Gen RZ2609

HDG/BAN/clw:14-70822
Attachments

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

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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

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 WAYDESCRIBED 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;

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.

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 competed 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."

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 2013after 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.

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:

				MINIMUM YARD (Ft)					
MAXIMUM GROSS DENSITY (Du/Ac)	MINIMUM LOT SIZE (Sq Ft)	MINIMUM LOT WIDTH (Ft)	MINIMUM LOT DEPTH (Ft)	FRONT	REAR	SIDE	SIDE @ CORNER	MAXIMUM HEIGHT (Ft)	MAXIMUM LOT COVERAGE BY BLDGS
	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:

				MINIMUM YARD (Ft)					
MAXIMUM GROSS DENSITY (Du/Ac)	MINIMUM LOT SIZE (Sq Ft)	MINIMUM LOT WIDTH (Ft)	MINIMUM LOT DEPTH (Ft)	FRONT	REAR	SIDE	SIDE @ CORNER	MAXIMUM HEIGHT (Ft)	MAXIMUM LOT COVERAGE BY BLDGS
				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

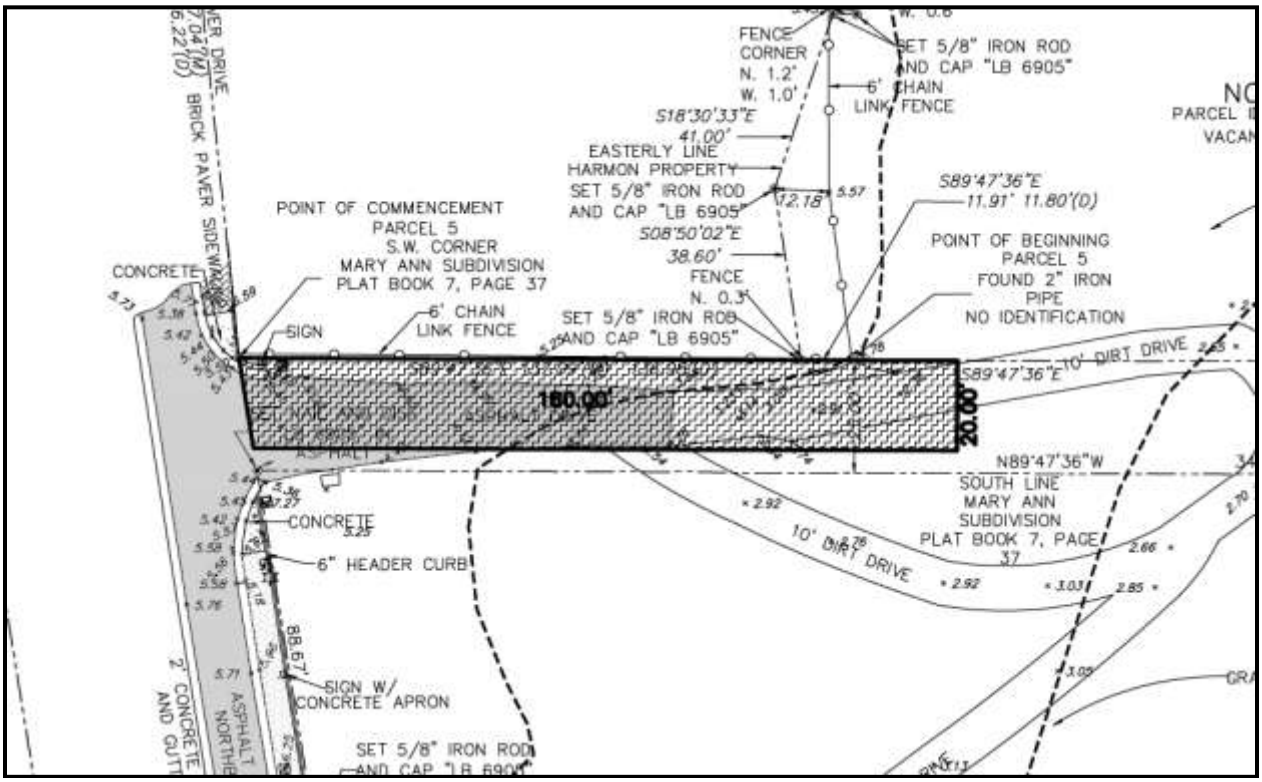
In 1985, the Florida Legislature enacted the Local Government Comprehensive Planning and Land Development Regional Act (Chapter 163, Part II, Florida Statutes), commonly referred to as "The Growth Management Act".

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

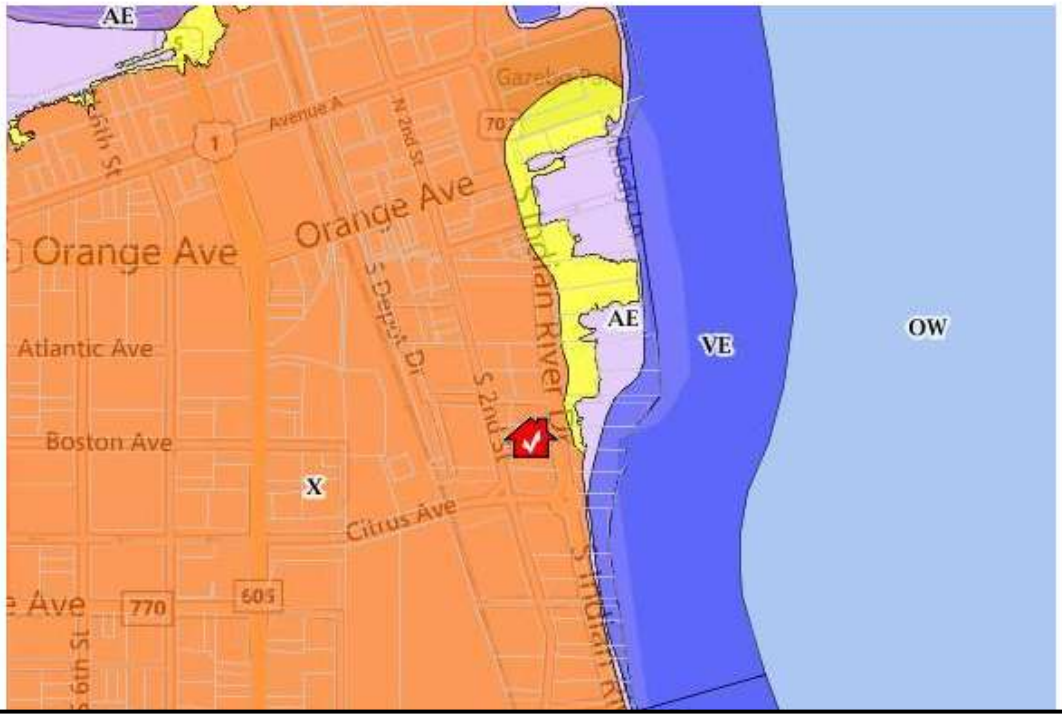
The Subject Property lies within Census Tract 3801.00.

Flood Hazard Zone

Flood Zone Code	Flood Zone Panel	Panel Date
VE	120286 - 12111C0179J	02/16/2012
Special Flood Hazard Area (SFHA)	**Within 250 ft. of multiple flood zones?**	**Community Name**
In	Yes (AE,VE,X500,X)	FORT PIERCE

Flood Zone Description:

Zone VE-An area inundated by 100-year flooding with velocity hazard (wave action); BFEs have been determined.



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

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	04-38-41-006-000-00080-3

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

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

No Photo Provided

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

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.

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 square feet X $20.00 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

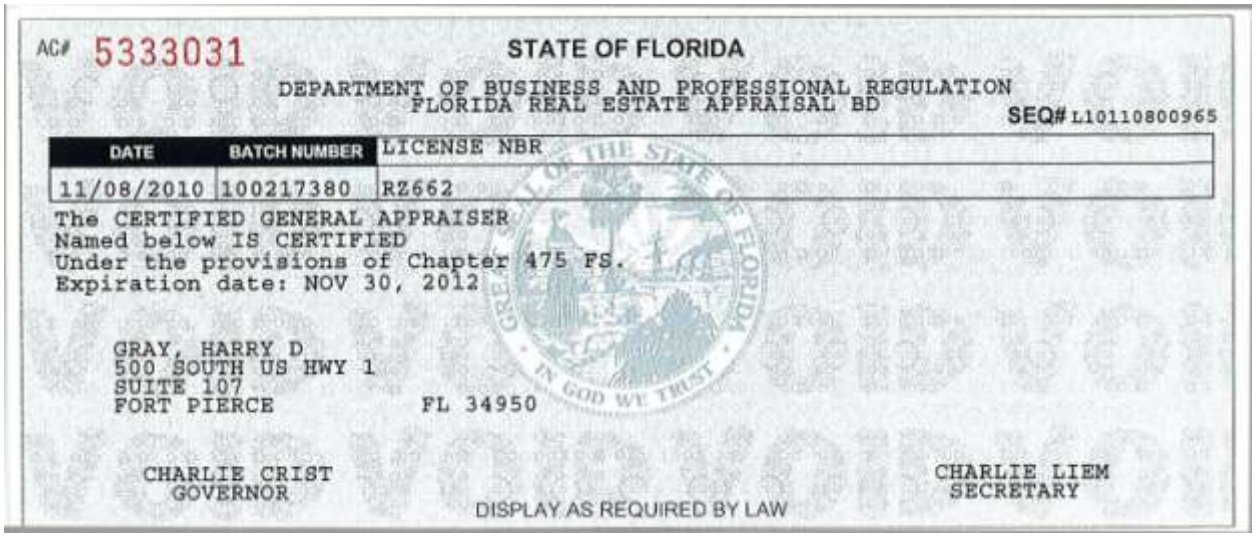
St. Lucie County Cattlemen's Association

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
- Apartment Complexes
- Cattle Ranches
- Citrus Groves
- Eminent Domain
- Mini-Storage Facilities
- Mobile Home Parks
- Rental Comparability Studies
- Residential Properties
- Retail Buildings
- Subdivisions
- 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 850-487-1395
1940 N. MONROE ST.
TALLAHASSEE FL 32399-0783

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 barbeque restaurants, and they keep Florida's economy strong.

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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

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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



* Exhibit provided for visual reference of Boston Avenue & proposed Pedestrian Easement

PROJECT NO. 14-045
SHEET 10
DATE:

ENGINEER CERTIFICATION
☐ JOSEPH W. SCHULKE FL REG. NO. 57298
☐ JOHN B. BITTLE FL REG. NO. 57299
☐ W. KEVIN STODDARD FL REG. NO. 57960

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@sbsengineers.com

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DRAWING	14045 SITE PLAN
DESIGNED	WPS
DRAWN	WPS
CHECKED	WPS
SCALE	1"=40'
DATE	5/3/14

MARK	REVISION	DATE

D R A F T

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 25 th 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.

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, JULY 7, 2014.

1. **CALL TO ORDER -** Mayor Hudson called the meeting to order at 6:32 p.m.

2. **OPENING PRAYER -** Pastor Hugh F. Brockington offered the opening prayer.

3. **PLEDGE OF ALLEGIANCE**

4. **ROLL CALL**

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

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

5. **APPROVAL OF MINUTES**

a. Approval of Minutes from the June 16, 2014 meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve the Minutes of the Regular Meeting on June 16, 2014.

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

Passed

6. **PROCLAMATIONS**

A special tribute to honor Mr. Khalil Mack was presented by Representative Larry Lee Jr. of District 84. Mayor Hudson awarded Mr. Mack with the Fort Pierce Key to the City.

7. **LETTERS TO COMMISSION -** The following letter will be kept on file in the City Clerk's Office.

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.

Item 12g was taken out of order. Mayor Hudson requested to change the agenda order and discuss City Commission Item 12 g at this time. Discussion led by Commissioner Sessions regarding an update of crime prevention activities.

Commissioner Sessions stated the City is dealing with a crisis, a dilemma, a major problem with our city with regards to crime. We are being told crime is at a low but

gunfire is raging in our city, specifically the northwest section of town. We have to open up lines of communication and open up relationships between our officers and our young people. He stated money talks, if we put a price on this in terms of rewards for individuals that come up with information we can start to solve these crimes.

Chief Baldwin responded he is proud of his officers and detectives with all they have accomplished in the last months; there has been tremendous success. It is hard to wait for a solution during a crisis and the violence in Fort Pierce has plagued this city for over 25 years. The City cannot solve a long term problem with a short term solution. Chief Baldwin stated his department has searched nationwide and believe they have found the perfect model from the Office of Juvenile Justice with the Delinquency Prevention Comprehensive Gang Model that can be implemented in Fort Pierce.

Mr. Mimms wanted the Commission to know they have been heard and there is currently a faith based mentoring program this summer at the Percy Peak Gymnasium. The gym is open for children ages 12-17 and also into their twenties and it is free for them to gather, practice and play. The facility is packed and doing very well. This gym is in the perfect location to do the community the most good. He is also very proud of the upcoming football program; they are expecting about 300 kids to participate. He stated they cannot reach them all but we will reach quite a few with our efforts.

Representative Larry Lee, Jr. stated we have to restore that village mentality if we are going to turn this around. We just need to stay focused and not become discouraged.

Mr. Scott Van Duzer indicated Troop 772 was initiated and they targeted the most at risk school with the most at risk children. When they met with these 51 students, they all stated they wanted to go in a different direction in life. Troop 772 went from non-existent to the largest troop in three counties. The members of the troop all have grades that have gone up and discipline has gone down. Invest in the youth and spend some time, they are always looking for volunteers. Interested individuals can go to Big Apple Pizza 35th and Virginia to learn more.

Chief Baldwin responded to Commissioner Alexander that if it pleased the Commission he will get the balance of the money raised at a community meeting held several years ago and have it put on the agenda. This money was given by the community to the Commission and it had been in the past reserved and used for rewards. But, if it is the pleasure of the Commission it can be split down the middle and half be used to form Scout Troops in the community.

8. **COMMENTS FROM THE PUBLIC**

Mr. George Gibson, 1401 Reynolds Court
Mr. Rick Reed
Mr. David Staples
Mr. Tracey Williams, 808 Georgia Avenue

Ms. Renee Jordan Wyatt
Mr. Ahmaad Hill
Mr. Lajarvis Rolle
Ms. Rosemite Pierre
Pastor Hugh F. Brockington
Rev. John Lee, 1204 Avenue K
Mr. Patrick Henry, 1123 Granda Street

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.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander that the following items on the Consent Agenda be approved **- 9a, 9b, 9e, 9f, 9h, 9i.** Commissioner Becht pulled items **9c, 9d, 9g** and **9j**.

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

Passed

As to item **9c,** the Commission made a request for additional information before proceeding since Mr. Wilkes was unavailable to answer questions. Ms. Johnson stated this is a request to increase a purchase order for Scripps newspaper ads, this is to pay what is outstanding. She also said the Sunrise budget is still in progress, the Finance Department has not received their final numbers as of yet.

The Commission requested an update identifying if this is for this years budget or for this season or does this apply to next year. There was a question of the Sunrise's correct budget amount for print advertising next year, is it $130,000 or $137,500. There were also questions raised about where the $7,500 will be pulled from, is there to be a deletion or reduction for one of the other advertising vendors.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to postpone Consent item 9c to Regular Meeting July 21, 2014.

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

Passed

As to Item **9d,** Commissioner Becht stated their is a concern that FEMA could de-obligate the funds and asked of any assurances the City may have that this will not occur as it has to a multitude of counties across the state. Mr. Schwerer responded to receive the grants you must agree to the terms of the agreement set forth by the Division of Emergency Management and the terms do state they can come back in future years. The City signed the terms of the sub grant agreement and we are already bound by those terms and conditions.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve Consent Agenda item **9d.**

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

Passed

As to item **9g**, Commissioner Becht stated he does not have a problem with the $1 lease but wanted to know if there were any additional costs. Deputy Chief Amandro stated their are no additional costs for equipment or employees for manning the police substation at the Williams Center. They are taking the Avenue I substation and moving everything from that facility to this location.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve Consent Agenda item **9g.**

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

Passed

As to item **9j,** Commissioner Becht stated had he realized the fiscal impact of this item was on another page.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve Consent Agenda item **9j.**

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

Passed

10. PUBLIC HEARINGS

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

Mr. Kori Benton, Historic Preservation Officer, appeared with a presentation and staff recommendation the City Commission review the Conceptual Development Plan and make recommendations as appropriate for its disapproval or approval.

Mayor Hudson opened the Public Hearing.

Mr. Ibrahim Chabob addressed the Commission with additional information. The entrance to the property is currently through 26th Street because Avenue C is an abandoned right of way. The owner has the option to include the right of way with their property granted the City approves the Conceptual Development Plan. It was stated additional landscaping was also agreed upon for this project.

Mr. Mike Menard of Cook Menard Architecture stated the reason for this conceptual plan is to make sure they can build what they need to build on the property before the property is purchased.

Seeing no one else, the Mayor closed the Public Hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve Conceptual Development Plan for Fresh Wind, Fresh Fire Church of God.

Commissioner Edward Becht abstained from the vote because he represents the applicant and filed Form 8B as required.

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

Passed

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.

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

Mr. Kori Benton, Historic Preservation Officer, appeared with a presentation. Staff recommends approval.

Commissioner Becht disagrees with E-1 classification. The other classifications referenced in the presentation states the word school, E-1 has text that reads public and semi public facilities to identify school. He stated we need to make sure our code is clean and says what we want it to say.

Mayor Hudson opened the Public Hearing.

Seeing no one, the Mayor closed the Public Hearing.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to approve Ordinance No. 14-017 on first reading.

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

Passed

c. Ordinance 14-018 - Right-of-way Abandonment - Boston Avenue Extension – East of South Indian River Drive. First Reading

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

Mr. Kori Benton, Historic Preservation Officer, appeared with a presentation and staff recommendation to approve the abandonment with two conditions. The first condition is securing a 15 foot pedestrian access easement as discussed and second, that the applicant record a unity of title between the two parcels to avoid rendering one of the parcels landlocked and therefore non-conforming.

Mr. Benton stated the safety and welfare of the community is of the utmost importance to City staff. The City has a walkable downtown; there is an existing K-8 school on site and near by, citizens walk in and out of the court system each and every day. The City currently holds Boston Avenue as a right of way. He is uncertain if it is authorized, but people are down there fishing and enjoying that access to the waterfront. City staff was looking at a strategic option to provide continued access to the waterfront but still allow the applicants the ability to incorporate this proposal within their development plan. The applicant is requesting the City Commission to abandon a portion of our right of way and staff is seeking to insure public benefit through incorporating pedestrian access in their long term plan as well.

Commissioner Becht stated we have a petition for abandonment of a right of way which is the strongest bargaining chip this Commission has to insure development happens in accord with the best interests of the City of Fort Pierce. The appraisal that accompanies the petition identifies no comparable market data on which to value the property and is for one-third of this right of way. He stressed public access to the waterfront is critical. There are ways this can be designed so that the needs and protection of the children can be accomplished. The needs of St. Andrews can be addressed as well as the needs of Fort Pierce in terms of access

to the waterfront.

Mayor Hudson opened the Public Hearing.

Ms. Trina Angelone of St. Andrews Episcopal Academy appeared and gave a presentation on the applicant's vision for the development and expansion of their school. She is asking the Commission to not vote and not approve the abandonment as it is written tonight because they would like to go back to the table with their representatives to do something they believe to be far more beneficial for the City. They would be happy to pay for the abandonment of the property as opposed negotiating any other access. She stated if they get the abandonment, they will proceed as displayed in their presentation, and if not the fields and structures will not fit on the property and they will have to go back to the drawing board. Ms. Angelone indicated their goal is not to add anything that detracts, all they want is an agreement that there can be a working relationship. She asked the Commission to trust their vision and know their number one goal is protecting the kids and their number two goal is minimal spread of buildings on the land, keeping it as accessible to the water as possible.

Mr. William Stoddard stated they do not want the Commission to approve the easement as it is written currently, they would like to amend the Ordinance to the legal description they are proposing.

Mr. Schwerer responded the Commission can approve a site plan contingent upon abandonment of easement. If the Commission is concerned about the abandonment being made without an approved site plan he recommends the Commission postpone this abandonment and the applicant submit something you can work with them on including options they have discussed here tonight.

Mr. Rick Reed is against the possibility of a 15' easement extending further south from Citrus to Easter Avenue. He stated it would no longer be waterfront property after the owners have been paying taxes and maintaining those properties. He supports St. Andrews request and what they are trying to do and questioned why the City would want to put a walkway and allow public into a school area.

Seeing no one else, the Mayor closed the Public Hearing.

Mayor Hudson re-opened the Public Hearing.
Ms. Noreen Dryer spoke on behalf of the Church and asked for the right of way abandonment to be approved on faith. They agree to the unity of title but rather than provide the 15' pedestrian easement along the shoreline as described in the ordinance, they would ask the Commission to accept the offer that was made for the alternative easement that was presented.

Seeing no one further, the Mayor closed the Public Hearing.

Mr. Schwerer stated under our code, the Commission has a fiduciary duty to the public to evaluate the value of property they may abandon, whether it is asking for compensation paid to the City or if it's a bartering exchange for other properties. He

is troubled legally that they do not have an appraisal before them so the public is aware of the value of the property. The appraisal submitted was for 2,200 sq. ft. of the total 9,200 square feet of the Boston Avenue extension. Mr. Schwerer suggested the Commission may want to postpone the ordinance until they get a new appraisal because they do need the accurate value of this property on record.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Reginald Sessions to postpone Ordinance No. 14-018 for two weeks.

Commissioner Sessions stated he does not feel two weeks will be enough time to bring back the requested documentation.

Ms. Angelone requested if a completed conceptual site plan would be adequate to bring back before Commission in two weeks because she could do that. If the Commission is requesting for actual site plans, they would require more time than proposed in the motion.

Commissioner Becht said we are talking about a very valuable piece of right of way to the waterway that the citizens and the taxpayers of Fort Pierce own. The Commission was given an appraisal on one third of the property and based on old values; he stated he wants to see the value in the project.

Amended motion was made by Commissioner Edward Becht, seconded by Commissioner Reginald Sessions to postpone Ordinance No. 14-018 for two weeks with appraisal updated to reflect the correct amount of property and updated to use comparables that are now of record.

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

11. MISCELLANEOUS REPORTS & REQUESTS

a. Update on 2014 Hurricane preparations for the City of Fort Pierce.

Deputy Chief Amandro was present and available for questions. He stated he sent an email out to entire staff in May and the City is well prepared for hurricane season. He responded this information is available to the public and the Police Department is currently re-vamping their website and it will include a link specifically for hurricane preparedness. He will also provide to the Commission a list of all of the local shelters available in the event of an oncoming storm. In response to Mayor Hudson he stated the passes to return to the island after a storm are no longer required, instead they ask for their driver's license and another form of identification to prove they live there.

b. Update on annexations, as requested by the City Commission.

Planning Manager, Rebecca Grohall, appeared and was available for questions. Ms. Grohall stated annexations are the department’s top priority. Initially they have focused on commercial properties because they have a higher ad valorem tax

value, but they are pursuing all possible tracts. They hope to identify the FPUA retail service area for squaring off the boundaries of the City. It is the goal to bring the next batch of annexations before the Commission in September.

Commissioner Becht commented the urban service line is a more accurate demarcation of what ought to be county and rural and urban. This is a statutorily created line where urban development is supposed to happen, in St. Lucie County urban is supposed to be east of it.

Ms. Grohall addressed Commissioner Alexander and his concerns about the area of Paradise Park. Although their properties are contiguous there are no utility agreements on file that would allow the City to move forward with annexing. The Legislative annexation could be a solution; however it is unavailable to us at this time.

In response to Commissioner Sessions Florida Statutes states enclaves have to be addressed in an interlocal agreement and our current agreement with St. Lucie County does not address those. There will be talk to modify or create a new interlocal agreement that will address the enclaves.

12. CITY COMMISSION

a. Designation of a delegate to vote on behalf of the City Commission at the Florida League of Cities Annual Conference.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to designate Commission Alexander as delegate for the City of Fort Pierce at the Florida League of Cities Annual Conference.

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

Passed

b. City representation by an elected official, Commissioner Alexander, on a Florida League of Cities legislative policy committee.

Commissioner Alexander volunteered to be the City's elected official representative at the annual conference in August. He also requested a copy of the Florida League of Cities committees be provided to the members of the Commission and he encourages each of them to attend one.

Ms. Cox stated she will forward a memo listing the committees to the Commission. If anyone wants to serve, they are to get back with her.

c. Submittal of application for appointment to the Keep Fort Pierce Beautiful Advisory Board.

City Clerk, Linda Cox, indicated applications are attached and will come back at the next meeting in the form of a Resolution for approval.

d. Discussion led by Mayor Hudson regarding the review and approval of the City Attorney's invoices for legal services and disbursements.

Mayor Hudson noted that at a recent Conference Agenda, the Commission discussed evaluating the City's legal services and that she has been monitoring the City's legal bills for the last 8 months. Our goals should be to reduce the cost of lawsuits once they are filed, reduce the number of lawsuits and to reduce the time it takes legal to review or regenerate projects and documents. The process currently consists of legal preparing a bill that is forwarded to Ms. Johnson in the Finance Department and the Commission that approves a general amount for the year.

Mayor Hudson suggested receiving a more specific bill monthly from legal. She also suggested a more specific contractual agreement that delineates services that are covered under the annual hours and billable hours as well as what is assigned to insurance carriers, a more clearly defined contract so all expectations are understood. Finally, she discussed a better way to track what goes into the City Attorney's office and the response time.

Commissioner Becht stated the Commission previously spoke of having a discussion about whether it is better to have an inside council or an outside council but without the information previously requested at the Conference Agenda the Commission is currently unable to do make that decision. He has no problem with a more detailed contract. He described the dangers of detailed billing relating to how opposing parties may be able to garner strategy from that. He stated he would like Mr. Bradshaw and Mr. Mimms to meet with Mr. Schwerer and discuss tracking mechanisms that may work inside our existing contracts so when a memo is sent to legal with a request for feedback, it can be expected to happen.

Mr. Schwerer indicated that they track their billing by starting with the annual budget. He indicated that how they base their bills, what they bill, the way they submit their bills and account for their time has been set by previous Commissions. They bill against budget and let the Commission know when they will exceed budget.

Commissioner Sessions indicated that their common goal is to cut the costs. We can do that by lowering the budget and send a strong message as to what we will and will not pay and suggested that some things could be delegated. Mr. Schwerer responded there are a lot of things that legal is doing or has done that could be delegated to other departments and offset costs and he needs to work with the City Manager on that.

Commissioner Perona inquired what the City's contingent liability on lawsuits, we need to be informed and understand what the legal position with the City is and how it relates with our financial picture. Mr. Schwerer would like to have a meeting with every Commissioner, one on one, each month to update them individually as to where legal is on major lawsuits and what is happening and where there are problems.

e. Discussion led by Commissioner Alexander regarding an update of the proposed vendor ordinance.

Ms. Arraiz said the most recent update is the last revision was reviewed by legal, they provided comments to her the last week of June. The revisions have been made and returned to the City Attorney's office. She stated they are very close to providing a final draft to be brought before the Commission.

In reference to the food truck invasion, they are considered a special event same as Friday Fest or the Farmer's Market on Saturdays. Ms. Arraiz stated the City would surely welcome that type of event. At this time the current ordinance only allows for produce merchandise licenses.

Mr. Schwerer stated within the next thirty days the vendor ordinance should be advertised and back before the Commission for action.

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.

Commissioner Alexander requested this item be pulled.

g. Discussion led by Commissioner Sessions regarding an update of crime prevention activities.

This agenda item was taken out of order and discussed before Public Comment.

13. COMMENTS FROM THE CITY MANAGER

a. City Manager's Activity Report - Mr. Bradshaw had no comments.

14. COMMENTS FROM THE COMMISSION

Commissioner Perona wanted to say it was good to see so many people out enjoying the waterfront for the 4th of July festivities. The fireworks display was awesome, it was a wonderful night celebrating our nation's birthday. He wanted to thank Peggy Arraiz for successfully negotiating the grant to continue the spay and neuter voucher program. It is a great program made possible by Susan and John Parry and United for Animals.

Commissioner Alexander and Commissioner Sessions had no comments.

Commissioner Becht stated he was approached by County Commissioner Dzadovsky requesting a letter of support for the location of a VA Nursing Home in St. Lucie County. If a letter had been done previously, please forward a copy but he believed this to be a new request.

Mayor Hudson wanted to say congratulations to Saint Lucie County for getting just that, named most preferred as the location of the VA Nursing Home. She is pleased with the progression of the Williams Center, it is going to be great for that

neighborhood. The boys and girls club will have a great facility and the substantial police presence there will make it a wonderful effort against crime. She also wanted to say thank you to the City of Fort Pierce for the Percy Peak Gym, it is a pleasure to see the young people that fill it every day.

15. ADJOURNMENT

There being no further business, Mayor Hudson declared the meeting adjourned at 11:04 p.m.

ATTEST:

_____ _____

CITY CLERK MAYOR COMMISSIONER

AN APPRAISAL OF

THE BOSTON AVENUE RIGHT-OF-WAY LOCATED EAST OF INDIAN RIVER DRIVE IN FORT PIERCE, FLORIDA

FILE #14-71172

PREPARED FOR

ST. ANDREWS EPISCOPAL CHURCH

AS OF

JULY 11, 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

July 14, 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 as if extended to the Indian River 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 July 11, 2014. The Subject Property is considered to be the road right-of-way for Boston Avenue totaling 9,488 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 July 11, 2014 was:

$170,000

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.



Harry D. Gray, MAI, SRA
Cert Gen RZ662



Bryan A. Neill
Cert Gen RZ2609

HDG/BAN/clw:14-71172
Attachments

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	:	July 11, 2014
PROPERTY DESCRIPTION:		
LAND	:	The Subject Property contains 9,488 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 JULY 11, 2014	:	$170,000

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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:14-71172

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.



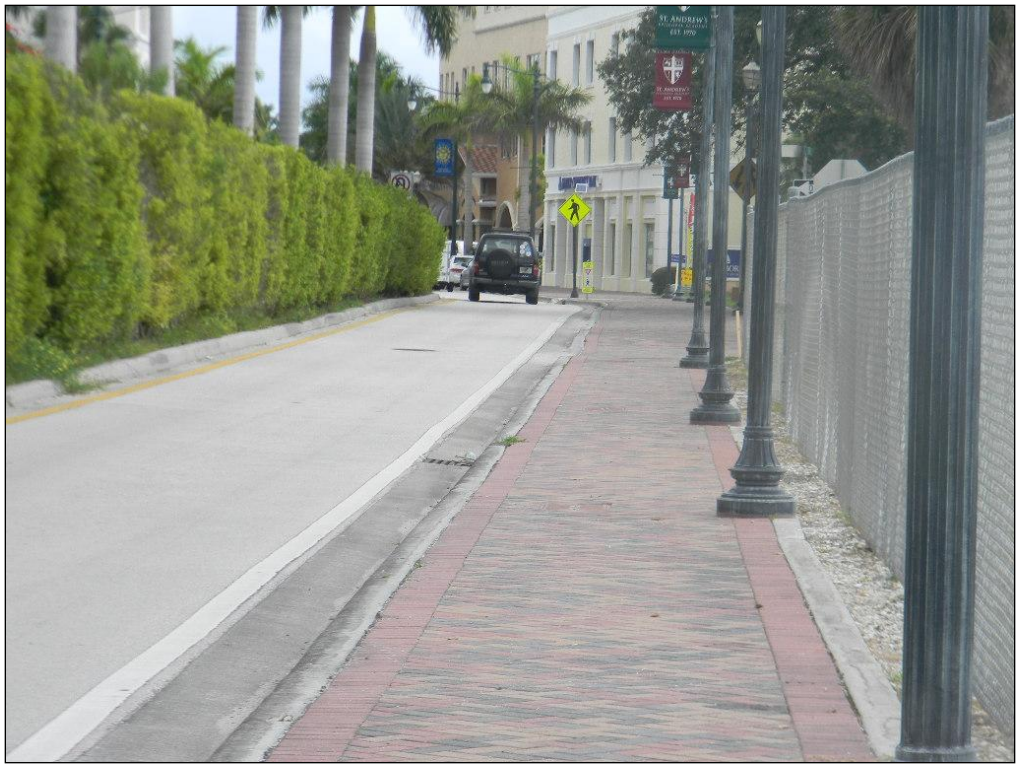
VIEW OF SUBJECT PROPERTY



VIEW OF SUBJECT PROPERTY



RIVER VIEW FROM SUBJECT PROPERTY



STREET SCENE ALONG SOUTH INDIAN RIVER DRIVE



AERIAL PHOTO

DEFINITION OF THE APPRAISAL PROBLEM

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 July 11, 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

A PORTION OF BOSTON AVENUE LYING EASTERLY OF INDIAN RIVE DRIVE, SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST.LUCIE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

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 WAY OF SAID BOSTON AVENUE; THENCE RUN S 04°46'02"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 EAST 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.

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;

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.

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 multiple times up until the date of value or July 11, 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.

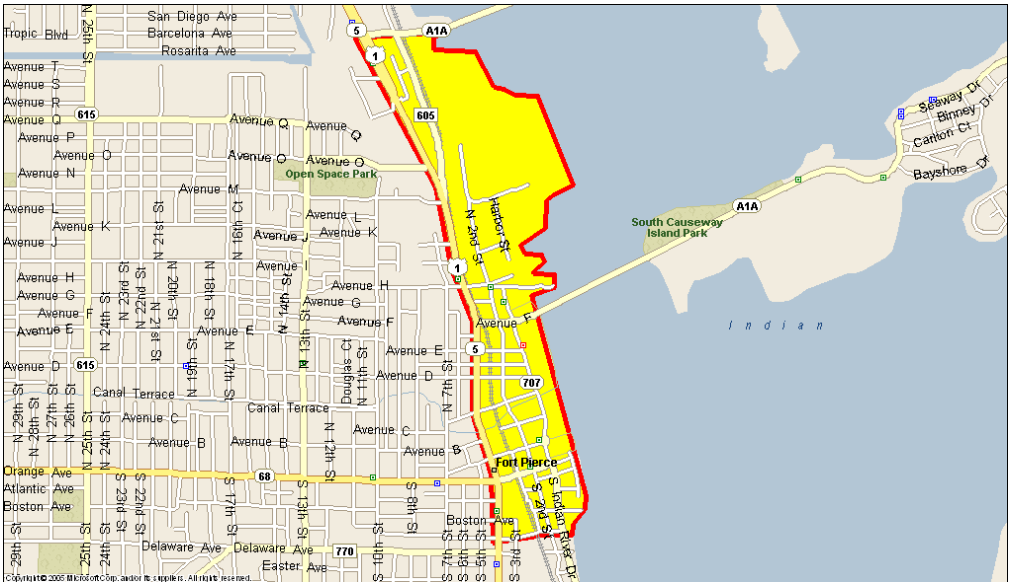
The fourth step was the application of the appropriate approaches to value. *No approaches were specifically omitted from this appraisal by the client.* However, for this assignment the Sales Comparison Approach was used to value raw land.

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 competed 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."

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 2013after 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.

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:

				MINIMUM YARD (Ft)					
MAXIMUM GROSS DENSITY (Du/Ac)	MINIMUM LOT SIZE (Sq Ft)	MINIMUM LOT WIDTH (Ft)	MINIMUM LOT DEPTH (Ft)	FRONT	REAR	SIDE	SIDE @ CORNER	MAXIMUM HEIGHT (Ft)	MAXIMUM LOT COVERAGE BY BLDGS
	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:

				MINIMUM YARD (Ft)					
MAXIMUM GROSS DENSITY (Du/Ac)	MINIMUM LOT SIZE (Sq Ft)	MINIMUM LOT WIDTH (Ft)	MINIMUM LOT DEPTH (Ft)	FRONT	REAR	SIDE	SIDE @ CORNER	MAXIMUM HEIGHT (Ft)	MAXIMUM LOT COVERAGE BY BLDGS
				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

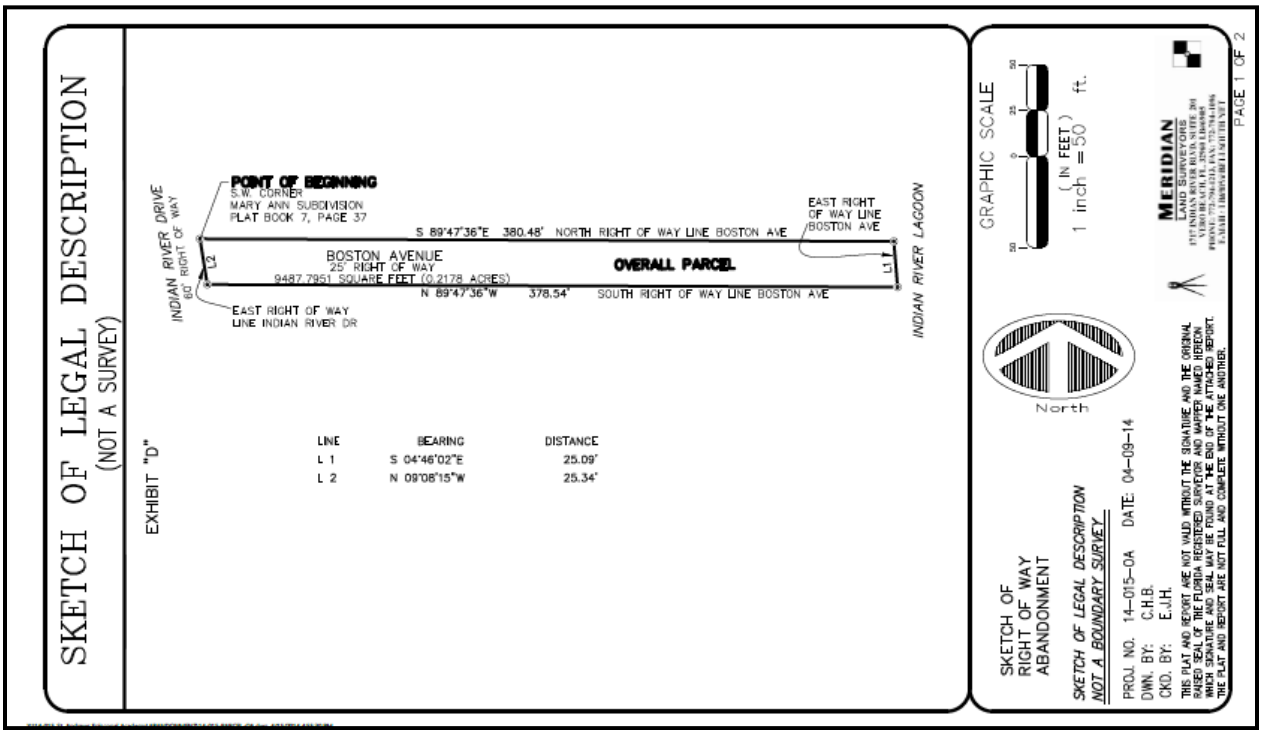
In 1985, the Florida Legislature enacted the Local Government Comprehensive Planning and Land Development Regional Act (Chapter 163, Part II, Florida Statutes), commonly referred to as "The Growth Management Act".

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 9,488 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

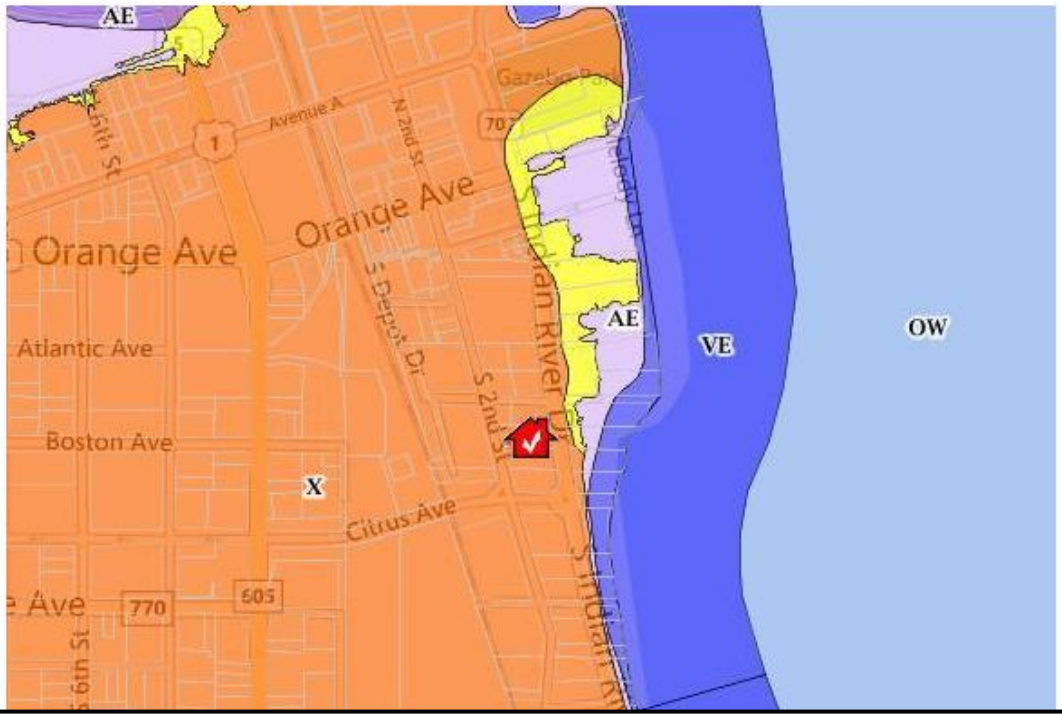
The Subject Property lies within Census Tract 3801.00.

Flood Hazard Zone

Flood Zone Code	Flood Zone Panel	Panel Date
VE	120286 - 12111C0179J	02/16/2012
Special Flood Hazard Area (SFHA)	**Within 250 ft. of multiple flood zones?**	**Community Name**
In	Yes (AE,VE,X500,X)	FORT PIERCE

Flood Zone Description:

Zone VE-An area inundated by 100-year flooding with velocity hazard (wave action); BFEs have been determined.



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 9,488 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

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.

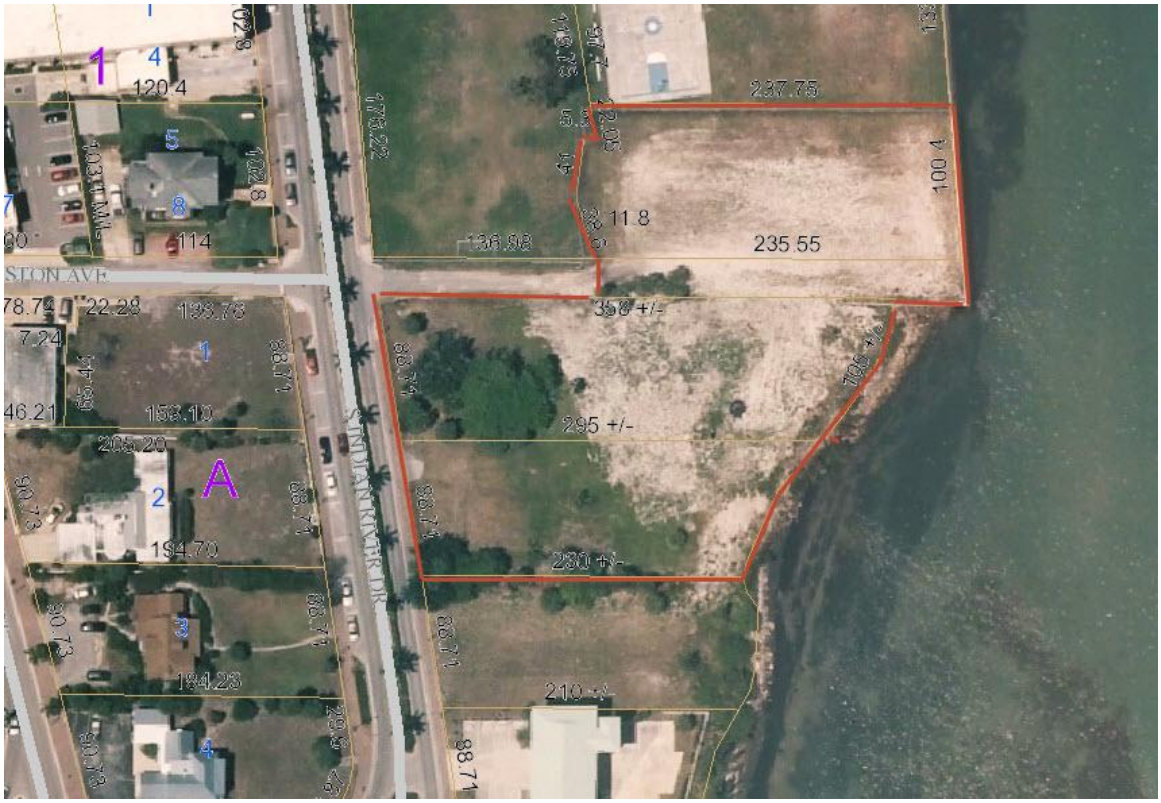
Discussion of Vacant Land Sales

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 four comparable sales indicated a non-adjusted range from $11.69 to $19.35 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	2357
Property Type	Commercial, Commercial Land
Address	St. Lucie County, Florida
Location	East side of South Indian River Drive on the north and south side of the Boston Avenue R/W
Tax ID	2410-804-0004-000-1

Sale Data

Grantor	SB Florida CRE Holdings, LLC
Grantee	St. Andrews Episcopal Academy, Inc.
Sale Date	May 01, 2014
Deed Book/Page	3626/2190
Property Rights	Fee Simple
Conditions of Sale	Arm's Length
Financing	Cash to Seller
Sale Price	$900,000
Cash Equivalent	$900,000

Land Data

Zoning	C4, Central Commercial

Land Size Information

Gross Land Size	1.768 Acres or 77,005 SF

Indicators

Sale Price/Gross Acre	$509,110
Sale Price/Gross SF	$11.69

Remarks

This was an REO sale that was listed for $1,100,000 at the time of sale. The listing agent reported this was a motivated transaction. The buyers purchased this site for expansion of their school campus.

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	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 4



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

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.

Comparable Location Map



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 four comparable sales indicated a non-adjusted range from $11.69 to $19.35 per square foot.

VACANT LAND SALES CHART
CALLAWAY & PRICE, INC. #14-71172

Sale Number	Subject	1	2	3	4
Record ID	-	2357	-	2232	2047
ORBK/PG		3626/2190	Offer	3300/1318	3257/274
Sale Price		$900,000	$750,000	$1,750,000	$450,000
Size - Acres	0.22	1.77	0.89	2.16	0.56
Size - Square Foot	9,488	77,005	38,768	94,090	24,394
Price/Square Foot		$11.69	$19.35	$18.60	$18.45
Location	Boston Avenue R/W east of Indian Rier Drive	East side of Indian River Drive along Boston Avenue	400 Seaway Drive	222 S. Ocean Drive	SEC of Indian River Drive and Fishermen's Wharf
City	Fort Pierce	Fort Pierce	Fort Pierce	Fort Pierce	Fort Pierce
Arm's Length	Yes	Yes	Yes	Yes	Yes
Property Rights	Fee	Fee	Fee	Fee	Fee
Date of Sale	N/A	May-14	Feb-13	Jun-11	Dec-10
Date of Value	-				
Zoning	-	C-4	C-5	C-5	C-6
Conditions of Sale		20%	0%	10%	0%
Market Conditions Adj.		0%	0%	-10%	-15%
Adjusted Price Per SF		$14.03	$19.35	$18.60	$15.68
Physical Adjustments					
Location (General)		Similar 0%	Superior -5%	Superior -5%	Similar 0%
View/Site Quality	Full River	Similar 0%	Similar./ Part. Ocean 0%	Superior/Ocean -10%	Inferior 25%
Size		10%	0%	10%	0%
Zoning/Land Use	-	Similar 0%	Similar 0%	Similar 0%	Similar 0%
Access		0%	0%	0%	0%
Total Physical Adjustment/SF		10.00%	-5.00%	-5.00%	25.00%
Adj.Price Per Square Foot		$15.43	$18.38	$17.67	$19.60
				Average	$17.77
				Minimum	$15.43
				Maximum	$19.60
				Median	$18.02

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.

Comparables 1 and 3 have been adjusted upward to recognize that these sales were verified as motivated sales.

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 May 2014. Comparable 4 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 4 downward the most and also have adjusted Comparable 3 downward as well to recognize this decline.

Location

Comparables 2 and 3 were 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. Comparable 2 and 4 do not have direct water frontage and the potential views of both the ocean and river would be considered inferior to the Subject. Therefore, we have made upward adjustments to these sales. Comparable 3 has direct ocean frontage and is considered the most superior comparable, therefore warranting a downward adjustment. The remaining comparable has similar frontage and views.

Size

The Subject Property contains 9,488 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 0.56 acres to 2.16 acres. Comparables 1 and 3 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 chart on the following page shows some of the listings we considered.

Comparable Listings

Sale Number	1	2	3	4	5	6
Sale Price	$895,000	$599,000	$475,000	$595,000	$1,500,000	$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	$19.13	$16.31
Location	400 Seaway Drive	4805 Capstan Avenue	1500 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	Indian 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	$17.22	$14.68

Average	$19.80
Minimum	$6.04
Maximum	$36.16
Median	$19.00

The listings had an average indication of $19.80 per square foot of land. Comparable Listings 3, 5 and 6 would probably be considered the most similar. These sites have direct water frontage along the Indian River. After making a slight adjustment for conditions of sale of -10% (acknowledges listings typically sell for less than ask prices), the three indications are at $14.68 and $23.94 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.

Additional Data

We are also aware of two recent improved sales in the area. These properties were purchased as part of the St. Andrews expansion and premiums were paid for each site. Based on the land abstraction method, the price paid per square foot of land ranges from approximately $40.00 to $70.00 per square foot. Again these were highly motivated sales at above market values.

Conclusion – Land-Value Analysis

As can be seen on the comparable sales chart displayed earlier, the sales indicate an adjusted range from $15.43 to $19.60 per square foot, with an average indication of $17.77 per square foot and median indication of $18.02 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 $17.50 per square foot. This indicates that the land value of the Subject Property is $170,000. This is calculated as follows:

9,488 square feet X $17.50 per square foot = $166,040

Rounded, $170,000

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

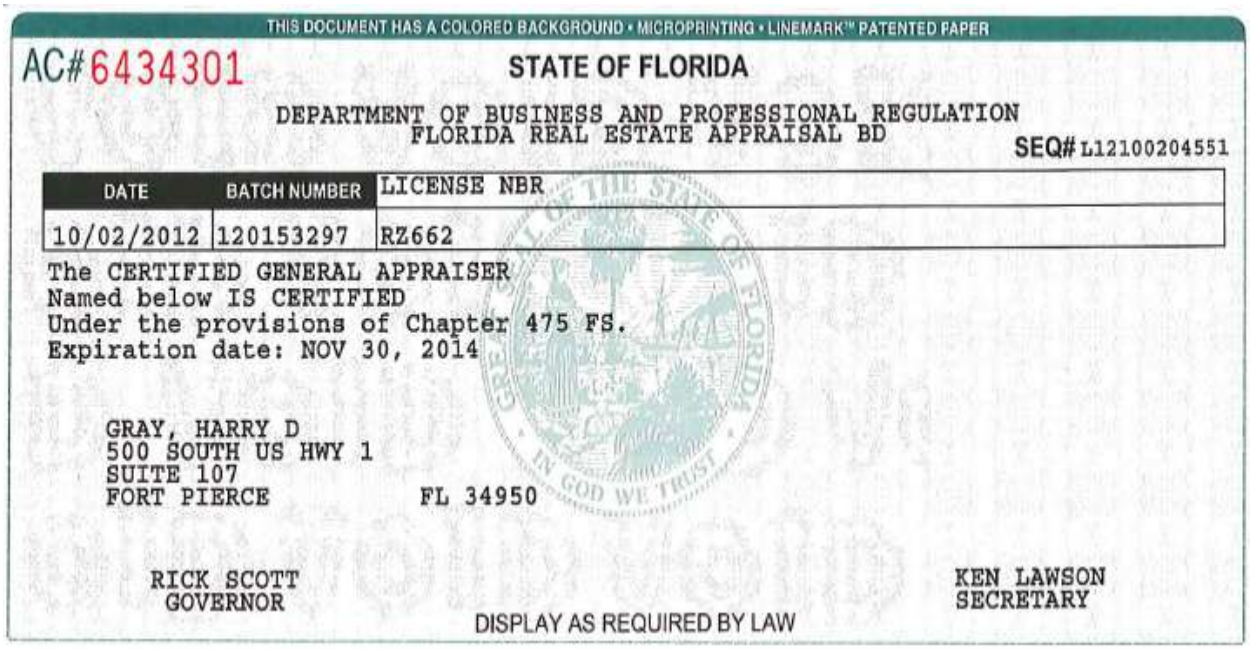
St. Lucie County Cattlemen's Association

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



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STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BD

SEQ# L12100204551

DATE	BATCH NUMBER	LICENSE NBR
10/02/2012	120153297	RZ662

The CERTIFIED GENERAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2014

GRAY, HARRY D
500 SOUTH US HWY 1
SUITE 107
FORT PIERCE FL 34950

RICK SCOTT
GOVERNOR

KEN LAWSON
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
- Apartment Complexes
- Cattle Ranches
- Citrus Groves
- Eminent Domain
- Mini-Storage Facilities
- Mobile Home Parks
- Rental Comparability Studies
- Residential Properties
- Retail Buildings
- Subdivisions
- 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 850-487-1395
1940 N. MONROE ST.
TALLAHASSEE FL 32399-0783

NEILL, BRYAN ALLEN
2927 INDIAN RIVER DR
FORT PIERCE FL 34946

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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

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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

AN APPRAISAL OF

THE PROPOSED PUBLIC ACCESS PARCEL
LOCATED AT THE
SOUTHERN TERMINUS OF MELODY LANE
IN FORT PIERCE, FLORIDA

FILE #14-71324

PREPARED FOR

ST. ANDREWS EPISCOPAL CHURCH

AS OF

JULY 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

July 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 Proposed Public Access Parcel located at the southern terminus of Melody Lane 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 July 15, 2014. The Subject Property is considered to be the proposed public access parcel totaling 3,485 square feet located at the southern terminus of Melody Lane along the Indian River. 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 July 15, 2014 was:

$60,000

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.



Harry D. Gray, MAI, SRA
Cert Gen RZ662



Bryan A. Neill
Cert Gen RZ2609

HDG/BAN/clw:14-71324
Attachments

PROPERTY TYPE	:	Proposed Public Access/Park
LOCATION	:	The Subject Property is located at the southern terminus of Melody Lane along the Indian River in Fort Pierce, Florida.
DATE OF VALUATION	:	July 15, 2014
PROPERTY DESCRIPTION:		
LAND	:	The Subject Property contains 3,485 square feet.
BUILDING	:	None.
ZONING	:	C-4, Central Commercial by the City of Fort Pierce
LAND USE PLAN	:	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 JULY 15, 2014	:	$60,000

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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:14-71324

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



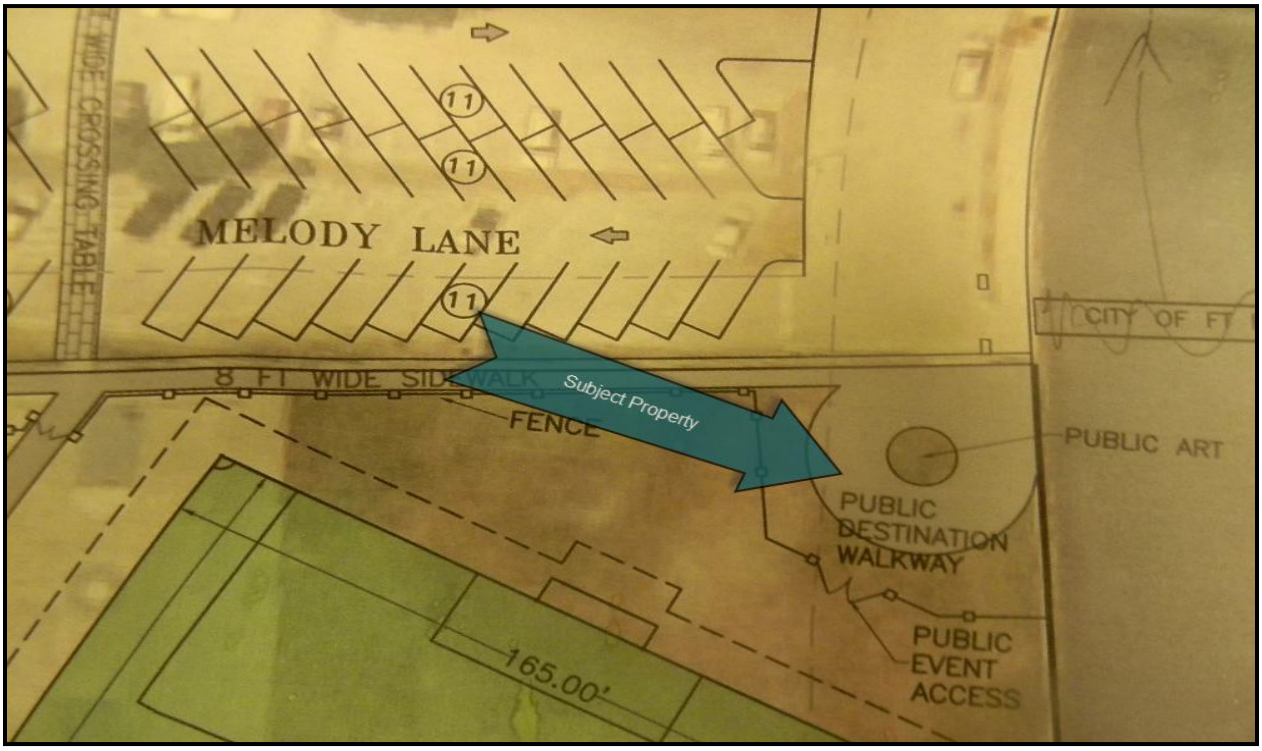
VIEW OF SUBJECT PROPERTY



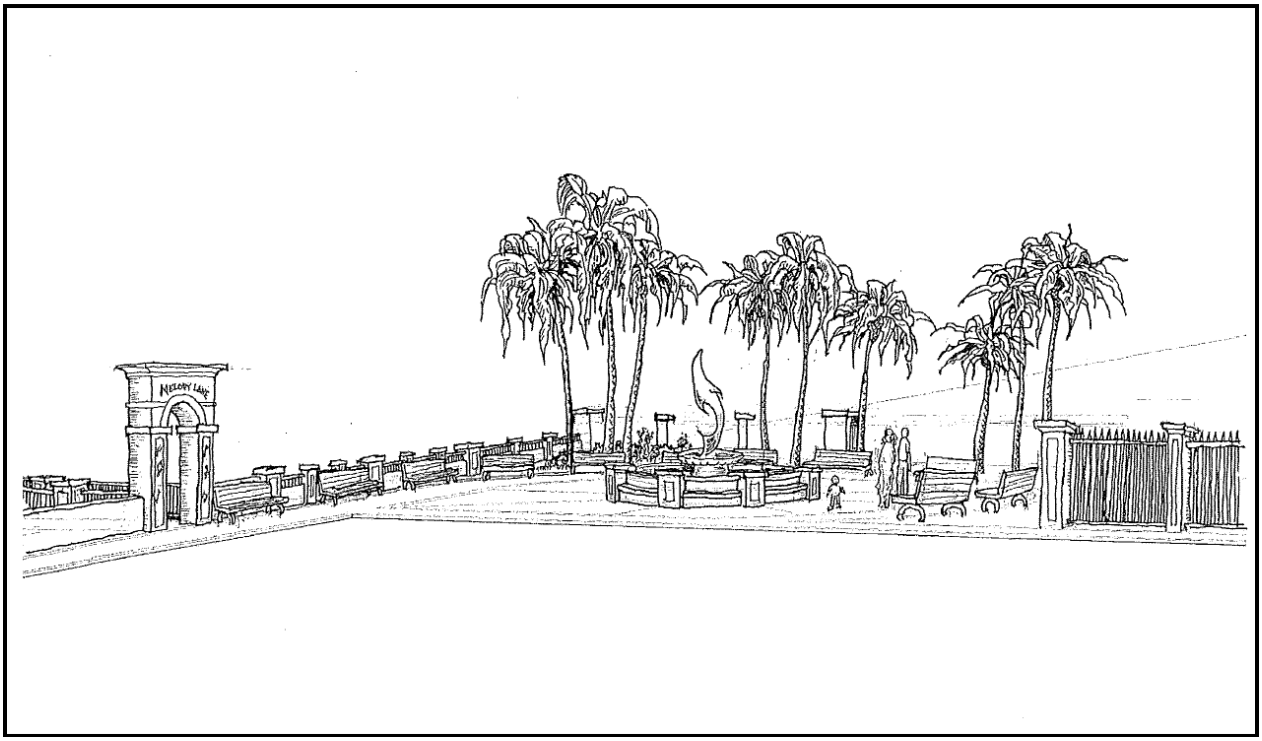
RIVER VIEW FROM SUBJECT PROPERTY



STREET SCENE ALONG MELODY LANE



AERIAL PHOTO



PROPOSED USE

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 July 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

Legal Description:

A PUBLIC EASEMENT LYING IN SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING 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 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 68.16 FEET ; THENCE LEAVING SAID WATERS EDGE AND EAST FACE OF SEAWALL, RUN SOUTH 85°18'06"WEST, A DISTANCE OF 16.31 FEET; THENCE RUN NORTH 67°33'49"WEST, A DISTANCE OF 59.18 FEET; THENCE RUN NORTH 08°15'00"WEST, A DISTANCE OF 36.82 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 71.44 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINING 0.08 ACRES MORE OR LESS.

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;

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.

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 multiple times up until the date of value or July 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.

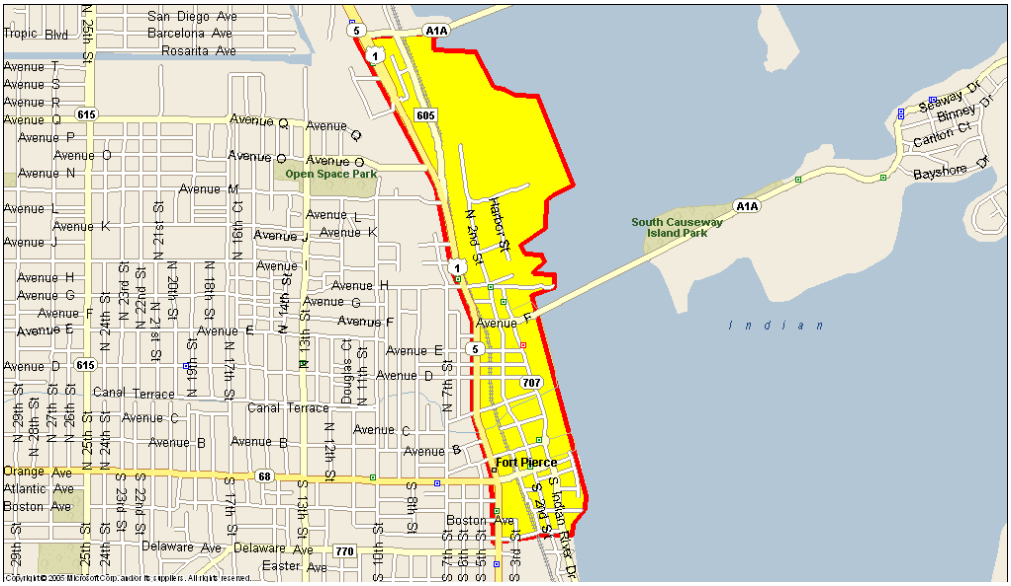
The fourth step was the application of the appropriate approaches to value. *No approaches were specifically omitted from this appraisal by the client.* However, for this assignment the Sales Comparison Approach was used to value raw land.

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 competed 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."

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 2013after 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.

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.



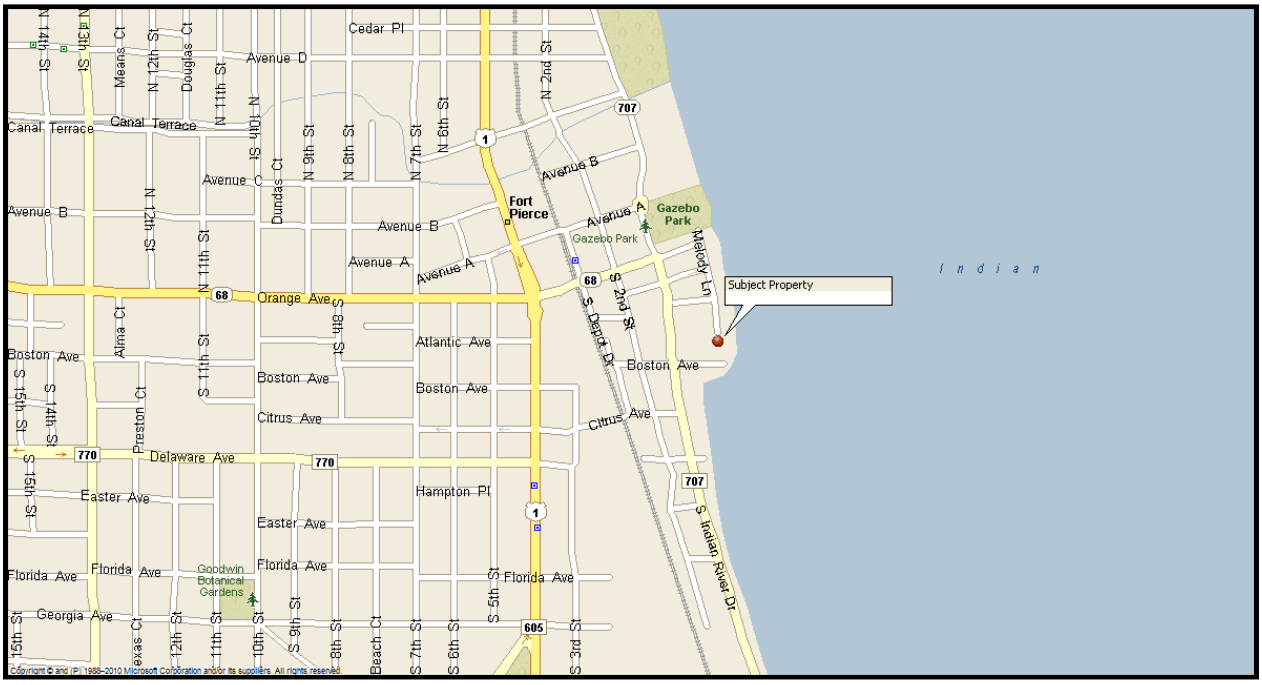
Typical Shop Views in District

PROPERTY DATA

Location

The Subject Property is located at the southern terminus of Melody Lane 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 Subject Property is zoned C-4, Central Commercial by the City of Fort Pierce.

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:

				MINIMUM YARD (Ft)					
MAXIMUM GROSS DENSITY (Du/Ac)	MINIMUM LOT SIZE (Sq Ft)	MINIMUM LOT WIDTH (Ft)	MINIMUM LOT DEPTH (Ft)	FRONT	REAR	SIDE	SIDE @ CORNER	MAXIMUM HEIGHT (Ft)	MAXIMUM LOT COVERAGE BY BLDGS
				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 Subject Property has 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

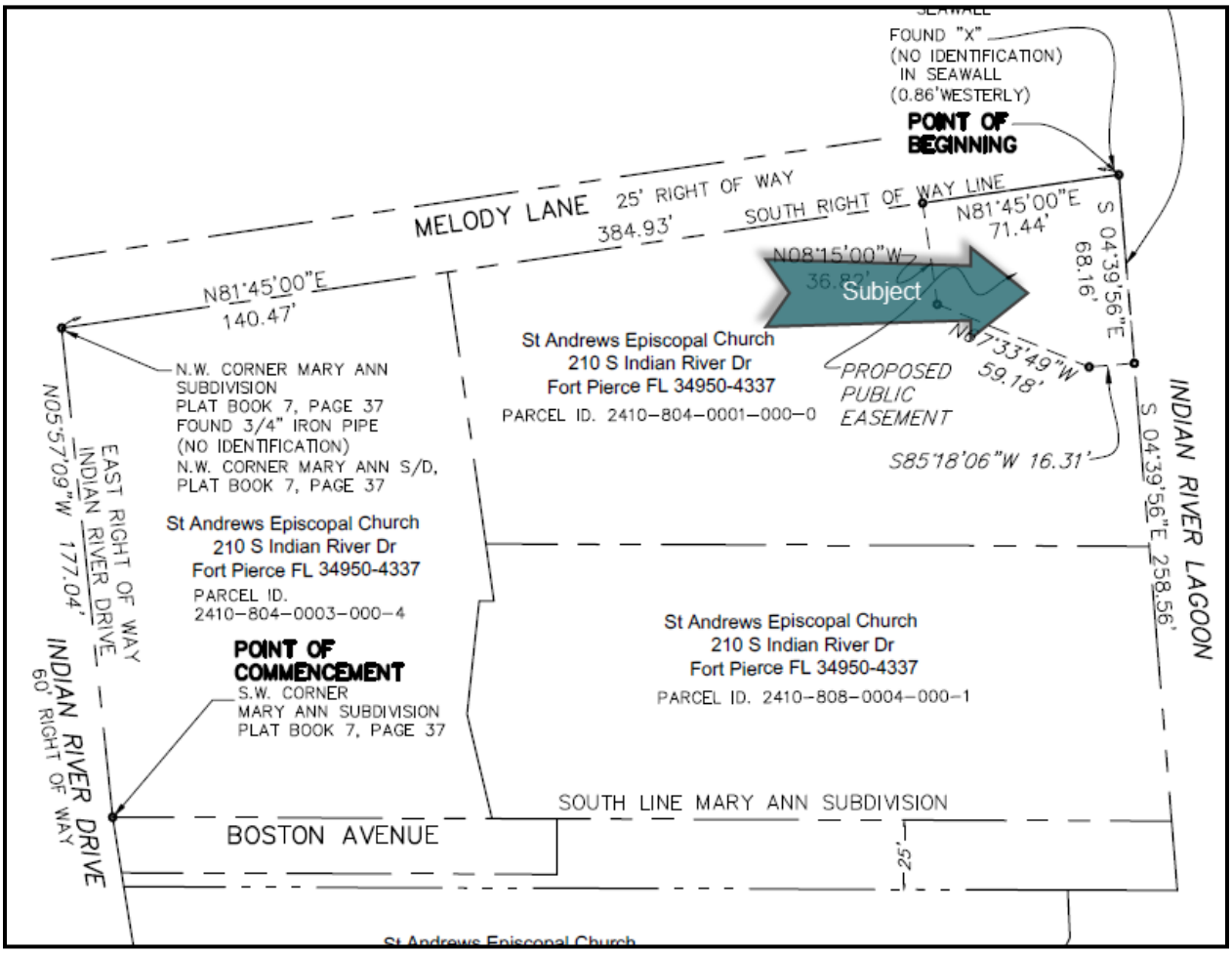
In 1985, the Florida Legislature enacted the Local Government Comprehensive Planning and Land Development Regional Act (Chapter 163, Part II, Florida Statutes), commonly referred to as "The Growth Management Act".

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 irregular in shape and contains a total of 3,485 square feet. Located below is a photo 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

Flood Zone Code	Flood Zone Panel	Panel Date
VE	120286 - 12111C0179J	02/16/2012
Special Flood Hazard Area (SFHA)	**Within 250 ft. of multiple flood zones?**	**Community Name**
In	Yes (AE,VE,X500,X)	FORT PIERCE

Flood Zone Description:

Zone VE-An area inundated by 100-year flooding with velocity hazard (wave action); BFEs have been determined.



Assessed Value and Taxes

The entire Subject Parent Tract is tax exempt as it is under the ownership of a church. The total parcel of 27,634 square feet is assessed at $510,200. Below is a synopsis of the Subject Parent tract.

Ad Valorem Taxes

Taxing authority	Millage	Assessed	Exemption	Taxable	Tax
County Parks MSTU	0.2313	510,200	510,200	0	$0.00
Co Public Transit MSTU	0.1269	510,200	510,200	0	$0.00
Erosion District E	0.0925	510,200	510,200	0	$0.00
Law Enf,Jail,Judicial Sys	3.9699	510,200	510,200	0	$0.00
Co General Revenue Fund	2.9221	510,200	510,200	0	$0.00
St Lucie County Port Bond	0.0154	510,200	510,200	0	$0.00
Childrens Service Council	0.4872	510,200	510,200	0	$0.00
St Lucie Co Fire District	3.0000	510,200	510,200	0	$0.00
FL Inland Navigation Dist	0.0345	510,200	510,200	0	$0.00
City of Fort Pierce	6.6050	510,200	510,200	0	$0.00
School Discretionary	0.7480	510,200	510,200	0	$0.00
School Capital Improvemnt	1.5000	510,200	510,200	0	$0.00
School Req Local Effort	5.0090	510,200	510,200	0	$0.00
Mosquito Control	0.4065	510,200	510,200	0	$0.00
S FL Wtr Mgmt District	0.4110	510,200	510,200	0	$0.00
Total	25.5593				$0.00

Non-Ad Valorem Assessments

Levying authority	Rate	Amount
No non-ad valorem assessments.		

Combined taxes and assessments: $0.00

Property History

The Subject Property is currently under the ownership of St. Andrews Episcopal Church. The Subject Property was purchased in December of 1986 for $300,000. No other sales or listings were reported.

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 Subject Property is zoned Central Commercial with a Central 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 3,485 square feet of land area and is mostly irregular 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

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.

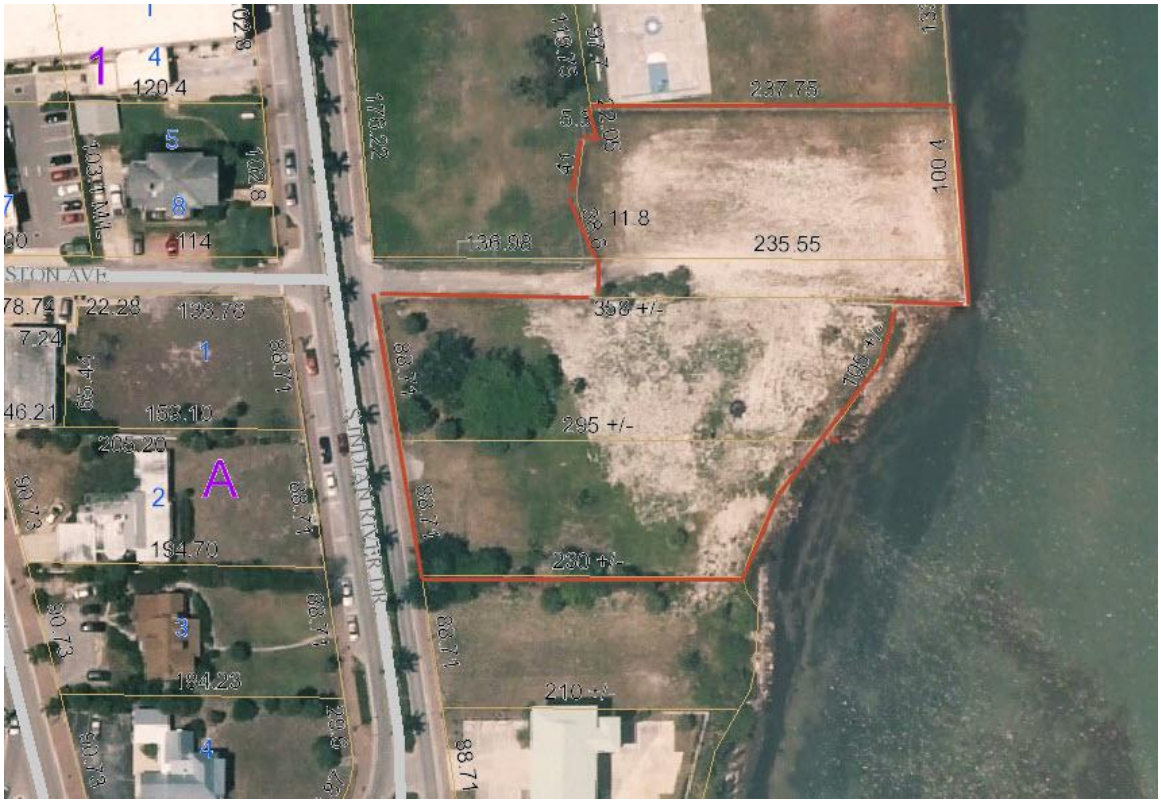
Discussion of Vacant Land Sales

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 four comparable sales indicated a non-adjusted range from $11.69 to $19.35 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	2357
Property Type	Commercial, Commercial Land
Address	St. Lucie County, Florida
Location	East side of South Indian River Drive on the north and south side of the Boston Avenue R/W
Tax ID	2410-804-0004-000-1

Sale Data

Grantor	SB Florida CRE Holdings, LLC
Grantee	St. Andrews Episcopal Academy, Inc.
Sale Date	May 01, 2014
Deed Book/Page	3626/2190
Property Rights	Fee Simple
Conditions of Sale	Arm's Length
Financing	Cash to Seller
Sale Price	$900,000
Cash Equivalent	$900,000

Land Data

Zoning	C4, Central Commercial

Land Size Information

Gross Land Size	1.768 Acres or 77,005 SF

Indicators

Sale Price/Gross Acre	$509,110
Sale Price/Gross SF	$11.69

Remarks

This was an REO sale that was listed for $1,100,000 at the time of sale. The listing agent reported this was a motivated transaction. The buyers purchased this site for expansion of their school campus.

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	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 4



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

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.

Comparable Location Map



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 four comparable sales indicated a non-adjusted range from $11.69 to $19.35 per square foot.

VACANT LAND SALES CHART
CALLAWAY & PRICE, INC. #14-71324

Sale Number	Subject	1	2	3	4
Record ID	-	2357	-	2232	2047
ORBK/PG		3626/2190	Offer	3300/1318	3257/274
Sale Price		$900,000	$750,000	$1,750,000	$450,000
Size - Acres	0.08	1.77	0.89	2.16	0.56
Size - Square Foot	3,485	77,005	38,768	94,090	24,394
Price/Square Foot		$11.69	$19.35	$18.60	$18.45
Location	Southern Terminus of Melody Lane	East side of Indian River Drive along Boston Avenue	400 Seaway Drive	222 S. Ocean Drive	SEC of Indian River Drive and Fishermen's Wharf
City	Fort Pierce	Fort Pierce	Fort Pierce	Fort Pierce	Fort Pierce
Arm's Length	Yes	Yes	Yes	Yes	Yes
Property Rights	Fee	Fee	Fee	Fee	Fee
Date of Sale	N/A	May-14	Feb-13	Jun-11	Dec-10
Date of Value	-				
Zoning	-	C-4	C-5	C-5	C-6
Conditions of Sale		20%	0%	10%	0%
Market Conditions Adj.		0%	0%	-10%	-15%
Adjusted Price Per SF		$14.03	$19.35	$18.60	$15.68
Physical Adjustments					
Location (General)		Similar	Superior	Superior	Similar
		0%	-5%	-5%	0%
View/Site Quality	Full River	Similar	Similar./ Part. Ocean	Superior/Ocean	Inferior
		0%	0%	-10%	25%
Size		10%	0%	10%	0%
Zoning/Land Use	-	Similar	Similar	Similar	Similar
		0%	0%	0%	0%
Access		0%	0%	0%	0%
Total Physical Adjustment/SF		10.00%	-5.00%	-5.00%	25.00%
Adj.Price Per Square Foot		$15.43	$18.38	$17.67	$19.60
				Average	$17.77
				Minimum	$15.43
				Maximum	$19.60
				Median	$18.02

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.

Comparables 1 and 3 have been adjusted upward to recognize that these sales were verified as motivated sales.

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 May 2014. Comparable 4 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 4 downward the most and also have adjusted Comparable 3 downward as well to recognize this decline.

Location

Comparables 2 and 3 were 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. Comparable 2 and 4 do not have direct water frontage and the potential views of both the ocean and river would be considered inferior to the Subject. Therefore, we have made upward adjustments to these sales. Comparable 3 has direct ocean frontage and is considered the most superior comparable, therefore warranting a downward adjustment. The remaining comparable has similar frontage and views.

Size

The Subject Property contains 3,485 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 0.56 acres to 2.16 acres. Comparables 1 and 3 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 Subject Property is zoned Commercial, 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 chart on the following page shows some of the listings we considered.

Comparable Listings

Sale Number	1	2	3	4	5	6
Sale Price	$895,000	$599,000	$475,000	$595,000	$1,500,000	$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	$19.13	$16.31
Location	400 Seaway Drive	4805 Capstan Avenue	1500 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	Indian 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	$17.22	$14.68

Average	$19.80
Minimum	$6.04
Maximum	$36.16
Median	$19.00

The listings had an average indication of $19.80 per square foot of land. Comparable Listings 3, 5 and 6 would probably be considered the most similar. These sites have direct water frontage along the Indian River. After making a slight adjustment for conditions of sale of -10% (acknowledges listings typically sell for less than ask prices), the three indications are at $14.68, $17.22 and $23.94 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.

Additional Data

We are also aware of two recent improved sales in the area. These properties were purchased as part of the St. Andrews expansion and premiums were paid for each site. Based on the land abstraction method, the price paid per square foot of land ranges from approximately $40.00 to $70.00 per square foot. Again these were highly motivated sales at above market values.

Conclusion – Land-Value Analysis

As can be seen on the comparable sales chart displayed earlier, the sales indicate an adjusted range from $15.43 to $19.60 per square foot, with an average indication of $17.77 per square foot and median indication of $18.02 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 $17.50 per square foot. This indicates that the land value of the Subject Property is $60,000. This is calculated as follows:

3,485 square feet X $17.50 per square foot = $60,987

Rounded, $60,000

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

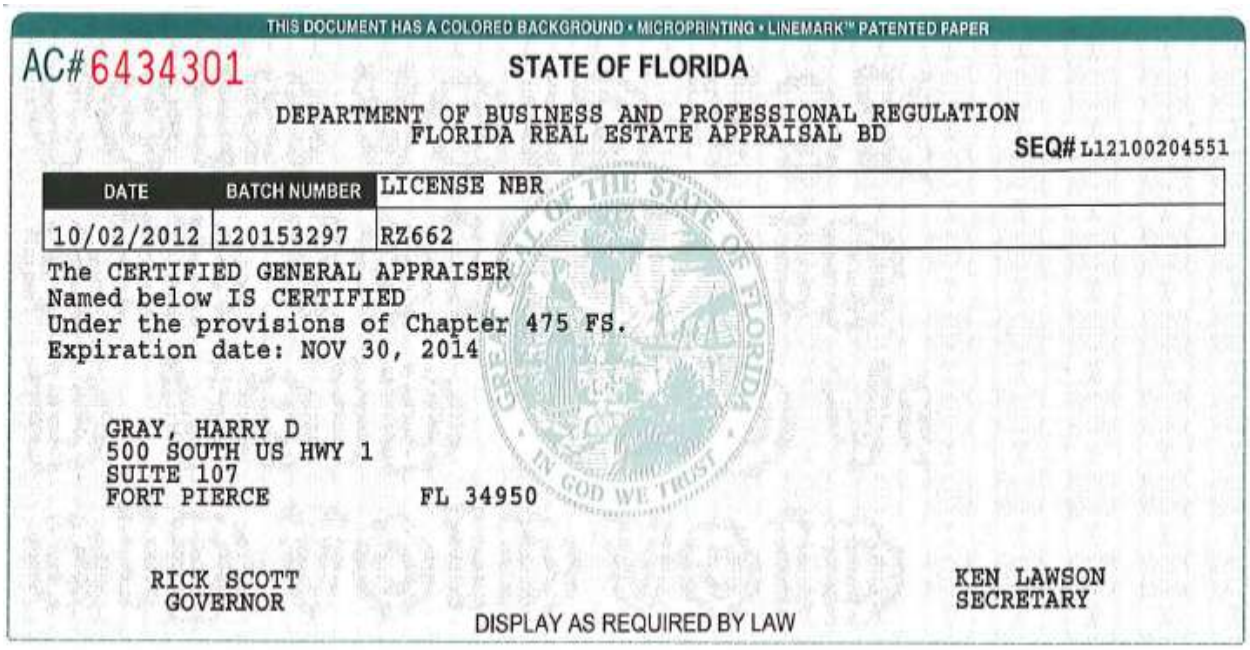
St. Lucie County Cattlemen's Association

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



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AC# 6434301

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BD

SEQ# L12100204551

DATE	BATCH NUMBER	LICENSE NBR
10/02/2012	120153297	RZ662

The CERTIFIED GENERAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2014

GRAY, HARRY D
500 SOUTH US HWY 1
SUITE 107
FORT PIERCE FL 34950

RICK SCOTT
GOVERNOR

KEN LAWSON
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
- Apartment Complexes
- Cattle Ranches
- Citrus Groves
- Eminent Domain
- Mini-Storage Facilities
- Mobile Home Parks
- Rental Comparability Studies
- Residential Properties
- Retail Buildings
- Subdivisions
- 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 850-487-1395
1940 N. MONROE ST.
TALLAHASSEE FL 32399-0783

NEILL, BRYAN ALLEN
2927 INDIAN RIVER DR
FORT PIERCE FL 34946

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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

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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


MELODY LANE

Head of Schools
Caterina Angelone

Upper School
Assistant Principal
Joseph Noel

Lower School
Assistant Principal
Mandy Doss

Board of Trustees
Executive Board
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Gerda Fletcher
Charles Armstrong
Michelle Lineal

Trustees
Susan Carver
David Gates
Shawn Merschdorf
Alan McGregor
Ginny Mooney
William Stoddard
Horace Webb

Gregory O. Brewer
The Right Reverend
Bishop of Central Florida

July 22, 2014

Via E-Mail Only

City of Fort Pierce
Attention: Mr. Kori Benton, Historic Preservation Officer
100 N. U.S. 1
Fort Pierce, Florida 34954-1480

Re: St. Andrews Episcopal Academy
Abandonment of Right-of-Way
Boston Avenue Extension – East of Indian River Drive

Dear Mr. Benton:

In conjunction with the application for Abandonment of Boston Avenue Right-of-Way East of South Indian River Drive, please find enclosed electronic copies of the following:

1. A new appraisal as of July 11, 2014, of the Boston Avenue Right-of-Way Located East of Indian River Drive, that includes all the property which is the subject of the abandonment request.
2. An appraisal of The Proposed Public Access Parcel located at the Southern Terminus of Melody Lane which the applicant offers to convey to the City in exchange for the City's abandonment and vacation of the City's interest in the Boston Avenue Extension.
3. An artist's rendering of proposed improvements to the Proposed Public Access Parcel.

In exchange for the City's approval of the requested abandonment of Boston Avenue, we propose two alternatives for the City's consideration:

Option 1. The applicant would pay the City $170,000, the full value of the Right-of-Way requested to be abandoned; or

Option 2. The applicant would convey to the City the Proposed Public Access Parcel along the Indian River, as is more specifically shown on the survey included at page 22 of the enclosed appraisal for this Parcel (the "Parcel"). In addition to conveyance of the Parcel, the applicant would agree to improve the Parcel substantially as shown on the enclosed artist's rendering, concurrent with the development of the applicant's property, and upon receipt of any necessary approvals and permits from the City. These improvements include paving, benches, decorative light posts (power to be supplied by City), landscaping and a central elevated base where the City could place a sculpture or other art feature if the City desires. The combined value of the Parcel ($60,000) and the

cost of the design and installation of the improvements and the artist's rendering (estimated at approximately $100,000) are estimated to be very near the value of the land that is requested to be vacated.

Under either option, maintenance of the seawall would be the responsibility of the property owner on whose property the seawall is located.

While the applicant is willing to go with either Option, we believe that Option 2 offers potential benefits to the City for future use that exceed its monetary value. It provides a public access point adjacent to property already in the public domain (Melody Lane and the existing County parking lot) and is located near the City's proposed fishing pier. The Proposed Public Access will also connect with the pedestrian sidewalk along the south side of Melody Lane as shown on the proposed concept plan for St. Andrews Episcopal Academy, thereby providing safer access from South Indian River Drive to the City's fishing pier. It also enhances the opportunity for future public/private collaboration to bring events to the school's adjacent athletic field.

We thank the City for its consideration of our application and the options outlined above.

Very truly yours,

St. Andrew's Episcopal Academy, Inc.

Caterina Angelone, Head of School

Concurrence:

St. Andrew's Episcopal Church

John S. Liebler, Rector

Enclosures

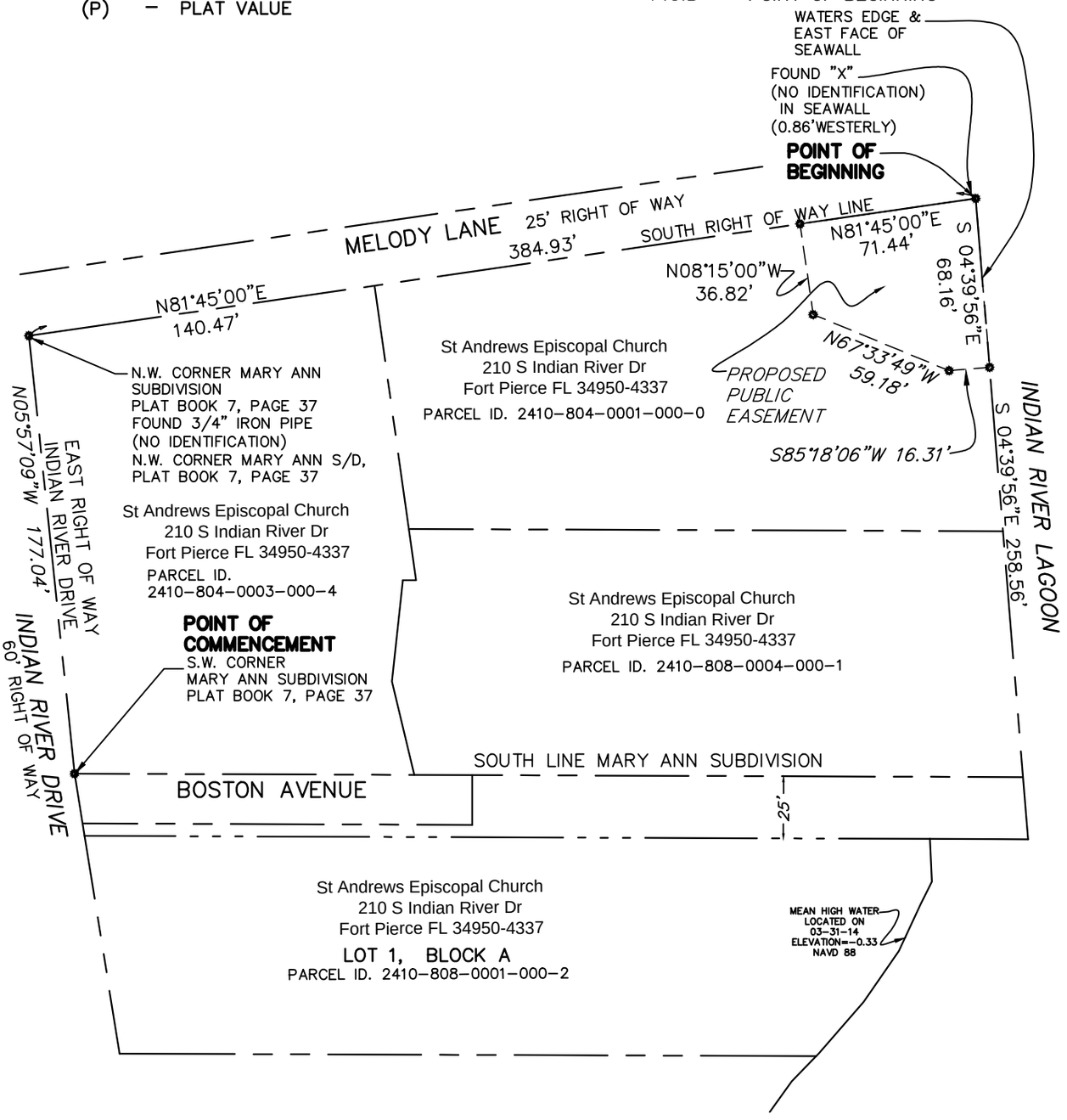
cc: The Reverend Father John Liebler

SKETCH OF LEGAL DESCRIPTION
(NOT A SURVEY)

EXHIBIT "A"

Legend & Abbreviations: (symbols not scaleable for size)

PLS	– PROFESSIONAL LAND SURVEYOR	CR	– COUNTY ROAD
PSM	– PROFESSIONAL SURVEYOR & MAPPER	R/W	– RIGHT OF WAY
LB	– LAND SURVEYING BUSINESS	O.R.B.	– OFFICIAL RECORD BOOK
℄	– CENTERLINE	P.O.C.	– POINT OF COMMENCEMENT
(M)	– MEASURED VALUE	P.O.B	– POINT OF BEGINNING
(P)	– PLAT VALUE		



SKETCH OF DESCRIPTION

North

GRAPHIC SCALE

60 0 30 60

(IN FEET)

1 inch = 60 ft.

SKETCH OF LEGAL DESCRIPTION
NOT A BOUNDARY SURVEY

PLAT OF SURVEY FOR: ST. ANDREWS ACADEMY

PROJ. NO. 14-015-EA DATE: 07-10-14
DWN. BY: C.H.B.
CKD. BY: S.P.T.

THIS PLAT AND REPORT ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA REGISTERED SURVEYOR AND MAPPER NAMED HEREON WHICH SIGNATURE AND SEAL MAY BE FOUND AT THE END OF THE ATTACHED REPORT. THE PLAT AND REPORT ARE NOT FULL AND COMPLETE WITHOUT ONE ANOTHER.

MERIDIAN
LAND SURVEYORS
1717 INDIAN RIVER BLVD, SUITE 201
VERO BEACH, FL. 32960 LB#6905
PHONE: 772-794-1213, FAX: 772-794-1096
E-MAIL: LB6905@BELLSOUTH.NET

SKETCH OF LEGAL DESCRIPTION
(NOT A SURVEY)

Report of Survey: (Project # 14-015-EA)

* TYPE OF SURVEY: SKETCH OF DESCRIPTION - NOT A FIELD BOUNDARY SURVEY
* THIS SURVEY PERFORMED BY:
  HOUSTON, SCHULKE, BITTLE & STODDARD, INC. L.B. #6905 d.b.a. MERIDIAN LAND SURVEYORS
  1717 INDIAN RIVER BOULEVARD, SUITE 201, VERO BEACH, FLORIDA 32960
* PROFESSIONAL SURVEYOR & MAPPER IN RESPONSIBLE CHARGE:
  CHARLES H. BLANCHARD, P.S.M. #5755

EXHIBIT "A"

Legal Description:

A PUBLIC EASEMENT LYING IN SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING 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 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 68.16 FEET ; THENCE LEAVING SAID WATERS EDGE AND EAST FACE OF SEAWALL, RUN SOUTH 85°18'06"WEST, A DISTANCE OF 16.31 FEET; THENCE RUN NORTH 67°33'49"WEST, A DISTANCE OF 59.18 FEET; THENCE RUN NORTH 08°15'00"WEST, A DISTANCE OF 36.82 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 71.44 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINING 0.08 ACRES MORE OR LESS.

SKETCH OF DESCRIPTION
PLAT OF SURVEY FOR: ST.ANDREWS ACADEMY

MERIDIAN
LAND SURVEYORS
1717 INDIAN RIVER BLVD, SUITE 201
VERO BEACH, FL. 32960 LB#6905
PHONE: 772-794-1213, FAX: 772-794-1096
E-MAIL: LB6905@BELLSOUTH.NET

SKETCH OF LEGAL DESCRIPTION
NOT A BOUNDARY SURVEY

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NAMED BELOW.

CHARLES H. BLANCHARD, P.S.M. #5755

City Commission Regular Meeting **Agenda Item # 10. b.**

Meeting Date: 09/02/2014

Re: Amending Vendor Ordinance

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

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SUBJECT:

Ordinance No. 14-019 - Amending Chapter 9, Article IV - Peddlers, Solicitors and Canvassers. FIRST READING (postponed from 8/4/2014 meeting)

SUMMARY:

- Amending Division 1 - Modifying definitions, establishing the duty to enforce and retain records, modifying prohibited acts, and requiring a permit.
- 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.
- Amending Division 3 - Establishing and modifying regulations for mobile vendors, itinerant retail produce vendors, ice cream vendors, and seasonal sales vendors.

RECOMMENDATION:

Approve ordinance as submitted.

ALTERNATIVES:

Recommend additional amendments to the ordinance.
Deny the ordinance in full.

RESPONSIBLE STAFF:

Margaret M. Arraiz, Code Compliance Manager

COORDINATED WITH:

Jim Walker, Assistant City Attorney
Linda Cox, City Clerk

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

Fiscal impact will be determined by the number of applications submitted.

Attachments

Vendor Ordinance Presentation
Ordinance 14-019 clean version
14-019 Final Redlined



PROPOSED VENDOR ORDINANCE

WITH COMMISSION REQUESTED CHANGES

City Commission Meeting – Sept 2, 2014

Definitions



- Definitions were updated
  - Added definition of a “forcible felony” per FL State Statue 776.08
    - A forcible felony means treason, murder, manslaughter, sexual battery, carjacking, home invasion robbery, robbery, burglary, arson, kidnapping, aggravated assault, aggravated battery, aggravated stalking, aircraft piracy, unlawful throwing, placing or discharging of a destructive device or bomb, and any felony which involves the use or threat of physical force or violence against any individual.



Vendor Permit Application



- City Clerk may deny application if applicant has been convicted of:
  - A felony within the prior 5 years
  - Ever been convicted of:
    - A 'forcible felony'
    - Child abuse
    - Sexual crime
  - Has been included on the State of Florida's Sexual Offenders or Sexual Predators lists
- If application is denied, may appeal to City Manager's office. City Manager's decision if final.

Use of City Property

- All references to use of City property has been deleted.
- Vendor permits will be issued for private commercial property only .

General Regulations



- Must maintain minimum distances:
  - 500 feet from similar type business
  - 300 feet from schools, churches and city or county parks
  - 1000 feet from approved special events.

Resolution Items – For discussion only

TYPE OF FEE	SPECIAL CONDITIONS / REQUIREMENT	FEE
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 1st of each calendar year. Applications approved after January 1st 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		$250.00

Resolution Items – For discussion only

TYPE OF PERMIT	SPECIAL CONDITIONS / REQUIREMENTS	NUMBER
Commercial Zoned Districts	Locations to be determined by the request of private property owner.	20
Itinerant Retail Produce Merchant	Locations to be determined by the request of private property owner.	No limit
Seasonal Sales Vendor	Locations to be determined by the request of private property owner.	No limit
Lunch Trucks	May not remain at any location in excess of 60 minutes	No limit
Door-to-door sales / solicitation		No limit

Proposed Vendor Ordinance

Questions?

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMDENDING 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, AND REQUESTS FOR VARIANCES 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

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 thereinafter as follows:

Article IV. – Vendors & Solicitors and Canvassers

Division 1. - Generally

Sec. 9-76. Definitions.

As used in this article:

Canvasser, vendor or solicitor is defined as any individual, soliciting or traveling either by foot, or 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.

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.

Forcible felony means treason, murder, manslaughter, sexual battery, carjacking, home-invasion robbery, robbery, burglary, arson, kidnapping, aggravated assault, aggravated battery, aggravated stalking, aircraft piracy, unlawful throwing, placing or discharging of a destructive device or bomb, and any other felony which involves the use of threat of physical force or violence against an individual. See SS § 776.08.

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* are 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.

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 to enforce.

It shall be the duty of any police officer or code enforcement officer of the city 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.

All violations of this article shall be reported to the code enforcement department, who shall maintain a record for each 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 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 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. 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 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)

(Ord. No. K-09, § 1, 4-17-00; Ord. No. K-142, 3-18-02)

Secs. 9-81—9-90. Reserved.

Division 2. – Permit Generally

(Code 1960, § 14-39)

Sec. 9-91. Application.

(a) Applicants for permit under this article must file with the city clerk a sworn application in writing which shall give the following information:

(1) Name of the applicant.

(2) Permanent home address and 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) E-mail address of the applicant.

(5) The address of the planned vending site, including the property owner’s name and telephone number.

(6) 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 as submitted to the State of Florida / Department of Business & Professional Regulations or Department of Agriculture.

(7) 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) Copy of a valid vehicle registration for any motorized unit.

(9) 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 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) 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 and the nature of the offense.

(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.

(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. 9-92. Issuance

(a) The City Clerk may revoke, suspend, or deny the issuance of any vendor's license if it is determined that an applicant has:

(1) Been convicted of a felony within five years prior to the date of application; or

(2) Has ever been convicted of a 'forcible felony', child abuse or any sexual offense; or

(3) Has been placed on the State of Florida's sexual offenders or sexual predators lists.

(4) Has obtained a permit by fraud, false statement, misrepresentation, or failure to truthfully answer any question in the required permit application.

(5) Has failed to obtain required approvals from the state or obtain a city business tax receipt.

(6) Has failed in any material respect to comply with the provision of Sec. 9-91.

(b) 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. 9-93. Fees.

(a) 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 my be required by this Chapter.

(Code 1960, § 14-34)

Sec. 9-94. Exhibition of permit.

Approved vendors of food or merchandise are required to exhibit their 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. 9-95. 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 issued under the provisions of this article may be revoked by the city clerk after notice, for any of the following causes:

(1) Fraud, misrepresentation or false statement contained in the application for permit;

(2) Fraud, misrepresentation or false statement made in the course or conduct of a business or activities for which the city has issued a permit under this article;

(3) Two or more violations of this article;

(4) Operating outside vending locations approved under the permit issued; or

(5) Conducting the business of soliciting, canvassing or 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

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 setting forth specifically the ground of the appeal. 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 Sec. 9-111 (b) 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.

(Code 1960, § 14-38)

Secs. 9-98—9-110. Reserved.

DIVISION 3. MOBILE VENDING

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, church or any city or county park

(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) May only operate at the approved location, clearly identified on the permit.

(f) 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.

(g) May have one (1) menu sign with a maximum size of nine (9) square feet.

(h) No amplified sounds, music or other loud noises, except as provided for in Sec 9-113 – Ice Cream Vendors.

(i) 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.

(j) Mobile vendors are responsible for picking up all litter and waste within twenty-five (25) feet of their unit.

(k) No wastewater leakage or any other leakage is allowed.

(l) A single umbrella is permitted provided it is maintained in good condition and does not impede traffic or block clear vision areas.

(m) It shall be unlawful to place any chair, table, box, crate, stand, counter or shelving independent from the approved mobile vending unit.

(n) 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. Itinerant Retail Produce Vendor.

(a) Every person who engages in the business of an itinerant retail produce vendor 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.

(b) 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. I-123, § 8, 8-5-85)

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. 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)

Secs. 9-115—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

ORDINANCE NO. 14-019

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMDENDING 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, AND REQUESTS FOR VARIANCES 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

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 thereinafter 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.

Forcible felony means treason, murder, manslaughter, sexual battery, carjacking, home-invasion robbery, robbery, burglary, arson, kidnapping, aggravated assault, aggravated battery, aggravated stalking, aircraft piracy, unlawful throwing, placing or discharging of a destructive device or bomb, and any other felony which involves the use of threat of physical force or violence against an individual. See SS § 776.08.

~~*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* are 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.~~

~~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 as 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 and the nature of the offense.

(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.

(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.~~

~~c. 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. Issuance

(a) The City Clerk may revoke, suspend, or deny the issuance of any vendor's license if it is determined that an applicant has:

(1) Been convicted of a felony within five year prior to the date of application, or

(2) Has ever been convicted of a 'forcible felony', child abuse or any sexual offense; or

(3) Has been placed on the State of Florida's sexual offenders or sexual predators lists.

(4) Has obtained a permit by fraud, false statement, misrepresentation, or failure to truthfully answer any question in the required permit application.

(5) Has failed to obtain required approvals from the state or obtain a city business tax receipt.

(6) Has failed in any material respect to comply with the provision of Sec. 9-91.

(b) 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. 9-9~~5~~3. 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 my 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. 9-9~~7~~4. 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. 9-9~~8~~5. ~~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 Sec. 9-111 (b) 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.

(Code 1960, § 14-38)

Secs. 9-9~~9~~8—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, church, or any city or county park

(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) May only operate at the approved location, clearly identified on the permit.

(f) 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.

(g) May have one (1) menu sign with a maximum size of nine (9) square feet.

(h) No amplified sounds, music or other loud noises, except as provided for in Sec 9-113 – Ice Cream Vendors.

(i) 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.

(j) Mobile vendors are responsible for picking up all litter and waste within twenty-five (25) feet of their unit.

(k) No wastewater leakage or any other leakage is allowed.

(l) A single umbrella is permitted provided it is maintained in good condition and does not impede traffic or block clear vision areas.

(m) It shall be unlawful to place any chair, table, box, crate, stand, counter or shelving independent from the approved mobile vending unit.

(n) 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 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. I-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. 9-12~~0~~15—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.

APPROVED AS TO FORM AND CORRECTNESS:

_____

Robert V. Schwerer, Esquire
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. 14-019 was duly advertised by title only in the St. Lucie News Tribune on July 25, 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 September 2, 2014; and was duly introduced, read by title only, and passed on second and final reading on September 15, 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 15th day of September, 2014.

_____
Linda Hudson,
Mayor Commissioner

ATTEST:

_____
Linda W. Cox,
City Clerk

(City Seal)

City Commission Regular Meeting **Agenda Item # 12. a.**

Meeting Date: 09/02/2014

Re: Submittal of Application to Code Enforcement Board

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

---

SUBJECT:

Approve Resolution 14-R26 appointing Leon Porter as an alternate member of the Code Enforcement Board.

SUMMARY:

Submittal of application from Mr. Leon Porter for appointment to the Code Enforcement Board for consideration. There is currently one vacancy - the Alternate Code Board member.

RECOMMENDATION:

Appoint Mr. Leon to the vacant Alternate Board Member position.

ALTERNATIVES:

Deny the request for consideration.

RESPONSIBLE STAFF:

Margaret M. Arraiz, Code Compliance Manager

COORDINATED WITH:

Linda W. Cox, City Clerk

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

14-R26

application

Cover memo to Commission

RESOLUTION NO. 14-R26

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **CERTIFYING THE APPOINTMENT OF MEMBERS TO THE CODE ENFORCEMENT BOARD**; PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED By the City Commission of the City of Fort Pierce, Florida, that the following be and are hereby appointed and/or reappointed by the City Commission to serve as members of the Code Enforcement Board; said terms to commence upon adoption of this resolution and to expire February 28, 2017, or when a successor has been duly appointed.

Name	Position	Term Expires
Leon Porter	Alternate	February 28, 2017

BE IT FURTHER RESOLVED that this Resolution shall become effective upon adoption.

IN WITNESS WHEREOF, this Resolution has been duly adopted this 2nd day of September, 2014.

_____
LINDA HUDSON, MAYOR COMMISSIONER

ATTEST:

_____
LINDA W. COX, CITY CLERK

(CITY SEAL)

APPROVED AS TO FORM
AND CORRECTNESS:

_____
Robert V. Schwerer, City Attorney

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3000 FAX (772) 467-3841

RECEIVED
JUL 25 2014
CODE ENFORCEMENT
CITY OF FT. PIERCE

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Choose Board from drop-down list: Code Enforcement Board

Name:	Leon Porter	**Home Phone:**	815-601-5433
Home Address:	1810 AVENUE O		

Are you a citizen of the United States? ☑ Yes ☐ No

Occupation: OFFICE MANAGER

Do you own a business that operates within the City of Fort Pierce? ☐ Yes ☑ No

If yes, list the address and nature of said business:

lcporter67@msn.com

Do you now or in the future plan to do business with the City of Fort Pierce? ☑ Yes ☐ No

If yes, in what capacity?

BUSINESS CONSULTANT

Are you employed by a business that is located within the City of Fort Pierce? ☐ Yes ☑ No

If yes, state the business and location:

Do you have special training or knowledge in the area of:

Architecture: ☐ Yes ☐ No Engineering: ☐ Yes ☐ No Real Estate Brokering: ☐ Yes ☐ No

Contracting: ☐ Yes ☐ No Land Development: ☐ Yes ☐ No Other: BUSINESS MANAGEMENT

Describe your education, background, training and knowledge in the above area(s):

BUSINESS DEGREE, WORKED IN RETAIL AS A MERCHANDISE MANAGER, OFFICE MANAGER, HUMAN RESOURCES MANAGER, OPERATION MANAGER, STORE MANAGER AND CORPORATE TRAINING CENTER MANAGER.

Are you currently a member of a Commission-appointed board/committee? ☑ Yes ☐ No

If yes, please specify:

COMMUNITYWIDE COUNCIL

Have you ever been convicted of a crime? ☐ Yes ☑ No

If yes, what was the nature of the crime(s) you were convicted of:

Date:	7/8/14	**Referred by:**	COMMISSIONER R. ALEXANDER AND T. K. PERONA

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 OF FORT PIERCE

COMMUNITY RESPONSE DIVISIONS

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

Protecting the health, safety and welfare of our community

TO: The Honorable Mayor and City Commissioners

FROM: Peggy Arraiz, Code Compliance Manager

RE: Appointment to the Code Enforcement Board

DATE: July 31, 2014

Please find enclosed an application from Leon Porter for appointment to the Code Enforcement Board for your consideration.

Mr. Porter will be filling the vacant alternate board member position.

Thank you for your consideration.

100 N. US Hwy 1 ¤ P.O. Box 1480 ¤ Fort Pierce, FL 34954-1480
P: 772-467-3148 ¤ F: 772-468-0457 ¤ E-Mail: parraiz@city-ftpierce.com
www.cityoffortpierce.com

City Commission Regular Meeting **Agenda Item # 12. b.**

Meeting Date: 09/02/2014

Re: Board Application for FPUA

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Approve Resolution 14-R27 reappointing Michael A. Perri, Jr. to the Fort Pierce Utilities Authority Board.

SUMMARY:

The FPUA Board term of Michael A. Perri, Jr. expires on September 30, 2014 and he is seeking reappointment. Historically, members of the FPUA Board are reappointed for a second, four year term. Board Members may not serve more than two consecutive terms. The attached document provided by FPUA demonstrates the appointment and reappointment history. Mr. Perri has recently been re-elected vice-chairman of the FMPA Policy Makers Liaisons Committee.

RECOMMENDATION:

Reappoint Michael A. Perri, Jr. to the FPUA Board to serve his second and final four-year term.

ALTERNATIVES:

Seek additional applications to be considered by the City Commission.

RESPONSIBLE STAFF:

Linda W. Cox, City Clerk

COORDINATED WITH:

William Thiess, Director of Utilities

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

14-R27

Perri Application

Perri Attendance

FPUA Appt History

RESOLUTION NO. 14-R27

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **CERTIFYING THE APPOINTMENT OF MICHAEL A. PERRI, JR. AS A MEMBER OF THE FORT PIERCE UTILITIES AUTHORITY BOARD**; PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED By the City Commission of the City of Fort Pierce, Florida, that Michael A. Perri, Jr. be and is hereby reappointed as a member of the Fort Pierce Utilities Authority Board for a term of four years; said term to commence October 1, 2014, and to expire on September 30, 2018, or when a successor has been duly appointed.

BE IT FURTHER RESOLVED that this Resolution shall become effective upon adoption.

IN WITNESS WHEREOF, this Resolution has been duly adopted this 2nd day of September, 2014.

_____
LINDA HUDSON, MAYOR COMMISSIONER

ATTEST:

_____
LINDA W. COX, CITY CLERK

(CITY SEAL)

APPROVED AS TO FORM
AND CORRECTNESS:

_____
Robert V. Schwerer, City Attorney

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: FPUA

Name:	Michael A. Perri, Jr.	Home Phone:	772-519-0286 (cell)
Home Address:	1137 Club Drive, Fort Pierce, FL 34982		

Are you a citizen of the United States? ☑ Yes ☐ No

Occupation: Retired

Do you own a business that operates within the City of Fort Pierce? ☐ Yes ☑ No
If yes, list the address and nature of said business:

Do you now or in the future plan to do business with the City of Fort Pierce? ☐ Yes ☑ No
If yes, in what capacity?

Are you employed by a business that is located within the City of Fort Pierce? ☐ Yes ☑ No
If yes, state the business and location:

Do you have special training or knowledge in the area of:
Architecture: ☐ Yes ☐ No Engineering: ☐ Yes ☐ No Real Estate Brokering: ☐ Yes ☐ No
Contracting: ☐ Yes ☐ No Land Development: ☐ Yes ☐ No Other: Automotive & Construction
Describe your education, background, training and knowledge in the above area(s):
Education: General Motors Institute Dealer Co-operative Training Program; Power Plant Construction (St. Lucie Unit I & II) - Crane operator and heavy equipment operator at FMPA Plant off Midway Road, 2007 & 2008

Are you currently a member of a Commission-appointed board/committee? ☑ Yes ☐ No
If yes, please specify:
Fort Pierce Utilities Authority Board Member

Have you ever been convicted of a crime? ☐ Yes ☑ No
If yes, what was the nature of the crime(s) you were convicted of:

Date:	7/23/14	Referred by:	

Michael A Perri Jr

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

RE: FPUA Board Member Terms <Watchdog: Virus checked>
Florinda Mazzarella
to:
'Linda Cox'
07/24/2014 04:39 PM
Cc:
Bill Thiess, "Michael A. Perri Jr."
Hide Details
From: Florinda Mazzarella <fmazzarella@fpua.com>
To: 'Linda Cox' <LCox@City-FtPierce.Com>,
Cc: Bill Thiess <bthiess@fpua.com>, "Michael A. Perri Jr." <ekimirrep@gmail.com>
Follow Up:
Normal Priority.

Linda, on December 1, 2009, Mike Perri was appointed to the FPUA Board to fill the unexpired term of Tom Perona. He was reappointed for his 1st 4-year term on October 1, 2010.

FPUA Board Meetings that Mike Perri was absent:
March 1, 2011 – he attended the FMPA Legislative Rally in Washington
April 17, 2013 – he attended the FMPA Policy Makers Liaison's Committee Meeting in Gainesville
December 17, 2013 – he was sick.

Mike attended all of the other FPUA Board Meetings.

Florinda Mazzarella
Executive Assistant
Fort Pierce Utilities Authority
Director of Utilities
206 South 6th Street
Fort Pierce, FL 34950
Telephone (772) 466-1600, Ext. 3201
Fax (772) 468-2412
E-mail: fmazzarella@fpua.com

From: Linda Cox [mailto:LCox@City-FtPierce.Com]
Sent: Thursday, July 24, 2014 3:26 PM
To: Florinda Mazzarella
Subject: RE: FPUA Board Member Terms <Watchdog: Virus checked>

All four years please

Linda W. Cox, MBA
City Clerk
City of Fort Pierce
100 N U.S. Highway 1

P.O. Box 1480
Fort Pierce, FL 34954-1480

Direct: (772) 467-3052
Fax (772) 467-3841
www.CityofFortPierce.com

From:	Florinda Mazzarella <fmazzarella@fpua.com>
To:	'Linda Cox' <LCox@City-FtPierce.Com>,
Date:	07/24/2014 03:25 PM
Subject:	RE: FPUA Board Member Terms <Watchdog: Virus checked>

Do you want the last year or the last four years he has been on the Board

Florinda Mazzarella
Executive Assistant
Fort Pierce Utilities Authority
Director of Utilities
206 South 6th Street
Fort Pierce, FL 34950
Telephone (772) 466-1600, Ext. 3201
Fax (772) 468-2412
E-mail: fmazzarella@fpua.com

From: Linda Cox [mailto:LCox@City-FtPierce.Com]
Sent: Thursday, July 24, 2014 2:20 PM
To: Florinda Mazzarella
Subject: Re: FPUA Board Member Terms <Watchdog: Virus checked>

Can you also send me the attendance?

Linda W. Cox, MBA
City Clerk
City of Fort Pierce
100 N U.S. Highway 1
P.O. Box 1480
Fort Pierce, FL 34954-1480

Direct: (772) 467-3052
Fax (772) 467-3841
www.CityofFortPierce.com

From:	Florinda Mazzarella <fmazzarella@fpua.com>
	"Linda Cox (lcox@city-ftpierce.com)" <lcox@city-ftpierce.com>,

To:	
Date:	07/23/2014 10:43 AM
Subject:	FPUA Board Member Terms <Watchdog: Virus checked>

FYI– I am sending you a copy of the Terms of Office that FPUA Board Members have held office.

Florinda Mazzarella
Executive Assistant
Fort Pierce Utilities Authority
Director of Utilities
206 South 6th Street
Fort Pierce, FL 34950
Telephone (772) 466-1600, Ext. 3201
Fax (772) 468-2412
E-mail: fmazzarella@fpua.com

Please note: Florida has a very broad public records law. Most written communications to or from Fort Pierce Utilities Authority employees regarding government business are public records, available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

(For additional information, go to http://www.fpua.com/important_information/privacy.php)
[attachment "Board Terms.docx" deleted by Linda Cox/cfp]

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FORT PIERCE UTILITIES AUTHORITY
BOARD MEMBERS
AND
TERMS OF OFFICE

NAME	TERMS OF OFFICE	REPLACING
Dennis Summerlin	8/27/72 - 12/18/72	Original Mayor
Chuck Padrick (Mayor)	12/5/72 - 12/16/74	Dennis Summerlin
Ernest E. Settle	8/27/72 - 11/15/76	Original Member
Ewell E. Menge	8/27/72 - 3/28/77 (Resigned to become Dir. of Util.)	Original Member
Sam Reilly	8/27/72 - 9/30/77	Original Member
Havert L. Fenn	8/27/72 - 9/30/78	Original Member
Ben L. Bryan, Jr. (Mayor)	12/16/74 - 12/20/76	Chuck Padrick
William Center (Died in Office)	11/15/76 - 7/23/77	Ernest E. Settle
Buell L. Brown (Mayor)	12/20/76 - 12/83	Ben L. Bryan, Jr.
Leroy C. Floyd, Sr. (To fill unexpired term of EEM)	4/13/77 - 9/30/79	Ewell E. Menge
	10/1/79 - 9/30/83	Re-appointed
	10/1/83 - 9/30/87	Re-appointed 2nd full term
James W. Sowinski	8/16/77 - 9/30/80	William Center
	10/1/80 - 9/30/84	Re-appointed 2nd term
James A. Strange	10/1/77 - 9/30/81	Sam Reilly
	10/1/81 - 9/30/85	Re-appointed 2nd term
Rex W. Nelson	10/1/78 - 9/30/82	Havert L. Fenn
	10/1/82 - 9/30/86	Re-appointed 2nd term
William R. Dannahower (Mayor)	1/84 - 12/95	Buell L. Brown
J. William Gall	10/1/84 - 9/30/88	James Sowinski
	10/1/88 - 9/30/92	Re-appointed 2nd term
Samuel R. Peterkin, Jr.	10/29/85 - 9/30/89	James A. Strange
	10/1/89 - 9/30/93	Re-appointed 2nd term
Bruce P. Center	10/6/86 - 9/30/90	Rex W. Nelson
	10/1/90 - 9/30/94	Re-appointed 2nd term
	(6/16/92 - 7/5/93)	Medical Disability Leave

NAME	TERMS OF OFFICE	REPLACING
James A. McNeill	10/1/87 - 9/30/91	Leroy C. Floyd, Sr.
	10/1/91 - 9/30/95	Re-appointed 2nd term
Robert I. Carman (Died in Office)	6/16/92 - 10/1/92 (Interim)	Bruce P. Center (Medical Disability Leave)
	10/1/92 - 3/30/96 (Deceased)	J. William Gall
Edward G. Enns	10/1/92 - 7/5/93 (Interim)	Bruce P. Center (Medical Disability Leave)
	10/19/93 – 1/2/96	Samuel R. Peterkin, Jr.
Edward G. Enns (Mayor) (4-Yr. Term)	1/2/96 – 1/04	William R. Dannahower (Retired)
Robert J. Benton III (Mayor)	1/04 – 12/07	Edward G. Enns
(Seated)	1/7/08 – 1/03/12	Re-elected 2nd term
	12/3/12	Term extended from odd yr to even yr by CC referendum
	11/20/12 last mtg.	Resigned to run for Cnty Com
Gloria Grimyser	10/4/94 - 9/30/98	Bruce P. Center
	10/1/98 – 9/30/02	Re-appointed for 2nd term
Thomas D. Siplin	10/3/95 - 9/30/99	James A. McNeill
	10/1/99 - 9/30/2003	Re-appointed for 2nd Term
	Term Exp.8/5/03	Moved out of City Limits
Louis I. Haynes III	1/2/96 - 9/30/97 (To fill unexpired term)	Edward G. Enns (Elected Mayor)
	10-1-97 - 9-30-01	Re-appointed
	10-1-01 – 9-30-05	Re-appointed 2nd term
Cleon Middleton (Died in office 9/21/02)	4/15/96 - 9/30/96 (To fill unexpired term)	Robert I. Carman (Deceased 3-30-96)
	10-1-96 - 9-30-2000	Reappointed 1st term
	10-1-00 – 9-30-04	Reappointed 2nd term
Thomas K. Perona	10/2/02 – 9/30/06	Gloria Grimyser
	10/01/06 – 9/30/2010	Reappointed 2nd term
	10/18/09	Resigned to run for City Comm.
Darrell Drummond	11/5/02 – 9/30/04 (To fill unexpired term)	Cleon Middleton (Deceased 9/21/02)
	10/01/04 – 9/30/08	Appointed 1st full term
	10/01/08 – 9/30/2012	Reappointed 2nd full term
Robert W. Summerhays, Jr.	8/05/03 – 9/30/03 (To fill unexpired term)	Thomas D. Siplin
	10/01/03 – 9-30/07	Appt. for 1st full term
	10/01/07 – 9/30/2011	Reappointed 2nd full term

NAME	TERMS OF OFFICE	REPLACING
Pamela K. Cully	10/1/05 – 9/30/09	Louis I. Haynes III
	10/01/09 – 9/30/13	Reappointed 2nd full term
Michael A. Perri, Jr.	12/01/09 – 9/30/2010	Appointed (To fill unexpired term of Tom Perona)
	10/1/10 – 09/30/2014	Reappointed for 1st 4-yr term
Daniel M. Deiulio	10/1/11 – 9/30/2015	Robert W. Summerhays, Jr.
Darryl T. Bey	10/1/12 – 9/30/2016	Darrell Drummond
Glynda Calvacanti	10/1/13 – 9/30/17	Pamela K. Cully
Mayor Linda Hudson	12/3/12-2016	Replaced Mayor Benton

City Commission Regular Meeting **Agenda Item # 12. c.**

Meeting Date: 09/02/2014

Re: City Attorney's Consultant Agreements

Submitted For: Nick Mimms, Deputy City Manager, City Manager

SUBJECT:

Discussion on the consultant agreements entered into by the City Attorney.

SUMMARY:

This item is scheduled for discussion by Commissioner Alexander.

RECOMMENDATION:

N/A

ALTERNATIVES:

Staff will proceed as directed by the City Commission

RESPONSIBLE STAFF:

N/A

COORDINATED WITH:

N/A

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

Resolution No. 04-38, Appointing Robert Schwerer as City Attorney

Resolution No. 73-70, Appointing John Brennan as City Attorney

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RESOLUTION NO. 04-38

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, APPOINTING **ROBERT V. SCHWERER** TO SERVE AS **CITY ATTORNEY** EFFECTIVE JANUARY 1, 2005.

WHEREAS, John T. Brennan was appointed as City Attorney for the City of Fort Pierce, Florida, effective July 7, 1973, pursuant to Resolution No. 73-70; and

WHEREAS, Robert V. Schwerer became Assistant City Attorney in 1981 and has increasingly, particularly within the last several years, served as the principal legal advisor to, and counselor for, the City of Fort Pierce by assuming various duties and responsibilities previously performed by John T. Brennan, who has reduced his activity in such office accordingly; and

WHEREAS, the City Commission is desirous of effecting the formal transition of Robert V. Schwerer to serve as City Attorney, to be effective January 1, 2005, and to also have supervisory capacity over the City Attorney's office commencing on the date hereof.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Fort Pierce, Florida, that attorney Robert V. Schwerer be and he is hereby appointed City Attorney for the City of Fort Pierce, Florida, effective January 1, 2005, to serve at the will of the City Commission, and to further exercise supervisory capacity over the City Attorney's office commencing on the date hereof, and that in such capacity Robert V. Schwerer shall act as the legal advisor to, and counselor for the City and all of its officers in matters relating to their official duties, and to perform services and counseling as City Attorney as promulgated and established by the charter, ordinances and resolutions of the City of Fort Pierce, Florida.

IN WITNESS WHEREOF, this Resolution has been duly adopted this 15th day of November, 2004.

Robert J. Benton, Mayor

ATTEST:

Cassandra Steele, City Clerk

(CITY SEAL)

RESOLUTION NO. 73-70

BE IT RESOLVED by the City Commission of the City of Fort Pierce, Florida, in special session assembled, that Attorney John T. Brennan, be and he is hereby appointed City Attorney for the City of Fort Pierce, Florida, to serve at the will of the City Commission, commencing July 7, 1973, and to receive as compensation the sum of $14,000.00 per year payable bi-weekly, in which capacity he shall act as the legal advisor to, and counselor for, the City and all its officers in matters relating to their official duties, and perform services and counselling as promulgated and established by the Charter, Ordinances and Resolutions of the City of Fort Pierce, Florida.

This is to certify that this is a true and accurate copy of Resolution No. 73-70, adopted by the City Commission of the City of Fort Pierce, Florida, at a special meeting of the City Commission held on July 5, 1973.

Witness my Hand and the Official Seal of the City of Fort Pierce, Florida, this the 5th day of July, A.D., 1973.

K. L. [illegible]
CITY CLERK

[CITY SEAL]

City Commission Regular Meeting **Agenda Item # 13. a.**

Meeting Date: 09/02/2014

Re: Departmental 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
RE: Department Activity Report
DATE: August 22, 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 August 11, 2014.
- The City Manager and Deputy City Manager met with representatives from Solar and Energy Loan Fund regarding the City's promotion of their new programs.
- The Marketing Specialist attended the Fort Pierce Area Council Meeting on August 11, 2014.
- The Deputy City Manager, Building Official and Code Compliance Manager met with a Fort Pierce citizen on site regarding code and building issues in her neighborhood.
- The Deputy City Manager attended the informal meeting of the Board of County Commissioners on August 12, 2014.
- The City Manager and Deputy City Manager met with Commissioner Alexander to discuss City issues.
- The Economic Development Team met with Mosaic Development regarding the initial negotiation for the redevelopment of the King Plant site.
- The City Manager and City Attorney held a conference call with a representative from the Florida League of Cities regarding a consultant.
- The City Manager and Deputy City Manager met with representatives of the St. Lucie County Economic Development Council.
- The Deputy City Manager met with Urban Redevelopment staff regarding departmental issues.
- The City Manager and Deputy City Manager met with Deputy Chief Amandro regarding the acting Chief position.

City Manager's Office contd.

- The Economic Development Team held a meeting to discuss current and potential economic development.
- The City Manager and City Attorney met with representatives of the Carriage Pointe project.
- The City Manager, City Attorney, City Clerk and Network Administrator met regarding public record requests.
- The Deputy City Manager and Golf Course Manager met with a citizen regarding the management of the golf course.
- The City Manager and Deputy City Manager met with the City Attorney and staff regarding St. Andrew's developer's agreement/ordinance.
- The Deputy City Manager met with a citizen regarding funds for the rehabilitation of his home.
- The City Manager met with the City Attorney to discuss several legal matters.
- The Deputy City Manager met with Public Works staff regarding personnel issues.
- The Deputy City Manager met with a citizen regarding the proposal from Mosaic.
- The City Manager, Deputy City Manager and Marketing Specialist met with a downtown business owner regarding his concerns.
- The Deputy City Manager attended a meeting regarding John Carroll High School track annexation.
- The City Manager and Deputy City Manager attended a meeting regarding the payoff of the Coral Square loan.
- The City Manager attended the FPUA Board meeting on August 18, 2014.
- The Economic Development Team attended a meeting at Sailfish Brewery regarding a possible expansion.
- The City Manager and Deputy City Manager met with Commissioner Sessions regarding the Police Department.
- The Deputy City Manager attended the CRA Advisory Committee meeting on August 20, 2014.
- The Deputy City Manager attended the Communitywide Council meeting on August 20, 2014.
- The Deputy City Manager and Public Works Manager met with representatives from Main Street Fort Pierce regarding Historic City Hall.
- The City Manager, City Attorney and City Engineer met with FDOT in Fort Lauderdale regarding a legal issue.
- The Deputy City Manager met with a citizen regarding his Code Enforcement concerns.

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: 21 Renewals: 265 Transfers: 2

- 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: 16 Renewals: 286

- 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 public by processing and providing receipt for animal registrations payment.
- Assist Code Enforcement/Animal Control Manager by processing and providing a receipt for check received from St Lucie County Humane Society for July 2014 impound fees.
- On-going updating of contractors' records for current Liability Insurance, Workers' Compensation Insurance, and State License information.
- Check for accuracy and correctness paperwork submitted by contractors to be presented to the Board of Examiners of Contractors on September 09, 2014.
- Attended and recorded the meeting of The Board of Examiners of Contractors on August 12, 2014.
- Input into the computer system all the necessary information to create an account and provide a competency card for contractors approved by The Board of Examiners of Contractors at the August 12, 2014 meeting.
- Preparation of legal advertisements, letters, resolutions, & ordinances for various departments for upcoming City Commission agenda items.
- Preparation of several Proclamations.
- Attended, recorded and transcribed minutes of the City Managers Conference Agenda Meeting held on August 11, 2014.
- Attended, recorded and transcribed minutes of the Fort Pierce City Commission Meeting held on August 18, 2014.
- Revenue Recovery working with Code Enforcement personnel on Business Tax renewals that were returned by Post Office as Attempted- Not Known or Undeliverable to see if business is open.
- 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.

City Clerk's Office contd.

- 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.
- 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 worked on several on-going record retention projects.
- License/Permit Clerks and License Permit Specialist/Deputy City Clerk prepared and mailed 1327 renewals for Contractors Competency Cards.
- 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 including creating database and scanning into Optiview City Lease Agreements.
- License/Permit Clerks and License Permit Specialist/Deputy City Clerk attempting to contact businesses by telephone of business tax renewals that have been returned by Post Office to determine if still at same location or if business has closed.
- License/Permit Clerks and License Permit Specialist/Deputy City Clerk attempting to contact contractors by telephone of competency card renewals that have been returned by Post Office to determine if address on file is correct or if business has closed.
- License Permit Specialist/Deputy City Clerk researched and provided copy of past agenda item for MIS Director.
- License/Permit Clerk Joyce Kobbe participated in the Tunnel of Hope at Lakewood Park Elementary School.
- City Clerk participated in the Tunnel of Hope at Weatherbee Elementary School.
- City Clerk attended EDC Board of Directors Meeting.

Administrative Services Department

- **Procurement –**
  1. Processed Bid No: 2014-026 Landscape Maintenance of the Medians- Advertisement Dates 8/28/14 & 9/4/14.
  2. Processed award of Elevator Maintenance Services Bid No: 2014-014
  3. Reviewed /processed purchase orders and agenda items.
  4. Review and Renewal of Annual Contracts.
  5. Processing and/or completion of awards to vendors/contractors approved by Commission.
  6. Meetings:
     a. Purchasing Manager coordinated Sam's Club Membership and Club renewal drive.

- **Human Resources –**
  1. Created Personnel Action forms for employees.
  2. Distributed monthly Reports to each department such as Accrual Register, Time Sheets and payroll register to Police Department.
  3. Verification of payroll, car and clothing allowance.
  4. Completed Verification of Employment/Loss of Income forms.
  5. Input employee data from Personnel Action Forms
  6. On-going training of New Hire
  7. Teamsters Negotiation
  8. New Hire Orientation

- **Risk Management –**
  1. Tunnel of Hope in support of Back to School
  2. Collaborated with Parent Academy to Provide CPR Training for P.A.L. Youth.
  3. Accident and Injury Reviews.
  4. Audited, Closed, and Processed WC Claims.
  5. Processed Insurance Subrogation.
  6. Consulted with the City Carrier Regarding Liability Claims.
  7. Processed day to day Risk Management Duties.

Finance Department

- Met with City Manager and Deputy City Manager regarding financial matters.
- Day to Day Operations

MIS Department

- Staff working with several departments on City's website upgrade.
- Converting all sites to City Hall with a true WAN.
- Added mobile devices for a test for email on the cloud.
- Lost phone systems at all sites several times within the last two weeks and all restored.
- Continued problems with lightning strikes at Indian Hill Golf Club that within the last few weeks that have taken out switches, phones, and computer equipment.
- Working with several departments with laptops and IPads on connectivity issues stemming from the upgrade of the State of Florida DMS VPN procedures.
- Attended the Commission Conference Agenda meeting and upgraded wiring for conference table for microphones.
- Working with Finance Department on several relocations.
- Working with testing PetData software for Animal Control Officers in the field.
- Searching for options for Commissioners to be able to engage in audio or video conferencing when not physically able to attend meetings.
- Awaiting training for Building staff with SmartGov.
- Working with Comcast to WiFi entire City Hall.
- 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.
- Transferring data to new file servers for several departments.
- Upgrading out of lease copiers for several departments.
- 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 ninety five percent complete to move Lotus Notes to the cloud and completed moving all active employees' emails to the cloud.
- 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 fifty two (52) new work orders and completed one hundred eight (108) 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. Historic Preservation Board Meeting
  4. Meeting: Village at Midway - Annexation, FLU & Zoning change
  5. TBD on S. 25th Street – Oak Alley Commercial Property – Pre-Application
  6. Selvitz & Ralls Roads – Carriage Point Estates (PUD) – Staff Meeting
  7. 7131 Okeechobee Road – Shell Gas Station Variance – Intake Meeting

- **Comprehensive Planning, Long Range Planning –**
  1. St. Andrew's Zoning Text Amendment - CC Approval
  2. Annexation Agreement Strategy
  3. Voluntary Annexation Project

- **Development Review –**
  1. Sleep Inn – 2413 Crossroads Parkway
  2. Boston Avenue/St. Andrews Abandonment - Ordinance Drafting - City Commission Preliminary Approval - Scheduling of First Reading
  3. 320 S Indian River Drive - St. Andrew's Conditional Use - CC Approval
  4. 1613 Thumb Point Drive / Koehl Residence - Conditional Use to exceed allowable height of 28' - CC Approval
  5. 505 S 2nd Street - Remodel for US Customs/Immigration - Building Permit Review
  6. 110 Ocean Drive – Conditional Use for Improvements – CC Approval

- **Historic Preservation –**
  1. 100/102 N 2nd Street - Stucco / Mural Removal - Appeal to City Commission
  2. 601 S 8th Street - Fence Installation - HPB
  3. St. Anastasia's Window Completion Inspection

- **GIS Mapping –**
  1. Updating annexation layer

Building Division

- **4200 S US Highway 1 (Dyer Chevrolet)** – Permit for the major commercial renovation has been issued.

- **Single Family Homes- Oak Alley Subdivision** – Permit issued for 1 new single family home.

- **4600 Selvitz Road- (Dog & Cats Forever)** – Permits for the addition and site work are ready to be issued.

- **1700 S 23rd Street (HCA Lawnwood Hospital Cath Lab)** – Permit for new Cath Lab has been issued.

- **116 N 2nd Street- (Subway)** – Permit for interior demolition has been issued.

Code Enforcement Division

- **Hearing –**
  1. Special Magistrate Blandino
     a) 15 regular violation hearings
        - 4 complied prior to hearing
        - 11 found in violation
     b) 2 Massey Hearings
        - 1 complied prior to hearing
        - 1 fine reduced to $75 payable in 60 days

- **Code Enforcement –**
  1. Received 32 complaints
  2. Issued 8 written warnings
  3. Issued 0 citations
  4. Initiated 97 new cases: 28 general violations, 69 lot clearing violations
  5. Conducted 413 follow-up inspections
  6. Closed 109 cases

- **Animal Control –**
  1. Responded to 109 dispatched calls
  2. Conducted 198 self-initiated calls
  3. Conducted 62 follow-up investigations
  4. Issued 4 citations and 2 written warnings
  5. Completed 3 bite reports

- **Revenue –**
  1. Processed 28 lien / title searches
  2. All Income categories continue to meet or exceed budgeted amount.
  3. PetData continues to improve the revenue generated by animal licenses.

- **Miscellaneous –**
  1. Met with Chief Baldwin next week to amend the criminal history requirements of the vendor ordinance.
  2. The vendor ordinance has been amended to include all the changes recommended by the City Commission and is ready to be presented for first reading on September 2nd.
  3. Code Manager met with Deputy City Manager Mimms CDBG proposed budget.
  4. Code Manager attended the Community Wide Council Meeting during which the disbursement of funds, including funding for Code Enforcement, was discussed.
  5. Code Manager attended the monthly TRC meeting.
  6. Code Manager met with Pastor Banks of Resurrection Life Family Worship to resolve unpermitted land clearing issue.
  7. Code Manager met with the Deputy City Manager and the Building Official at 1219 Avenue L. Neighbors complained about vacant building as source of drugs and guns. Lot clearing done on an emergency basis and LEB will be fully securing the structure.
  8. Code Manager met with several difference individuals who are interested in obtaining a vendor's license. Copies of proposed ordinance handed out and all were encouraged to attend the meeting on Sept. 2nd.

Engineering Department

- **Development Reviews –** Intake of six (6) Building Permit, Site Plan, or Certificate of Occupancy reviews.
- **Stormwater Division –** 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 II – Docks –** Bellingham Marine continues the submittal process for approval of construction elements. Bellingham has received Building Permit approval. Staff has scheduled a plant inspection for the first dock floats to be delivered in September. Bellingham Marine continues to cast concrete floating dock sections for the north side of the Marina. Construction schedule reflects an onsite construction start of September 12, 2014.
- **Moore's Creek Dredging –** Gator Dredging has completed the spoil removal portion of the Moore's Creek Project.
- **S. 21st Street / Havana Ave. Sidewalk Project –** Consultant has addressed comments and has re-submitted to FDOT for review. Funding has been approved by FDOT for FY 2015.
- **31st Street Sidewalks from Okeechobee Road to Tennessee Avenue –** Construction underway. Project completion proposed for October 2014.
- **Indian Hills Recreation Area - Stormwater Improvements –** Construction continues ahead of schedule. Meeting held last week with representatives from the City and County to discuss additional work on the south side of Savannah Road. St. Lucie County desires to move ahead with this work and possibly add to existing construction contract. Kimley Horn and Associates to provide proposal for plan preparation. Follow-up meeting scheduled for next week.
- **Veterans Memorial Park –** The contractor has completed the framing, plumbing and electrical work. Modifications to the HVAC layout have caused some delays in the progress with the interior work. The exterior electrical relocation work has been completed as has the sanitary sewer work. Construction completion scheduled for November 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 expected October 2014.
- **Melody Lane Fishing Pier –** Final plans under review.
- **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 has provided a cost proposal for the balance of the work, $1.97 million. Engineering report for the condition of the seawall has been received from consultant. Recommendation is for the replacement of seawall on both sides from 2nd Street to Indian River Drive. Estimated replacement cost is $1.5 million.
- **Park Trail Subdivision –** A final walk-thru was conducted on August 7, 2014 and a punch list generated.
- **Georgia Avenue Drainage Basin Outfall –** Slip lining of the 980 LF of 60" outfall pipe that runs from the golf course to the Indian River Lagoon is proposed. Construction is expected to start in two weeks and will be completed in a week's time.
- **Fairway Emergency Drainage Repair –** The construction consists of slip lining 427 LF of 36" RCP with one storm structure replacement and pavement repair is underway.

Police Department

- **Staffing –** Officer Tayrn Doukas was rehired and will start on August 31. Officer Garland Heath has resigned and his last day of employment will be September 1. The police department currently has 7 vacancies for police officers.

- **PAL Preventing Crime in Fort Pierce of NAH –** PAL's youth leadership group organized and hosted a crime in prevention conference at the PAL Center on August 14-15, 2015. Over 100 youth attended with sessions from both local and national presenters. The event was regarded as an incredible success by everyone involved.

- **Kids at Hope –** Chief Baldwin and several members of the police department participated in Tunnels at Hope to welcome children back to school.

- **First Day of School –** The police department provided enhanced traffic a security patrols for the opening of the 2014-2015 school year. No significant safety incidents occurred.

- **Vendor Ordinance –** On August 18, 2015, Chief Baldwin and Code Compliance Manager Peggy Arraiz met to draft alternate language for permit qualifications based on criminal convictions. Mrs. Arraiz has submitted these recommendations to the City Attorney for review.

- **Downtown Business Crime Watch –** The police department and Main Street are hosting a meeting with downtown businesses on August 27, 9:00 AM, at City Hall to establish a Business Crime Watch.

- **Williams Center Open House –** The Boys and Girls Club and the Police Department are hosting an open house at the new Williams Center on August 27, 5:00PM – 7:00PM.

- **Restoring the Village Youth Initiative –** The Roundtable is hosting two events related to the Comprehensive Gang Model on September 30. There will be a day long training session conducted by representatives from the National Gang Center (location and times to be announced). There will also be a Community Forum held from 5:30 – 7:30PM, at the Lincoln Park Academy Auditorium.

Public Works Department

- **Energy Efficiency & Conservation –** The interior lighting retrofit is progressing rapidly with only City Hall remaining to do. Installation of the LED street lights has begun and both chillers at City Hall and the PD have been replaced. The plumbing retrofits are nearing completion at City Hall.

- **Phase II Window Retrofit Project –**Work has begun on the St. Anastasia building is nearing completion. The new windows are in and look fantastic. The PD generator replaced is scheduled to take place within the next two weeks with City Hall following shortly after.

- **HDRC Recreation –**The Summer Youth Basketball League is now underway. Games will be played on Tuesday evenings and during the day on Saturday.

Urban Redevelopment Department

- **Grants Administrator –**
  1. Completed CDBG 2014-2015 Action Plan and submitted it to HUD
  2. Drove to Jacksonville 8/12 and attended 3-day Florida Community Development Conference - HUD Training
  3. Completed and submitted Florida Boating Infrastructure Grant (BIG) application to Florida Fish and Wildlife Conservation Commission for funding to design and construct floating dinghy docks at the City Marina
  4. Provided extensive assistance to Fort Pierce and Lincoln Park Main Street organizations in the preparation and submittal of their 2014-2015 Plans
  5. Compiled data, created handouts and other various materials for Communitywide Council meeting
  6. Assisted FORUM magazine publisher with collection of high resolution photos and other information as they prepare to publish an article on Fort Pierce and the Highwaymen Heritage Trail project
  7. Received and circulated information published in USA Today newspaper naming Fort Pierce in the TOP 10 'Idyllic Historic Main Streets Across the USA'
  8. Collaborated with Executive Director of A.E. Backus Museum and gathered unpublished photos of Mr. Backus for Highwaymen Trail sign
  9. Provided project oversight for Public Service Agencies, Fort Pierce Authentic Tours, Commercial Facade projects.
  10. Meetings:
      a) Solar and Energy Loan Fund
      b) HUD Training: 8-13,14,15
      c) City Commission - 8-18
      d) Backus Museum - 8-19
      e) Communitywide Council - 8-20

- **Program Analyst –**
  1. FEMA
      a) Marina Project
          - Monitoring funding requests
          - Received approval of time extension until March 2015
          - Preparing requests for reimbursements
      b) Windows Expansion Project: Preparing pay applications and requests for reimbursements
  2. SHIP
      a) Pre-construction meeting for Soltman Avenue rehab to get project started
      b) Answering phone calls and questions from citizens
      c) Began interviewing and accepting applications for SHIP rehab program
      d) Met with Bob Calhoun from Habitat for Humanity to coordinate exterior homes to be painted

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.
- Dredging of Moore's Creek was incomplete. Contractor to come back to site to complete. Awaiting F.I.N.D. extension.
- Bellingham Marine contracts complete. Contractor to be on site between August 18th and the 30th. (Estimated)
- Web Cam at the marina to be installed by August 20, 2014.
- Seacoast National Bank ATM machine at City Marina to be completed by August 30, 2014.
- Working with MIS to purchase and install a POS and dockmaster computer system. Ordered 7/10/14.
- New Dockmaster program arrived - awaiting MIS department to install.

Golf Course

- Worked closely with Public Works Dept. to repair damage caused by heavy rains to the Georgia Avenue Outflow section of the golf course.
- Worked closely with MIS Department to repair damage to computers and printers caused by several lightning strikes.
- Submitted changes to the Indian Hills external website.
- Day to day operations.

River Walk Center

Park Permits	950.00
Programming	532.76
River Walk Center	184.08
Special Events	425.00
HDRC	137.35
Garden Center	487.79
Maravilla	100.00
Total	$2,816.98

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 August 5; Comedy Corner Improv on Saturday, August 9; Performances on the Sunrise Theatre main stage included; The fifth Free Summertime Movie, The Bucket List, which is sponsored by Humana was held on Sunday, August 3 at 3pm.
- Tickets for the 2014/15 Season went on sale to the dedicated seat holders on Monday, August 4.
- Broadway Series tickets went on sale to the public on August 4.
- 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 ; MusicWorks "Dave Mason" on November 20; St. Lucie Ballet's "Nutcracker" on December 11 & 12; Richard Nader Entertainment on March 19.
- On a daily basis offers and contracts are being negotiated with artists and their representatives for the 2014/15 Season. We are currently in the middle of our membership campaign.
- Marketing and Box Office information for the 2014/15 Season is being compiled and disseminated by and to appropriate staff to prepare for the season. This includes all marketing assets for the Sunrise Playbill and website. Show setup in Choice Ticketing for all 2014/15 shows is ongoing in anticipation of going on-sale to members.
- Marketing and show sponsorship packages continue to be put together to solicit for the coming season's shows. Foundation grant opportunities continue to be researched and grant applications continue to be written and submitted.
- Budget projections and adjustments for this and next year's fiscal year continue to be reviewed and implemented.