

MINUTES OF A SPECIAL MEETING OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY HALL, 1ST FLOOR CONFERENCE ROOM, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 4:00 P.M. ON WEDNESDAY, MAY 25, 1994.

Mayor Dannahower called the meeting to order.

The Pledge of Allegiance was recited.

Upon Roll Call, those present were: Mayor William Dannahower; Commissioners Mary Ann Bryan and Reginald Sessions; City Manager James Powell; City Attorney John Brennan; and City Clerk Cassandra Steele. Those absent: Commissioners Robert Burdge and Darrell Drummond. (Commissioners Burdge and Drummond arrived later during the meeting.)

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Mayor Dannahower proclaimed June 6, 1994, as "The 50th Anniversary of D-Day". Capt. Carroll Noone was present to receive the proclamation.

Mayor Dannahower said they are celebrating nationwide the 50th Anniversary of the invasion of Normandy. Because this City played an important role in terms of its military base here at that time, they have been designated as a Commemorative City for these celebrations. There will be Memorial Day services on Monday morning. They do have a flag to display and are part of that official celebration.

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The next item considered was the Consent Agenda. Mayor Dannahower asked does anyone wish to remove any item? (No items were removed.)

Motion was made by Commissioner Bryan, seconded by Commissioner Sessions, and unanimously carried, that the following items on the Consent Agenda be approved:

a. Authorize Staff to proceed with proposed Cafeteria Plan for Health Care Benefits.

b. Approve Management Compensation Plan Update for management and mid-management personnel as prepared and recommended by Cody & Associates, Inc., effective April 1, 1994.

c. Approve increase in the expenditure limit of \$20,000 on rehabilitation loans from the CDBG Program and the SHIP Program processed by Staff to \$25,000.

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City Clerk Steele said an additional item was added to the Agenda late this afternoon concerning Tickle Tummy Bridge - the **Bridge on 2nd Street over Moore's Creek.**

City Manager Powell said before them today is an application to the State of Florida to apply for a historical grant at the request of Main Street. Basically the time is going to elapse before the next regular Commission meeting and they only have a week to get the grant in. He took the liberty of going ahead and having the City Engineer fill out the necessary grant papers. For review, they had originally closed the bridge on 2nd Street due to its poor condition. The City Commission had at one time approved the employment of a consultant who redesigned the bridge to a flat structure with the hump to be taken out for safety reasons. The DOT indicated that the bridge in their opinion could still be used with some repairs. The price to replace the bridge was \$275,000. There is now a grant available in the amount of \$143,000, which is a historical grant that would rehabilitate the bridge in its present state. To apply for that grant requires a 10% match which would be close to \$15,000. Mr. Ballard today met with the Fort Pierce Redevelopment Agency and they agreed to contribute 5% of the match which would be about \$7,500. That would leave the City being responsible for the

other 5% or \$7,500. So basically what they have today is a request to authorize Staff in conjunction with Main Street to apply for the grant, and authorize up to \$7,500 as part of the match, and to also to accept the design of the bridge as being acceptable in its present state, still be like it is and be rehabilitated.

**Ms. Doris Tillman**, Director of Main Street of Fort Pierce, Inc. said they would like it restored historically because out of 12,000 bridges in the State of Florida, only 208 have historic value and one of those happens to be Tickle Tummy Bridge. So it is a very unusual bridge. They would like to preserve its historic value to the community.

Mayor Dannahower asked is it the only one in St. Lucie County?

Ms. Tillman said yes.

Motion was made by Commissioner Bryan, seconded by Commissioner Sessions, to authorize Staff in conjunction with Main Street to apply for the grant for reconstruction of the 2nd Street Bridge over Moore's Creek, and authorize up to \$7,500 as part of the match, and to also to accept the design of the bridge as being acceptable in its present state.

Those voting in favor of the motion were: Commissioners Bryan, Sessions, and Dannahower. Those opposed: None.

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The next item on the Agenda was Special Joint Meeting between the City Commission and the Utilities Authority Board concerning the formula used to compute the transfers from the U.A. to the City's General Fund, and overhead allocation cost plan to provide billing services for the City's Solid Waste Department.

Mr. Bruce Center, Chairman of the Fort Pierce Utilities Authority Board, called the meeting of the Board to order.

Upon Roll Call, those present were: Chairman, Bruce Center; Vice Chairman, Robert I. Carman; Secretary, Edward G. Enns; Deputy Secretary, James A. McNeill; and Mayor William R. Dannahower. Those absent: None.

(Commissioner Burdge arrived at the meeting at 4:10 p.m.)

City Manager Powell said in order to set the stage and hopefully clear up his position and also in some way give them an opportunity maybe to shorten the meeting, he will just open with a few remarks and then refer to Staff and to the consultant. He first would just like to clarify for the members of the Commission and the U.A. Board the reason these matters are before them today. He would like to clear up some perception that may be out there among the employees, especially the U.A. employees that have been told or lead to believe or been left to speculate about what may or may not happen to them should certain things take place by actions of the City Commission. He just wanted to state what his position is and why.

City Manager Powell said the City of Fort Pierce has owned the utilities for quite some time. It is his understanding that prior to 1972, the City operated the facility and at that time they had a 60/40 formula. In 1972, when the Utilities Authority was created, they continued to utilize that formula. He believes that is where a problem arose based on what he has found researching some of the history. The Mayor at that time when the Utilities Authority was created was placed on the Board as he understands it to be a representative both of the U.A. and the City. The City also elected to employ the auditor, with the auditor working for the U.A. also, to allow the City to be better informed about the activities of the U.A. Apparently that was not sufficient. In 1975, the City Commission through a

resolution put the City Manager on the Utilities Authority Board as a non-voting member, to help coordinate the activities of the U.A. and the City. Apparently that did not really solve the problem that was being experienced which had to do with the budgetary aspect of running not only the Utilities Authority but the City's general government. In 1977, the City Commission then directed the City Manager and City Staff to review the transfer formula to see if there was a better way to do that. The City Commission in 1978 voted to continue the present formula for one more year. He can find nothing in the Minutes that refers to where any further action was ever taken. City Attorney Brennan he believes is the only City employee that is presently with the City that was then with the City as well.

(Commissioner Drummond arrived at the meeting at 4:15 p.m.)

City Manager Powell said in recent months they have incurred some difficulties in the transfer, which has not totally been handled the way that it was set out in the Charter. The Charter specifies that the transfer should be done by ordinance by the Commission. Based on that, he asked Mr. Bergalis (the City's Finance Director) to do a study. Mr. Bergalis basically put together some information which had been previously been discussed by this Commission; and they made recommendations. In those recommendations that had previously been made, he suggested to the Commission that one of the things that they could consider was joining the City's Finance Department with the Utilities Authority's Finance Department. He does not mind telling them the intent of it was that if they did not change the formula and they were going to continue to operate the way it is, that by having both finance departments under one head would then give the City an opportunity to know more about what was going on with the financing and the financial structure. He is not pushing for that and he is not lobbying for it. He simply brought that up as an option. Actually it is not really for the Commission to consider, it is for the U.A. Board to consider because he thinks it plainly states in there that would be something that the U. A. Board could or could not do. It would in fact possibly generate a small savings. On the other hand they could go way beyond that and they could consider combining the two personnel departments, and that may very well be a benefit or a savings. But it may not be worth doing and he is not suggesting they do it, it would take more study. If they did change the formula and they went to a percentage of gross revenues, then that would pretty much eliminate all these other issues as far as he is concerned; and the U.A. could then operate more freely without interference from the City, if they felt that the City was interfering. Also, the City would be pretty much assured of receiving a fair percentage.

City Manager Powell said the Commissioners and the Board have been furnished with information from himself, Staff, Mr. Schindehette, Mr. Boudreaux. Also, they have information from SVBK Consulting Group. He does not find a lot of difference in what Staff thinks should happen, what Mr. Schindehette said, and what the consultant said. He simply asked for them to review it to give an unbiased opinion because just like the City's Solid Waste Department, they have to have funds to operate in order to provide a service to the community and they have to be able to do the things that they would need to do to provide that service. He does not see any difference in the Utilities Authority. They certainly have to have their own funds and their own operation. One thing that he is certain of, is that if the City took any action that would hamper in any way the operation of the Fort Pierce Utilities Authority, they would be hurting themselves by doing so. So it is not his intent nor is it the intent of City Staff to in any way hamper or interfere with the operation of the Fort Pierce Utilities Authority because it is an arm of the City; and ultimately the City Commission is responsible not only for the City as elected officials but they are responsible for the Utilities Authority as well. So what he is looking for and why

he brought this matter up in the first place was to find an equitable or better way if possible to arrive at a system that would benefit both the Utilities Authority and the City. He thinks there is such a solution out there. He is not sure that he knows exactly what it is, but it appears to be something quite different from what they have. In fact, if what they are doing is so good, he does not know why they have not been able to find others that are doing it. With that, he just wanted to make it clear that he is not against the U.A., he is for the City and he is for the U.A. He sits on both boards and he has an interest in seeing that both are managed as well as they can be.

City Manager Powell said he noticed in a letter from Mr. Boudreaux, it said the meeting today would focus more on the overhead allocation cost than the formula. They are both important, the formula of course being the most important. But because of the nature of their business, they are required by State Law to have a budget in place by August 15th. And if they are going to continue to pay the Utilities Authority what they are paying them or if they are going to go to what the U.A. is requesting the City pay them, they need to get that issue resolved fairly quickly because that number has to go into the budget. If they pursue changing the formula, it would be his recommendation - after meeting with both the City Attorney and the U.A. Attorney - that the matter be submitted to the public in a referendum. He thinks that would certainly be fair. It would give the public an awareness of what is taking place and why it is taking place during the process of going through the referendum. So his recommendation would be first of all they consider changing the formula, after they have heard all sides, and do what they believe is in the best interest of both the U.A. and the City. But that they first proceed with trying to resolve the issue with the Solid Waste billing. If they can get that resolved today, then that would help a lot. If not, then they will have to come back and do that at a later date as well.

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The next item on the Agenda was U.A. Overhead Cost Allocation Plan which regulates the charge to the City's Solid Waste Department for garbage billing.

City Manager Powell said he will certainly tell them what his position is and that just may help it get it off ground zero. They have looked at what they have been paying the Utilities Authority in the past, which he believes was around \$26,000, and they have checked with some other cities. They have compared with Vero and understand very clearly that there are a lot of differences and it is not a totally fair comparison. But in looking at what it would cost the Finance Department to do the billing should the City do the building themselves was somewhere in the neighborhood of \$69,000 plus some start-up costs. They are certainly not interested in doing that billing simply because of the fact that the Utilities Authority can collect that money a lot easier than the City can. Staff has asked the consultant to review what was a fair cost. The consultant's recommendation is somewhere in the area of \$60,000. So his recommendation would be to the Commission that they not consider paying any more than between \$60,000 and \$65,000. They may elect not to even want to pay that. Or they might want to pay the \$208,000 which the U.A. suggested. Their consultant is available right now to comment on how they arrived at their assumption. And then if they want to hear from R. W. Beck, fine. But that is his position.

Mayor Dannahower said let them hear from the City's consultant first, then they hear from the U.A.'s.

Mr. George Bergalis, Director of Finance, said they have with them today from SVBK Consulting Group, Sheree L. Brown and Mr. Rick McClung, who have done extensive analyses on both issues.

**Ms. Sheree L. Brown**, Managing Principal of SVBK Consulting Group, said SVBK was retained by the City to review the analyses performed by or for the City related to the transfer policy and to the Utilities Authority's proposed allocation of customer service cost for the billing services for the Solid Waste Department. They have not performed any analyses that would actually tell them how much the cost would ultimately be or what percentage any transfer would be or they have not even analyzed to the extent of the different types of transfer policy. Rather they have set forth the types of policies that are available and they have given the pros and cons about the policies. In addition to that, they have reviewed the overhead allocation study and have raised concerns over the methods used in that study, and set forth recommendations for how to review that study and maybe develop a different allocation which would be more reasonable for billing Solid Waste collection and billing services. In the overhead allocation study that was provided by the U.A., the allocation of customer service cost to the billing and collection function for Solid Waste was based on the number of customers in each utility service that are being billed by the U.A. In doing the customer service allocation, based on customers alone, it ignores that there are several different services being provided by that department for the utility; and some of those labor and non-labor costs that are being allocated may or may not be related to the billing and collection function. If they look at some of the job descriptions that were provided for labor that were left in the allocation process, some of those job descriptions included planning and field visits and billing verification. So in order to do a true allocation process, they would have to go in and actually interview each of these people and find out what percentage of their time is spent on the billing and collection function versus the other functions. Now that may be too expensive and not worth the time that they are going to have to spend in order to do that. So they have to also look at what is the complexity of the billing for Solid Waste versus the other functions that are being billed. It is very difficult to say that a single woman living in an apartment complex who is only paying a Solid Waste bill would have the same complexity to develop that bill as a large industrial customer who is paying \$100,000 a month for an electric bill. So there are different levels of complexity. In fact, if they look at an electric bill, they have numerous steps - they may have the demand charge or an energy charge. There is a different level of complexity in entering the data. In addition, the allocation on customers only ignores the fact of the incremental costs that are really being incurred by the U.A. If the U.A. were not to provide the billing and collection function for the City, how much would their costs actually go down; or vice-versa, how much would their costs rise? Likewise, what would the City pay if they had to begin performing that function themselves. So if the City were to begin performing that function, as they have analyzed they would believe it would take \$60,000 to \$65,000. If that is the case, both the U.A. and the City should benefit from consolidation of the billing and collection. This problem goes even further if they look at allocation of any of the customer service costs on nothing but customers alone. For example, they have a lot of meter readers; and those meter readers are being allocated on the number of customers. Yet they are not reading a sewer meter, they are reading a water meter. So if they look at a meter technician, his costs are being allocated based on the number of customers. And they have listed the number of sewer and the number of water customers. And they are reading from one meter, the water meter, and they are billing both of those services on that water meter; yet they are being allocated 46% of the overall meter reading costs that are included in that customer's service department. So there is some problem with weighting. Many times in utility allocation studies what they do is a weighted customers factor. Weighted customer factors generally recognizes demand and customers. Because they are looking at several different utility functions, they are not

necessarily going to have demands. So it is usually used where they would just allocate or weight these by revenue. In the study (on Page 14), they have shown the revenue allocations and the weighted customer allocations and the customer allocation alone, which is being used in the overhead allocation study. If they look at the sales, the electric sales are \$41,964,000 whereas solid waste sales are only \$3,865,000. This eleven times the volume. When they look at that, they will see that based on revenues they would have 6.2% of the overall revenues, yet they are being allocated 20% of the overall billing and collection function. Using the allocation study that was provided by the U.A., starting with the total personnel services and removing those services that were definitely not applicable to the customer service billing and collection function - the meter technician, the project manager, the executive secretary, and director of customer operations - then from that start with the total contractual costs - this is the total budget number less the personnel services - total contractual services \$245,505 less advertising, vehicle maintenance, car allowances, and travel & training have been removed. These are the amounts that have then been allocated to the City. Yet when they look at the total budget, there are some other questionable items as far allocation to the City collection function. For example there are maintenance contracts, temporary labor, professional fees, memberships in professional & civic organizations, and other vehicle supplies and operating supplies. This is not to say that those costs do not relate to billing and collection, but it has not been shown that they relate to billing and collection. In addition, they have costs that are related to the employees; and yet they removed a big portion of the employees that were definitely not applicable to the building and collection function and a pro rata share of the other expenses were not removed. SVBK has duplicated this just so that they could follow through. The U.A. had total personnel services of \$878,000, and then the non-billing and collection function related to Solid Waste were removed, resulting in the portion that is allocated to the City. In the contractual expenses, the advertising, vehicle maintenance, car allowance, and so forth were removed. They did see a small error in calculation so they have added that back in. Then they added the indirect labor overhead. They came up with the total of \$1,028,302, which the amount that has been allocated based on those customers. What they have recommended is that this study be reviewed to look at not only the costs that are being included in the allocation but to look at a weighted customer factor, and in addition to look at the incremental costs of providing those services. There should be some savings to both the U.A. and the City by consolidation of the billing function. And so that is what they have recommended, although at this time they have not performed that study.

Mr. Elie J. Boudreaux, Acting Director of Fort Pierce Utilities Authority, said Mr. Douglas Handley is the consultant from R. W. Beck & Associates who did the initial allocation study for the Utilities Authority.

**Mr. Douglas Handley**, R. W. Beck & Associates, said first of all he needs to introduce the purpose of the cost allocation study and the goals in developing the cost allocation. The primary goals were internal to the Utilities Authority and how they allocate their overhead costs among the four utilities. While they do perform some functions for the City in the Solid Waste collection fees, the primary goal was to allocate the U.A.'s internal overhead costs among their four primary utility services. The goal of the study was to do it in a simple manner and set up a methodology that was easy to maintain and conduct on a regular basis. The results of full allocation of overhead costs using this simplified methodology of allocating overhead cost produced a much larger figure for cost sharing to be done by the City for Solid Waste than what the City was currently transferring to the Utilities Authority, and that is what lead to

this discussion. He should say that in the meetings that he has been in on, the dollar figure calculated in the overhead allocation plan was never proposed as a charge to the City. It was generated as an allocation of costs. And in fact after the study came out, with that knowledge the Utilities Authority still proposed no change in the amount of the transfer from the City for that service. If he recalls correctly, Mr. Schindehette's comment was "This is just a figure of costs that they have calculated and everything is negotiable and it is up to the City to determine how much they want to pay, the City owns the U.A." or something to that effect. But nonetheless, there is a discussion of the allocation methodology and Ms. Brown has done a thorough analyses he is sure and has said that using some different allocators or an incremental cost approach would result in a lower amount than what was calculated due to basically a simplified full cost allocation. And just to clarify, he is saying if they serve five utilities, they divide total costs five ways. The incremental cost analysis is saying that if they serve four utilities and it costs a certain amount to serve those four, if they can serve one more, how much would it add to those costs. That's an incremental cost analysis. It has some applicability to this, certainly as a number to be put out on the table for negotiation purposes. He thinks it really is a matter of they are haggling over different allocation methodologies to divide a very small number, and they really are needing to get to the big issue of how much total dollars are going to flow between the City and the U.A. That can be solved by negotiation among the two entities. The details of these two studies does not merit the kind discussion that the policymakers need to address.

Mayor Dannahower asked if in fact the U.A. did not do the Solid Waste billing and collecting, what would the savings be to the U.A.?

Mr. Handley said he does not have that calculation readily available. They did this overhead cost allocation not as a means of determining an invoice amount that the U.A. would invoice the City for services, but this was an internal allocation of overhead costs for the U.A.'s information. They certainly did not do any time and motion studies and allocate the individual persons time to one bill or another. It was a very simplified easily manageable allocation of overhead costs for information purposes.

Mayor Dannahower asked will there be much effect on the cost to the U.A. for the whole process if and when the U.A. goes to a different method of postage?

Mr. Handley said he couldn't tell.

City Manager Powell said in order to try to resolve this issue, City Staff met with U.A. Staff. There was some discussion and questions about the method used to arrive at the allocations costs. Basically at that meeting the only thing they really resolved was that that is what the U.A. believed the cost was based on five different users of the system. What his concern had been, using that formula that they were utilizing, that had the City elected to go to the U.A. and do their billing when they went to recycling, whether that then would generate a much larger cost to the City's Solid Waste customers than if they negotiated with the County, which they ultimately did. Because he thinks the way they structured the bid was for Kimmons to present a cost not only for the pickup of the recyclables but also for the collection. As he had explained to Mr. Schindehette - who is no longer here - and his Staff, was that he really did not have a problem if the U.A. said it was worth half a million dollars to do it as long as they didn't charge the City a half a million dollars. So what the City was trying to resolve was what the actual cost was, and then the rest of it would be political - whatever the Commission would ask the Board to charge. They felt

the fairest way to approach that would be to try to come as close as they could to the actual costs. If by not doing the City's billing the U.A. was going to save the \$208,000, then that would be worth the City doing it in-house for around \$69,000. Again, trying to associate what the actual cost is should not be compared with Mr. Handley's allocation, because he does not agree with it nor does the City's consultant agree with it. As Mr. Handley stated, it was done for whatever purpose the U.A. wanted it for. So he honestly believes that the best thing to do is look into the area of what the actual cost is and try to determine that, and then this Commission decide what it wants to do.

Mr. Enns asked in this cost allocation, was there any consideration given to the fact that there are some non-resident ratepayers of the U.A.?

Mr. Handley said no, it is based on customers.

Mr. Enns asked so that would include ratepayers who actually weren't City residents that don't get the benefit of City trash collection?

Mr. Handley said it takes into account the number of City garbage customers relative to electric and water customers. Whether a resident or not, that wouldn't impact on whether or not they were customers. They didn't distinguish or need to distinguish whether an electric customer was inside or outside the City. If dealing with customer related costs, it doesn't really matter that much whether they are inside or out.

Chairman Center said he thinks they ought to resolve this very simply. The City Manager has recommended a figure of \$62,000. He would be very happy with that. If it makes everybody happy, then do it.

Mr. Carman said he agrees.

Commissioner Burdge said first of all he needs to understand exactly the process that they are talking about. The Solid Waste Department notifies the U.A. that a certain address has garbage collection, and the U.A. starts placing on the bill a garbage collection fee. Is that correct?

Mr. Walter White, U.A. Customer Service Manager, said that is basically correct.

Commissioner Burdge said and garbage collection will be collected from that point forward at the rate that was sent over to the U.A. for that particular address. Is that correct?

Mr. White said that is also basically correct.

Commissioner Burdge said so virtually what there is, is there is a one time place the address on the file. And from that point on, unless the U.A. is notified of a change in rate for that particular address, there is virtually no other dealings with the account as far as the account itself, other than collecting the money. Is that correct?

Mr. White said that is incorrect.

Commissioner Burdge asked why?

Mr. White said the U.A. receives many complaints about garbage collection not being on time or it wasn't picked up or they don't have a trash can or wanting to know why they have two trash cans, things of that nature that take a lot of the Customer Service Representative's time.

Commissioner Burdge asked why don't they transfer those calls to the Solid Waste Department of the City?

Mr. White said he would be very happy to; but they have been lead to believe that it would be in the best interest of both parties if they tried to handle it at their location rather than having one customer going to various locations to get the problem solved. If they call one area and are not being transferred all over the place, it appears to be better customer service.

Commissioner Burdge said he would think that the City ought to take care of its own problems, and not allow the U.A. to cover for the City as far as the garbage problems are concerned. Can Mr. White document how many calls that are made concerning complaints about Solid Waste?

Mr. White said he does not have those figures with him; but yes, he can.

Commissioner Burdge said if he could provide those for the last three months, he would appreciate it.

Mayor Dannahower asked does the billing indicate that if there are any problems with the solid waste disposal someone should call one phone number versus another?

Mr. White said yes. On the back of the utility bill is the phone number for Solid Waste.

Commissioner Burdge asked can Mr. White tell him other things the U.A. does for the City?

Mr. White said involving trash pick-up, that's a one time billing. It is not done every month. They also do adjustments because they receive many items that have been billed which have been billed wrong, so they have to adjust it; and then many times they are told it was billed right, so they have to readjust that adjustment.

Commissioner Burdge asked who sends them that information?

Mr. White said he thinks it comes from Connie Garrity (Finance Department) or Petra Opalewski (Solid Waste Department), but he can't verify that.

Commissioner Burdge said so the City sends over whatever adjustments need to be made on the billing. And the U.A. simply makes those adjustments on the billing.

Mr. White said that's correct.

Commissioner Burdge said that's just a computer entry.

Mr. White said it's a little more complicated than just a computer entry. Paperwork comes over, someone makes out a form, then someone has to make sure that form is correct, and then it goes into the computer system.

Commissioner Burdge asked if the Director of Solid Waste in his office were to have a terminal that would only access the garbage billing in the U.A.'s computer, then the City could take care of that. Is that true?

Mr. White said that is absolutely correct.

Commissioner Burdge asked could such arrangements be made?

Mr. White said he is not qualified to answer that.

Commissioner Burdge said Mr. White can check on that and get back with him on that too.

Mr. White said that would be part of Data Processing. He wouldn't have any idea. He can ask.

Commissioner Burdge said primarily he is trying to come to some conclusion as to exactly what the U.A. does for the City as compared to why can't the City do it themselves. If the City can do it, then they should be doing it; and the U.A. should basically be sending the bill out, collecting the money, and sending the City a check for whatever it is. If there is more than that, then he needs to know the relationship. How did the U.A. get into covering for the City if it is in the utilities business? The Solid Waste Department should be taking care of their own complaints, not going through the U.A. He understands it may be easier to have it at one place; but yet, the U.A. people may not know the complexity that the Solid Waste Department people do know, and may not be able to answer the questions being asked in the most direct way. The customer should get that from the Solid Waste Department. Those are things he needs to get a better grip on as far as being able to vote on what is, as far as he is concerned, a massive increase of over 100% of what they are currently being charged.

Mayor Dannahower said he agrees that for the complaints, there should be some better system for the City to handle that so it is not a burden to the U.A. One question he has relates to the deposit. When a new account is opened, the U.A. receives a security deposit. He assumes there is no deposit for solid waste. Is that correct?

Mr. Boudreaux said he believes that is correct.

Mayor Dannahower said if in fact the person goes beyond the billing time and does not pay their utility bill, the deposit all goes to the U.A. This is something the City ought to look at, in terms of the deposit required at the U.A. because if two or three months goes by, that means the City has missed out on a couple of months of collection fees for solid waste.

Ms. Gloria Johnson, Chief Accountant, said the City does have a deposit for solid waste services at the Utilities Authority.

Mr. White said he believes it is \$21.90 for commercial and \$13.90 for residential.

Mayor Dannahower asked at what point does the U.A. say they are going to shut the utilities off if someone hasn't paid their bill?

Mr. White said when the second bill comes out.

Mayor Dannahower asked is that designed in most instances to recover what would be a two month bill?

Mr. White said yes.

Mayor Dannahower said that's something they might want to look at sometime in the future, to see if in fact they are losing a number of monthly receipts on that basis.

Mr. Boudreaux said he just wanted to make one quick comment about the telephone number for the Solid Waste Department. They are working right now to put the telephone number for the Solid Waste Department on the front side of the bill to alert people to the fact that if they have a problem with the garbage collection, that's the number to call rather than the U.A. That will be done very soon.

Mr. Bergalis said he wants to respond partially to Commissioner Burdge's question. He does not know how many calls the Utilities Authority gets relative to complaints about garbage collection that are handled internally versus being transferred to either the Finance Department or the Solid Waste Department. But as far as account changes of the approximately 14,000 accounts that are billed monthly for Solid Waste, they did an analysis over the last couple of years and annually less than 1% of all those accounts on an annual basis ever have any changes made to them. That is one of the things that alerted Staff to the fact that perhaps there may be a different way of allocating these costs. Whether it was done merely for internal purposes and the U.A. never meant to charge the Solid Waste Department, or whether it was going to turn into a charge, these accounts certainly didn't seem to show any activity to any degree that warranted that large increase.

Motion was made by Mr. Enns, seconded by Mr. Carman, and unanimously carried, that the Fort Pierce Utilities Authority request the City to pay for Solid Waste billing at a figure not to exceed \$62,000 a year.

Mayor Dannahower said they have heard the request by the U.A. and the recommendation of the City Manager. Does the City Commission agree to the proposed \$62,000 charge?

Motion was made by Commissioner Sessions, seconded by Commissioner Bryan, that they accept the proposal to pay \$62,000 a year to the U.A. for Solid Waste billing and collection.

Commissioner Burdge said there are a number of items that he does not think have been answered as far as the real costs that the U.A. expends on the garbage collection billing. He believes while it may cost the City an estimated \$70,000 for start-up, that's exactly what it is, an estimate. They really don't know what those costs are. They have heard figures of \$172,000 to \$26,000 to \$69,000. There has been a reference to Vero Beach at \$41,000. It appears to be great confusion on this particular matter of how much it really costs to send out a bill. The City's Finance Director has indicated that there is less than 1% variation in that bill from year to year. To him, the \$62,000 is immensely too much, and he will not be able to support it.

Commissioner Drummond said he thinks a tremendous amount of costs have been spent just on getting to this point. He is ready to move on.

Those voting in favor of the motion were: Commissioners Bryan, Drummond, Sessions, and Dannahower. Those opposed: Commissioner Burdge.

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The next item on the Agenda was Consider change in the Computation Formula used to determine Transfer Revenue from the U.A. to the General Fund.

City Manager Powell said at the beginning of the meeting, he made his comments on this subject. He would simply say that it seems that all the information Staff reviewed indicates they would want to go to a percentage of gross revenues. There probably would need to be other issues resolved, such as the fuel adjustment and what part that plays in there could be very important. One thing he neglected to mention earlier that needs to be resolved is, if they change the formula and they are going to go to referendum, that there should be some discussion between the City Attorney, the U.A. Attorney, and Bond Counsel to arrive at proper language that would satisfy the needs to the U.A. and the City.

Mayor Dannahower said all of them have had the opportunity to review the materials which compares other utilities. It does seem that the percentage of gross is the most practical and the

most common type of transfer. He notices there are variations and the variations seems to be up as high as 9% or 10%. Mr. Schindehette had recommended a 6% transfer figure. Mr. Enns made some remarks recently that he did not understand how they could plan under the present system, and it is very difficult to plan. He does think they need to go to the percentage of gross in some fashion. He thinks they want to be very sure that what they are doing is in the best interest of all the citizens. He thinks they need to start talking about a 6% transfer figure. It seems to be the most frequent figure used.

Commissioner Burdge asked if language was to be drawn that actually gave the Commission some latitude on what percentage they would be requesting from the Utilities Authority, is that possible? He is thinking of language to say no less than a certain amount percentage-wise and no more than a certain amount percentage-wise.

City Attorney Brennan said he thinks it can be drawn up that way. The Staff has recommended a certain percentage be picked out and it would be automatic and everybody would know what it would be. The City Manager has mentioned the fact that there might be some reference to fuel costs that would need to be addressed in reference to the percentage.

Commissioner Burdge said what he is trying to say is that to give the Commission some latitude on exactly what they are anticipating their potential revenue needs may be, but also allowing the U.A. a knowledge of that and whether the Commission a year in advance would be transferring that number over to the U.A. so that the U.A. could develop their budget from that point on. Instead of fixing it at one number, being able to have some latitude on exactly what those numbers may be, but keeping it within a particular range, say 4% to 8%. At the current time the request may be for 6%, but at some other time the City may not need 6% and they could lower it to 4%; or there may be the potential where the City may have certain needs, and request 7% or 8%. The U.A. would understand that way out in front, a year in advance, so they could develop their budget. That's something he is looking at, sort of a variable as far as the percentage.

City Attorney Brennan said he thinks it can be done. But that would still leave some doubt as to what each year it is going to be and that's part of what they are trying to eliminate in reference to just trying to come up with a percentage of gross, whatever that would be, so that they will know at least that amount will be forthcoming.

City Manager Powell said it might at this time be a little helpful if the consultant would explain a little bit more about the fuel allocation aspect of it.

Ms. Brown said first, when looking at a transfer policy, SVBK Consulting Group has not done any analysis to say that 6% is the magic number. Many municipal utilities throughout the country fall anywhere between 5% and 15%. The important thing is to look at this in a total concept of what is the U.A.'s requirements and what is it going to do to their ability to maintain competitive rates. It may be that they need to determine a level of transfer which they feel is appropriate, and then they have to look at what is the impact going to be on the rates. If the impact is going to be too great, then they would have to look at what they can do to either make that transfer still be possible under competitive rates or can they reduce their costs by achieving some additional efficiencies within the U.A. So there are different ways to look at it. But the overall ratemaking package includes all the costs of operations, the debt service, the capital budgeting requirements, and the transfer requirements. So in determining what that percentage is, they really need to look at the overall requirements kind of on a pro forma basis,

maybe do an estimate of five years, to see what is going to happen to the rates and what the impact of a different type of transfer policy is going to be. And if they cannot absorb the policy they are looking at right now, they may want to look at phasing in a percentage, or they may want to look at some efficiency improvements they think they can achieve. As far as the percentage of gross revenues, they can look at gross revenues or they can look at gross revenues exclusive of fuel adjustments. Basically if they forecast their fuel costs during a particular year, and during the year if the forecast is right on - it may be higher some months or lower some months, but the fuel adjustment over the year would essentially equal zero - yet when the customers are charged that fuel adjustment, that is a past due cost. So if they had developed their rates to incorporate the transfer, say 6%, that would not have incorporated any up or down on the fuel adjustment; therefore it would also eliminate some of the risks for the U.A. if they were to use a gross revenue exclusive of fuel adjustment for calculating the percentage. But again, they would have to look at the percentage in light of the overall ratemaking and what is going to happen to the overall rates and whether they can sustain their competitive rate structure and still be able to provide the capital budgeting needs and the operational needs as well.

Mayor Dannahower said one thing they must all bear in mind is that everything fits together, and in one fashion or another the public pays the tab. Whatever City Commission is there at the time has the responsibility for whether the revenues come from ad valorem taxes or from rate increases from the utilities or other sources. But the City Commission is the one that has to approve the rate changes. And if they take too much from the Utilities Authority, they are going to have to turn around and be prepared to agree to rate increases. So it is a juggling act and walking a tightrope, bear that in mind. He would like to read part of an Editorial that appeared in the Miami Herald in March. It was a general editorial in regard to tax caps. It said: "A Department of Revenue Study suggests that except for a few cities that operate electric utilities, most local governments in Florida will face severe financial woes, even bankruptcy, within a decade or so." That is what others are saying about the financial situation with local communities. Fort Pierce is very fortunate that they have an electric utility and that it does return a profit, because that relieves somewhere along the line another tax burden to the citizens. They need to use it for the profit they can get from it in addition to the service to their citizens; but they have to be very cautious also that they don't take from it too much, so that they keep it a viable and strong operation as it has been.

Mr. Handley said he agrees that the critical thing that is going to control how much the transfer can be is the level of rates and can they be competitive. Because if they are not competitive and the environment that the electric industry is about to enter, Fort Pierce won't be in the electric utility business either if their rates are not competitive. So competitive rates are becoming more and more critical, to the point of life or death, in the very near future. That gives them a ceiling. And the cost of running the utility, certainly the utility has endeavored to make itself more and more efficient and has taken some very visible cost cutting measures in the recent past to make its rates stay competitive while still providing their service and the transfer to the City. The methodology for a transfer to the City, it seems to him from the discussion, he is not sure they are arguing over the methodology or the amount. First of all, the methodology, what the City has done and what all cities that have municipal utilities have done, is to set them up as a separate enterprise with a separate set of books, enterprise funds, and in this case even a separate Board that specializes in managing utilities rather than managing City government. The reason that the enterprise funds are used for utilities is

because they run like a business. They have customers that have variable demands on their services, they are subject to market fluctuations and weather fluctuations, so the revenues and expenses are not predictable. The City government on the other hand has an obligation to finance certain expenses from set tax rates. Because of this variability of the utility enterprises, they do not want that fluctuating or unpredictable or uncontrollable level of net profit or something being a part of the general fund activity. So what city governments like to do is say they want their utilities to transfer a certain dollar amount based on a formula that is based on known facts, not projections or subsequent actual results, so that they know when they go to put their budget together exactly the dollar amount that has to be included in the budget, how much they are actually going to receive in a fiscal year. And that is a good thing. A utility is set up as an enterprise fund, to act like a business to absorb those fluctuations and manage their affairs just like any other business that doesn't know how much revenues or expenses they are going to have in the upcoming year. The actual formula and structure that is in place here in Fort Pierce, where the net revenue figure is split between the City and the U.A., in theory subjects the City to some fluctuations and some unknown quantities and some unpredictability, because they cannot predict what net revenues are going to be. However, the practice that has been exercised by the U.A. - and a lot of discussion of things that the City wants, to gain more control or eliminate the U.A.'s control over, and that is namely the deposits to rate stabilization funds, reserve funds, and those kinds of things that are taken in before net revenue is calculated - the actual historical practice of the U.A. for as far back as he has seen the numbers has been to make those deposits in a manner that actually does stabilize the transfer to the City. So the U.A. has eliminated the weakness in the formula for the City. There is a weakness in the formula in that it is theoretically subjected to fluctuations due to sales and market conditions, but the U.A. by the practice of their fiscal management has eliminated those fluctuations. The other point that has to be made is that those deposits to those reserve funds are not taking money away from the City. Those monies are used to defer expenses in the future and ultimately when withdrawn will flow through as revenues to the City. So he would agree with any theoretical argument that the present formula methodology has the weakness of being subject to variability, but he would also suggest that actual practice has eliminated that and has allowed the U.A. to stabilize its rates and stabilize the transfers to the City. He thinks the key negotiation that has to take place at this level is what is the dollar magnitude that the City needs from the U.A. and what is that impact on rates. Again, the ceiling has to be competitive rates. One methodology proposed is to apply a percentage to gross sales. He thinks it is asking for trouble and eliminating the one major benefit that they set up the enterprise fund for. Tying the transfer to sales eliminates the risk from the U.A. and places it all on the City. The City has no idea what the level of revenues is going to be. And the U.A., which is in the business of managing that risk, just lost that risk. It just does not make any sense to him.

Mayor Dannahower asked if that is the case, why do so many cities and public utilities use the gross percentage method?

Mr. Handley said it is simple is the main reason he can think of. They certainly would want to look at the percentage of gross revenues as a test of reasonableness and perhaps as a budget calculation. And if they can make 6% or 8% or whatever it is, they go ahead and budget it, and then the utility would set its rates in order to meet that budget. But he thinks what typically happens in those cases is they budget 6% and then that turns out to be so many dollars which a city receives, and the utility tries to make those dollars and the percent will fluctuate. But anyway he thinks that the business of the enterprise fund should

be to absorb the risk of market fluctuation, and that any negotiation or discussion should try to fix a dollar amount or the magnitude of the changes or some kind of verbal agreement; and any kind of changing of the formula is going to be looked at very closely by bondholders, and it may affect the rating of the utility's bonds by changing it and taking too much. Again the overriding concern is, however much they transfer is going to be a direct impact on the rates, and the rates have got to remain competitive.

Mayor Dannahower said with the bonds being insured, would that have an effect if the insurer agrees?

Mr. Handley said that is a good point, but is the insurer going to agree that the U.A. should transfer twice as much or significantly more than it is transferring now if they know that the impact is going to be higher rates?

Mayor Dannahower said he does not think anybody is suggesting that. The 6% would be apparently under the present scenario about \$3.6 million, and they have been transferring somewhere around an average of \$2.5 million over the last five years. So he does not know what Mr. Handley means by "significant". And some of those transfers would have been higher if the U.A. had not placed into the reserves the monies they had placed into the reserves including some of the monies that was actually due to the City. So the actual cash transfers would probably have been maybe \$2.8 million to \$3 million. So it is certainly not 50% or doubling it or anything of that magnitude, a 6% figure.

Mr. Enns said his own personal opinion is he thinks they need to look at changing the formula, not trying to resolve today what the formula or percentage is going to be. The logical step would be to have the City Staff and U.A. Staff get together with whatever help they need to do some pro formas based on different calculations to see what the effect would be on the Utilities Authority and on the City, and how much the City expects and how it would fit into the overall scheme as far as rates and other matters. Needless to say, all of this has to be done with the concurrence of bond counsel and the bond insurers, because they certainly don't intend to harm that. He thinks it has to come from Staff level as to what can be done. Run the pro formas to see what it will look like. He agrees with the U.A. attorney's interpretation that it has to be approved by the voters; and if so, it is going to take unanimous support from both the U.A. Board and the City Commission because referendums on issues such as this are not easy to pass. When they start talking about people's pocketbooks, they had better have their facts right. If it is going to be done, it needs to be done right.

Ms. Brown said she believes everyone is in agreement that the result of the transfer needs to be that the U.A. can still maintain competitive rates; however, the U.A. is a municipal authority and it was set up as an operating vehicle for the City. It does not take away the fact that it is a City utility. The U.A. itself should not have a profit objective because those profits do really belong to the citizens. To the extent that they are using a net revenue calculation, by saying the U.A. can level whatever the City is getting and taking that risk away, that should not necessarily be the U.A.'s function. Because what they have is minimum reserve level requirements that need to be put into the reserves each year. If they are not making that, they don't have any net revenues. So if they are going to have net revenues to divvy up or control, it is only that they are taking some of those and putting them back into reserves over and above their minimum levels, otherwise they would not have had anything in the bottom line anyway. So what they are talking about is the ability to manipulate that bottom line and take that control away so that there isn't any more concern over what is happening between the gross revenue or the net revenue level,

take that away, let the U.A. have the day-to-day operating capabilities, and just make sure that the percentage that they set on the gross revenues is something that everyone can live with. From there on, it becomes a process of establishing what they are going to do with their rate-making and whether they can live with that percentage. If they start that percentage now and set it such that they can maintain competitive rates, from there on out it is a matter of looking at the operations, it becomes a baseline cost.

Mr. Enns said he would disagree on making a profit. As he recalls, they changed the formula for the transfer by deleting one of their reserves. And the only way they got to build up the reserves was through profit. He thinks at the present time the U.A. is dangerously low in the reserve area. He thinks there has to be a profit motive in there. Yes, they could give the money back; but they could also face the prospect some day of having to rebuild the system and not having any money to do it. It is capital intensive, it takes bucks.

Ms. Brown said but that should be budgeted.

Mr. Enns said they could do that; but to say the U.A. doesn't need to make a profit is a little bit...

Ms. Brown said it wouldn't be profit. It would be that the U.A. has determined that it has capital budgeting needs and the U.A. must make sure their rates cover those. When she said "profit", she means they are not going to have this net revenue level if they are funding those reserves as budgeted and approved.

Mr. Enns said he has gone through the definition of net revenue several times. And he was pleased to see that after it was changed to accommodate the City that the recommendation was to go back to the way they were doing it before. So he is very confused on what net revenues are, because Ms. Brown's report says they should take out the reserve funds... This whole argument, they have been down this road before.

Ms. Brown said she thinks it is a matter of what is going into the reserve funds.

Mayor Dannahower said they did not actually take out U.A. reserve funds. He wants to make sure everybody understands that. They took out of the reserves what the U.A. had in there which was the City's money that had not been transferred.

City Manager Powell said if he might make a recommendation. They all know this is quite complicated, but he thinks they are somewhat in agreement. He disagrees with some of what Mr. Handley said. He does not think the issue is how much they want to make as much as it is what are they entitled to. He read recently where someone has said the U.A. was created for the sole purpose of annexing. He can tell them that in the 1970's the City Manager then was busy deannexing. So things have a way of changing from time to time due to the economy. The City is in the business of operating the Utilities Authority basically as a funding mechanism. They either have to raise taxes or they have to raise rates. There is one other thing that comes into consideration. They can cut costs. He thinks a formula that deals with percentage of gross revenues would bring all three of those into play. That is, the City Commission which ultimately has to pass on a vote to raise rates or a vote to raise taxes also would put pressure on management - both City and U.A. - if necessary to consider cost-cutting measures. That's where he thinks the issue is. He also thinks about a fair return on an investment. If they are in the utilities business, then they should have a fair return on their investment to do with whatever they decide is in the best interests of the citizens. It could be at some point in time that the City would have generated

enough funds that they would maybe not want to take a transfer. They could come back later and decide they want to put all of their excess funds which were generated from the U.A. into capital improvements for the purpose of annexation. But those things would either come or go sometime down the road. He had asked SVBK Consulting Group to review what he had presented and what the U.A. had presented simply to give an unbiased opinion to the Commission and to the Board. He certainly did not come here with anything but the best interests of both. The negotiations he had with SVBK was within the limits of the City Manager. He elected to do that and he thinks it was worthwhile. He would simply recommend to the Commission at this point that Staff be allowed to negotiate a fee with SVBK to help arrive at what they believe is a formula that would be of benefit to the U.A. and to the City, one that would be flexible. If a decision is made to go to a referendum, they need to proceed with this right away. They would need to have the ordinances in place in July if they want to place this on the ballot in September. If the Commission authorizes, they will try to negotiate a reasonable figure with them to help arrive at what they believe should be something that should be considered.

Mayor Dannahower asked is he wanting SVBK to do some additional analysis? He is wondering if Mr. Enns suggestion of negotiating at Staff level, with both consultants available, might not solve the matter without going to another fee. Do both consultants work on some hourly basis? He is a little inclined to see if they can't negotiate fairly quickly and easily, but they may need some help along the way. He agrees that this is a difficult process.

Mr. Carman said he basically agrees. If they are going to have any negotiations, Staff from both sides should be represented so they can get a better overall decision.

Commissioner Burdge said he agrees with the City Manager's recommendation, that the City Manager be authorized to enter into negotiation with SVBK Consulting Group. Once again, they are being barraged with numbers, percentages, dollar amounts. They don't really have a firm grip on what it should or shouldn't be. Let the consultant come back to them. There has been indication that flexibility needs to be within whatever is brought back. A suggestion he brought forth was the flexibility of a percentage not less than and not more than. As has been pointed out, there may be a time that the City may not want to transfer the amount. If it is a fixed 6%, the City may not want to transfer that because the needs may not be as great. The City may want to make an investment back into the Utilities Authority by allowing the Utilities Authority to use those transfer monies for capital improvements in light of possible annexation for the City. If they put it at one particular number and it is fixed there for eternity, it is obvious to him that this number would have to go back to the voters from time to time unless there was that flexibility. He believes the flexibility of not less than and not more than is flexible enough. Then allow Staff to determine in their budget processing what that percentage should be on a year to year basis. But at least both Staffs would understand what that would be going out far enough to be able to make adjustments within their budgets.

Chairman Center said assuming they set it at 6%, would there be anything that says the City can't refuse part of that in any year they wanted to; or do they have to take it? That would resolve the whole argument if they can do it that way.

Mr. Ben Bryan, U.A. Attorney, said he does not know. Currently that is not the way it is proposed. Right now, it says "up to 40%". What is being proposed now is 6% or a flat number. Now Commissioner Burdge is talking about a flexible number.

Chairman Center said they could say "up to 6%", assuming 6% is what they come up with. Who determines the option to either take the full 6% or less? They should not subject the U.A. to 8% because he thinks that would kill the U.A. if they did that some year.

Commissioner Burdge said that's just the problem. No one at this table knows the amount that should be transferred. If they do know that amount, if the documentation could be laid on the table he would gladly look at it. They have been talking about 6%. They have been talking about a fixed amount plus a percentage. They have been talking about not including the fuel allocation. They are talking about a lot of variables. He thinks that SVBK Consulting Group could come back with a number of variables. If they are just going to put their hat on 6%, then what is this fact-finding meeting they are having this afternoon for other than to ratify that they have already determined that it is going to be 6% so they can move on to the next item on the Agenda? He came here to gather information. He does not think there is enough information on this table to come up with a fixed number, maybe a variable number, but definitely not a fixed number. If that documentation is available in this room, please lay it on the table so he will be able to review it.

Commissioner Drummond said he is somewhat in accord with statements that were made by the U.A. Board. The last thing that he wants to do is have a number that appears to have been rammed down the throat of the U.A. He would like if possible for them to get to a posture where the City Manager would be able to, in conjunction with U.A. Staff and on an hourly basis with both the U.A.'s and the City's consultants, come up with some numbers and some variables they can look at in terms of what would be the appropriate amount. But he would certainly want it to be a cooperation versus it appearing that one body is going to do a study and then dictate to the other body as to which direction it should take. He thinks that would be the fairest way. If indeed they find themselves going to a referendum, he thinks they all want to be in accord that the final number is something they all feel comfortable with. That being the case, he thinks they should direct both Staffs to get together with their consultants.

Mr. Enns said he agrees. If they want to vote on a percentage today, then they should adjourn the meeting now, because he is not going to vote on it. He is trying to get Staffs to work together for the best interests of the customers, who are taxpayers, because that is what the 1972 referendum was about. They wanted the best services provided for water, sewer, gas, and electricity, and if any money was left over...

Mayor Dannahower said he is not sure that is all it was about.

Mr. Enns said well, there were some problems before that; but it wasn't set up to provide the City with an income. That's an admirable goal, but he thinks there has to be a balance.

Mayor Dannahower asked is he in accord with Staffs meeting?

Mr. Enns said yes; but he would hope that the City would not just go out and hire SVBK and tell the U.A. what they want to do.

Mayor Dannahower said that's basically what the Commission has said.

City Manager Powell said he hates to disagree with so many important people, but he is going to be stuck with the task of getting this thing resolved. He tried to make it clear in his opening statement, that he is not against the U.A., he is part of that system until they take him off the U.A. Board. He is not going to sit here and do anything that is going to be to the detriment of the U.A. nor is he going to allow the U.A. to do

something that is not in the best interest of the City. He does not want to be put into a position where they go out and hire two consultants to do the same thing and argue for the next 30 days. He would simply suggest that if they review what was presented, everybody agrees that the formula they have now is not necessarily in the best interest of the City. But information that came out from U.A. Staff yesterday, it pretty much states that they think the formula is all right. He does not want to get into a position where the U.A. Staff is taking a stand that what they are doing is great, and the City Staff is taking a position that it should be changed. If the City Commission would like to suggest taking action now that they do want it changed from what it is, so both Staffs would be working in the same direction... He can go out with a Request for Proposals and pick some other consultants; but he thinks these people today have demonstrated that they do know something about the formula and the rate structure and what impact it could have. It looks to him like they should have one consultant do the study and then present all that information to the U.A. for their consideration. He thinks that would be the approach to take. But he will certainly do whatever the Commission directs.

Mr. Enns said he is under the impression that the U.A. can provide the figures and do the pro formas to see what would happen if they changed the transfer formula. Maybe they wouldn't even need to hire an outside consultant.

City Manager Powell said if they want to take his recommendation, it's already on the board. It has been made several times recently, and Mr. Schindehette agreed with the 6%. He thinks they are real close now. His personal opinion is that he wants everybody to be happy. He has to be at the U.A. Board meetings and he wants to be received well over there.

Mr. Enns said he is suggesting that U.A. Staff work with City Staff to come up with something that is mutually acceptable. He does not think it would be mutually acceptable if the City just hires its own consultant and says this is what they are going to do, or vice versa if the U.A. did that.

City Manager Powell asked why should the City accept the U.A.'s consultant?

Mr. Enns said he is not saying they are offering that. He is just saying that U.A. Staff should work with the City Staff to try to arrive at a mutually agreeable solution. If the Staff working together find that they need consultants, then ask for RFP's.

Mayor Dannahower said they can come back later and hire either both consultants or another one, if necessary; but he is willing to give it a shot on a short term basis to see if they can work it out. He does not want to see them dragging this out for six months.

Motion was made by Commissioner Drummond, seconded by Commissioner Burdge, to direct City Staff to approach the U.A. Staff with regard to trying to work out a transfer formula change with the concept of moving from net revenue percentage to a percentage of gross revenues with the understanding that City Staff will have the ability to utilize consultants if necessary on an hourly basis for the purpose of determining the impact of said change to the structure of the City's revenues as well as to the structure of the U.A.'s operating budget.

Commissioner Burdge said some things have been brought up and he knows that this relationship will probably be talked about, in reference to what effect this potential new change would have on the current rates, in a sense whatever percentage rates are chosen, whether it be a variable percentage rate from one to

another - not less than nor more than. The other aspect that he would be really interested in is what relationship this change would have on the capital budget, specifically the replacement aspect of the capital budget, new as well as replacement. He knows that there is potential that it may have an impact on the capital budget. And in relationship to the rates, obviously if this was to go into effect there would have to be competitive rates in order for the U.A. to be competitive as far as their rate structure is concerned, not necessarily only in electricity but all the way across the board - sewer, water, and gas. He thinks that the competitiveness would be a very important part of if this is to go to referendum. Those are just a couple of things that he would be interested in knowing. Whatever comes back from Staff, the potential of a variable rate - not less than nor more than - and the relationship the transfer would have on the rates and on the capital budget of the U.A.

Those voting in favor of the motion were: Commissioners Bryan, Burdge, Drummond, Sessions, and Dannahower. Those opposed: None.

Mayor Dannahower asked is the U.A. Board agreeable to proceeding in this fashion?

Motion was made by Mr. Enns, seconded by Mr. McNeill, and unanimously carried, that U.A. Staff be directed to work with City Staff in trying to find a resolution that is in the best interest of the citizens of Fort Pierce.

There being no further business, Chairman Center adjourned the meeting of the Fort Pierce Utilities Authority Board at 5:50 p.m.

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Mayor Dannahower called a recess at 5:50 p.m. and then reconvened the meeting at 5:55 p.m.

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The next item on the Agenda was Discussion concerning Code Enforcement issues.

Mayor Dannahower said he sent a memorandum to the City Manager (dated May 4, 1994). It is not meant to criticize the Code Enforcement Division, but rather to see what they can or should do in regards to code enforcement, whether the codes are effective or if they need new ordinances, as well as the number of employees, the manner and timetables involved in getting things done, and that sort of thing. There is a gentleman in the audience who may wish to speak now or later who has been severely impacted by things that have happened on Delaware Avenue. (The gentleman indicated he would speak later.) He would like for Mr. Ballard to start and talk a little about the codes they have and where they may be deficient or maybe can change things. There are problems with vehicles that sit in yards. If vehicles are inoperable or unlicensed, they can do something about it; but if the vehicles are operable but not licensed, apparently the vehicles can sit in the yard a long time. He can point to 734 Delaware Avenue where there has been a truck for some time that apparently is operable, but has had a flat tire for about a month now.

Mr. Doug Ballard, Director of Development, said basically what Staff has been doing is looking at the codes. First off he would like to say that the City has proactive code enforcement, which means the inspectors are very active in going out and identifying problems, unlike many of the communities around Fort Pierce. Their codes are not much different, and in some cases are more stringent, than in surrounding communities. But to emphasize the proactive nature, they process about 3,000 code enforcement violations a year, with 800 of those referred by the public and the rest generated by Staff. That is something to be proud of. The problem is, they have limited Staff. There are four Code Enforcement Officers and one Clerk. At one point they had five

Code Enforcement Officers and three Clerks. What has happened as a result of the staff reductions is that the Code Enforcement Officers are now doing more in terms of clerical things than they did before. It hasn't been that bad of a problem because they have computerized code enforcement and that certainly has helped a lot. The Code Enforcement Officers divide their time into four zones, where they are responsible for all of the codes that exist, with some exceptions such as trash cans which are the responsibility of another department. But they are responsible for property maintenance codes on private property. The way it used to be was there was a Code Enforcement Officer responsible for cars, one for trash piles, one for overgrowth; and they were constantly crossing each other's path and it wasn't a very efficient way of doing things. So they set up a district method. They have looked at the City's codes versus codes in surrounding communities and they are not that different. However, they just got in eight different ordinances from other communities around the county, and they have some really neat provisions he thinks they ought to look at. Fort Pierce is struggling with problems that a lot of the surrounding communities are not. For example, they are having problems with such things as people putting carpets in their front yards. There is currently a provision in the Code that talks vaguely about maintaining the open space character and stuff like that, and that's what they are using to try to deal with that particular issue. There are people for whatever reason with an inclination to park a lot of vehicles. There is a house in his neighborhood where there are seven vehicles there every night, three sitting in the front yard. That creates a problem where the grass can't grow properly. There are problems with general appearance of property. In many neighborhoods, homeownership is low and rental is high; so they are dealing with some neighborhoods that are suffering from deferred maintenance where people are not maintaining their property, either because they do not live there and it is rental and perhaps they do not care, or perhaps they do not see it as an economically sound decision. The City needs to make it an economically sound decision for them to do, either through the Code Enforcement Board or whatnot. He thinks they have a good Code Enforcement Board who works very hard. It is without question in his mind the most difficult board that exists in this City; and they deserve and appreciate the Commission's support and recognition for what they do because it is really tough. They are oftentimes dealing with people who just do not want to do what it takes to bring their property up to code. They are also dealing with Florida Statutes, which to a certain extent handcuff Staff in terms of what they can do. For example, with property which is homesteaded, they are very limited in what they can do relative to enforcing a Code Enforcement Board fine. The Code Enforcement Board Attorney, Rob Schwerer, is very active in filing many liens. There are quite a few liens on property. He thinks one of the things they need to look at is how they can enforce those more effectively to get compliance. Their objective is not to make money or to collect fines, but to get compliance. There are some rare cases where the violations continue to go and the fines accrue. There is one that is \$500 a day, and the property owner just does not care and he will not do anything, that's on Orange Avenue just west of 11th Street. It's a real problem.

Mayor Dannahower asked is it homesteaded?

Mr. Ballard said no. The City condemned the house and it was torn down. The lot is vacant and is quite deep. It is just overgrown. The City is having to have the grass cut. So they are basically providing a lawn service for other people's property. It is expensive because they have to pay to cut the grass on a regular basis because that particular owner refuses to do so. That's one he believes they have authorization to take to Court. They do that on occasion, where they have a hard case and are unable to get compliance, they do go ahead and take the

matter to Court. That also is an economic decision they have to make because it is an expense to the City; so they do not do that if they feel there is a chance of compliance.

Mr. Ballard said currently the time limits provided in the codes are not a problem necessarily, because they have to give someone a chance to come into compliance - fifteen days here or ten days there. The problem is getting the notice to the people. They have to notify them via certified mail. It is not unusual for it to take thirty days or more before they get a green card back showing that there has been service. And it is also not unusual for people to refuse service. Out of town owners who see a certified mail notice from Zip Code 34954, they just don't pick it up. That happens a lot. The attorney is looking into other ways to effect service. Within the City of Fort Pierce, if they have a problem getting service, they pay a process server. That works effectively, but it is a little expensive so they don't use it all the time. Some of the ordinances they are looking at from other communities, one has to do with commercial property for example. It says that if commercial property is vacant and if someone boards it up, they have to paint it and keep it looking good, so people aren't looking at aged plywood over a long period of time. There are other codes that address cars that are not roadworthy or cannot legally be driven. One of the problems they have to wrestle with in that regard is there are some legitimate situations where people have a car they are restoring which has value. One concern Staff has is that they keep the vehicle in the back or covered with a tarp. That helps that particular problem. Also they are dealing with lifestyles. That is something they can't necessarily address or would be difficult to address with code enforcement. That's something they may have to wrestle with, but some of those issues they have no ability to address. There are codes from other communities that deal with general appearance. They may need to strengthen their codes. Sometimes there are some honest differences of opinion as to what constitutes a violation. For example, there was a situation in one neighborhood where someone put in their side yard four telephone poles with ropes going to a barrel and had a rodeo thing, and every weekend there would be mattresses on the ground and beer cans all around. If it was in the back yard, maybe it wouldn't have been as much of a problem; but it was visible from the side yard. There are things that are a little out of the ordinary. The Code Enforcement Board attorney is looking at the City's existing codes and how they can be strengthened, and ways they can more effectively get notices served legally and what constitutes delivery for out of town people and absentee landlords. That is another thing they are struggling with. There is a high percentage of property owners that are absentee and just don't care. They do have some good solid ordinances. Fort Pierce is the only community around that he knows of that has a minimum housing code. It is more stringent than the State's migrant code, not by a lot. They have fairly stringent codes on the number of unrelated people that can live in a particular dwelling unit. Fort Pierce is by far the most restrictive in that regard. He will say that is a tough one to enforce. The attorney has indicated the burden of proof is on the City to determine whether people are related or not, and sometimes that is difficult to prove. Quite frankly, code enforcement is an art, trying to convince people to come into compliance. By the way, that happens about one-third of the time, where they are able to convince people without actually going to a citation process. That is good. They will continue to work on that, trying to talk someone into compliance; but it becomes increasingly difficult sometimes as a community changes or as an area becomes more blighted as the homeowners leave and as the rental properties increase. George Moody (Building & Code Coordinator) and Skip Ryley (Chief Violations Inspector) are present to answer questions. Also, representatives of NHS (Neighborhood Housing Services) are here. It really helps getting referrals from the public and from the Commission.

Mayor Dannahower asked how many of those 800 referrals from the public were his?

Mr. Ballard said quite a few. They get a lot from the Commission and it helps a lot. In fact, he thinks they got about twenty-five just recently from the Mayor. But there are some things that are tough for Staff to deal with from a legislative point of view and from an enforcement point of view.

Mayor Dannahower said he would like to talk about numbers of people living in a dwelling. Is there any other way to deal with this, other than what they are attempting to do? Are there any other codes? What about the number of bedrooms, bathrooms, square footage? One of the primary problems with that house on Delaware Avenue is it happens to be occupied by Haitians, and at times there are seven or eight cars parked there with twelve or fifteen people. It is supposed to be a duplex. How can they deal with that other than two people being related?

Mr. George Moody, Building & Code Enforcement Coordinator, said they use the housing code. The State, with their migrant camps, have said they can have "x" number of people in the units. That works fine for code enforcement with some of the migrant situations where there were 12 or 15 adults. They have never bothered families.

Mayor Dannahower said this situation is not families.

Mr. Moody said this one isn't. Part of the problem of overcrowding. But if someone has seven or eight kids, they have never invoked the housing code.

Mayor Dannahower said it is a different situation if it is children. He is not aware of Mr. Meadows' problem.

**Mr. Jerry Meadows**, 732 Delaware Avenue, said a family lives in one of the apartments (next door). The man is connected somehow with Haiti. On the 30th of each month he takes mail to Haiti - this is what the man has told them - and as a result of this, it is necessary for many people to come on the property. They come all hours of day and night. In the front apartment, there are several men staying. He is almost sure they are sleeping in shifts, because as many as he has seen going in and out, there is not enough bedroom space, it would be wall to wall people if they are all sleeping at one time. He has seen the buses from the groves picking them up early in the morning. It is not just a family. It is more like migrant workers staying there.

Mr. Ballard asked there's a family in the back and it looks like individual single males staying in the front?

Mr. Meadows said the man seems to be overseeing the thing.

Mr. Ballard said they can check to see if he is operating a business there. Is that what it looks like?

Mr. Meadows said he really does not know. The man told him today he collects mail to take back to Haiti each month. He knows the man leaves with numbers of suitcases and comes back with nothing.

Mr. Ballard said he knows they have been to that property a number of times. What they also do is basically pull all the inspectors off what they are doing to give a thorough inspection of a particular area, and they have certainly done that on Delaware Avenue.

Mayor Dannahower said this is a good example of what can happen to any neighborhood. Mr. Meadows came in and bought an older home. It used to be the Cassens home. He fixed it up very nicely. Now, his next door neighbor is a problem. Mr. Meadows

is ready to leave town; and quite frankly, he can not blame him. This is going to continue to happen. He does not know if they can salvage this one at this point in time. But they certainly have to try to find ways to stop it from happening in other areas, if there are any solutions.

City Manager Powell said one of the things they need to get resolved is the dispute the City has on-going with the State in reference to the number of unrelated people living in a household. The City has an ordinance that prohibits more than two unrelated people living in a household. The State HRS has informed Staff that their rules say no more than five. They are in dispute with HRS now over that. That is something they need to follow through on to get resolved.

Mayor Dannahower said but as far as they know, this house on Delaware Avenue is not one of those designated for migrant housing. It is a separate issue. If it is a migrant camp, they might have something to go to court on if they have to. But if it is just a group of Haitians living there, or whatever group, what other recourse do they have? Can they do anything on that kind of situation? It is going to happen all over the City. Do any other cities have to deal with this?

Mr. Ballard said they deal with them the same way. Many other cities actually do not have minimum housing codes. What the minimum housing code does it set up the minimum amount of square feet needed per occupant, the minimum bathroom facilities needed per occupant on a ratio basis. They have that tool. They also have the zoning code, which limits it to no more than two unrelated persons. The problem is that the burden of proving they are unrelated rests with Staff. So when they go into these facilities, the people with say they are brothers or cousins; and Staff has to wrestle with trying to show that they are not related and it sometimes becomes very difficult. However, they have been successful to a large extent in dealing with these issues, especially through the creation - at the City Manager's initiative - of the Unsafe Housing Task Force. In terms of the amount of migrant housing in Fort Pierce, it is not as great as it was. He thinks they really made a dent there. The thing that really got extremely frustrating was they found themselves fighting with the State. Of all of the migrant facilities the State has licensed in St. Lucie County, he believes all but one is in Fort Pierce. And he knows there are plenty of migrant housing outside the City. In fact, that is where most of them went. He personally believes the State targeted Fort Pierce for whatever reason. The State has licensed two in Indiantown. The rest, some twenty-odd, are in Fort Pierce. Why? He does not know. It was, in his opinion, a conscious decision on someone's part.

Mayor Dannahower asked did they ever get the addresses of those that were licensed by the State?

Mr. Ballard said yes.

Mayor Dannahower asked did they do any kind of windshield survey to look at them?

Mr. Ballard said yes, they did more than that, they went into every one.

Mayor Dannahower asked what kind of situation did they find?

Mr. Moody said they found that most of them in Fort Pierce were roominghouses. If they were licensed for eighteen people before, they were licensed for eighteen migrants. They did not find much of a change. There were just a couple of single-family homes where there were three. It was close. Also, corrections were made; such as electrical, plumbing, and so on. But most of them

were roominghouses. Roominghouses were licensed under a different agency; and for some reason they were taken over by HRS.

Mayor Dannahower asked have they gotten any additional addresses from them since they had their meetings?

Mr. Ballard said no.

City Manager Powell said the last word he heard was they were going to consult their legal staff and get back in touch. He hasn't heard back from them. That is why he indicated he thinks they need to pursue the issue and get it resolved.

Mayor Dannahower said they certainly need to keep track of any the State is licensing to see if they are continuing to do that. It has to be public information. Have they asked for it on a continuing basis?

City Attorney Brennan said they can periodically renew their request. They can ask that the State furnish the City with a copy of the licenses they issue. Have they already asked for it?

Mr. Ballard said yes, they got it eventually. There are about 25 or 26 licensed. One is in the County and the rest in the City.

Mayor Dannahower asked is there any way to deal with this other situation on Delaware Avenue, too many people living there? It's not a migrant camp. How can they deal with it?

City Attorney Brennan said if they can prove there is more than two unrelated people; also, the housing code, the size of the dwelling.

Mayor Dannahower asked how can they prove it?

City Attorney Brennan said to prove there is that many people staying there, it means hitting it late at night.

City Manager Powell said there were two complaints on the same street about two weeks ago from one complainant about two different houses and situations. It was a nice neighborhood on 12th Street. When he went out to look at the situation, it turned out to be three violations involved, if they could prove them. One was, there was no "No Parking" sign there; but one of the schoolteachers at Dan McCarty, instead of parking in the faculty lot, was parking in front of a house all day long each school day. There was no law to prevent that. But Capt. Noone called the teacher and told her it was disturbing to the neighbor by parking in front of her house all day long, and the teacher agreed not to park there any more. But in the other case, the neighbor across the street was about ready to sell and move simply because he could not stand what was happening across from him. What had happened was, one gentleman who had been living in that neighborhood for years was quite elderly and he had a lady coming in on a regular basis to help him with his chores. Apparently the man got worse and the lady got divorced, and her and her kids just moved in. So that created a problem because coupled with the problem just next door, there was a divorce in that family. And it was so many people coming and going, with cars parked in the driveways and garbage cans turned upside down. The lawn was in relatively nice shape, but the kids from those two houses had totally disrupted that neighborhood. After talking with the gentleman, he came back and talked to Mr. Ballard. There really isn't any laws about that. It is very difficult to correct that problem.

Mayor Dannahower said speaking of garbage cans, this particular residence had three or four cans right in the middle of the sidewalk from Saturday to Thursday.

Mr. Ballard said another problem they are seeing more of is trash piles in the right of way. That is something they struggle with too, because they don't have the Citywide cleanup any more, and that has placed a strain on the Solid Waste Department.

Mayor Dannahower asked what about changing the codes? Is there any way to strengthen them? Unlicensed vehicles in particular.

Mr. Rob Schwerer, Assistant City Attorney, said he does not know if they can target unlicensed vehicles as a problem. Most of the time the vehicles that come before the Code Enforcement Board are in such dilapidated shape, and believe it or not they have a license and people driving them. Then there are cars that are unlicensed that are one or two years old and sitting there waiting for the kid to get back from college. They already have some existing codes that work quite well. They can strengthen the codes from an aesthetic standpoint. But they have problems with defining where someone might be able to park. For instance, if they require the vehicle to be parked on a driveway, there are a lot of houses that do not have a driveway. If they say they cannot park on a lawn, what constitutes a lawn? There are a lot of problems. He and Mr. Ballard are looking at some things from other cities that have the same or similar problems to try to come up with something. Right now they basically have ordinances that deal with inoperable vehicles - tires off and the engine removed and it up on blocks - and that is not a problem.

Mayor Dannahower asked what about a flat tire for a month?

Mr. Schwerer said if a citation is issued, he thinks they would get compliance on that kind of case very quickly. The case they run into problems with is with people who are tenants who have moved and left their junked vehicle on the property. They see that a lot. And nobody wants to claim responsibility for it. Then there is the person who happens to be restoring a 25 year old pickup truck which they claim is a classic, and it is stored outside the garage and is not operable. They come before the Board and say they have ordered parts and are trying to make it operable. Most of the people comply and try to work it out. Once they get to the Code Enforcement Board, most of these people often do things that the Board requests - not necessarily things that are required by Code - but they work with the Board and move the vehicle to a place where it is not visible from other properties or they sometimes even put a fence up around it when it is parked up against the house. As far as targeting just unlicensed vehicles, he does not think that is going to solve the problem. He does not think they can. He looked at a case years ago that gave him a problem because the State Department of Motor Vehicles is in charge of licensing vehicles. He and Mr. Ballard have seen a lot of cases where licenses are really not the issue because a lot of those junk cars have licenses. They can certainly take a look at it from the aspect of where they can park and overcrowding of vehicles in the front yard for instance. They do have a code that anything that detracts from the open space character of a residential lot for instance can be classified as a violation and can be dealt with under the zoning code. They may have to look at the possibility of beefing that up a little more to get it more definitive. Something that may be an eyesore to one person is not to another. He would like to be able to have a leg to stand on if they have to take it all the way to court.

Commissioner Bryan asked what about cars for sale in yards?

Mr. Schwerer said there have been cases before the Board in the past where people were actually conducting a business. For instance, they photographed three different vehicles there every two weeks and checked ownership records, and only one was owned by the person there. But they don't really have an ordinance that would prohibit someone from selling their own vehicle.

Commissioner Bryan asked is there any time limit on it?

Mr. Schwerer said none that he is aware of.

Mayor Dannahower asked could there be a time limit on how long an owner could have his car out front with a "For Sale" sign on it?

Mr. Schwerer said there could be, but it would be problematic because from an enforcement standpoint they would have to monitor the situation. It would be a problem to draft something - what would be a reasonable length of time. He would be more concerned with where the vehicle is parked. If it is in the right of way, it would cause a problem; but if it is in their own yard... They have to treat everybody equal. For instance, if a person has a car for sale and it is sitting in their driveway and it is a nice looking vehicle, and they pass an ordinance that says it can't be more than ten days because of problems with old dilapidated vehicles on other properties in the City, they can't draw a distinction, it has to be the same across the board. It might hurt some people who have a car they actually are driving to work and they get home from work and the "For Sale" sign is in the car window and it takes them more than ten days to sell it. There is a problem with distinguishing between that situation and another one where it really is an eyesore and a problem. There is a problem from a code enforcement standpoint in drawing up such an ordinance.

Commissioner Sessions said based on what he has heard this evening, he does not think it is necessary to add additional ordinances. As far as he is concerned, there are many already in effect, but it is a lack of enforcement due to manpower or whatever. He thinks tighter enforcement of the codes they already have in effect, that is the direction they should concentrate on.

Mayor Dannahower said they may be moving in that direction, but he thought it would be appropriate to take a look at everything. His own feeling is if there are things they can do to strengthen the codes in some fashion, he would expect Staff to come back with some recommendations to do it. He thinks they have got to be more aggressive. Obviously when they see some of these things happening in their neighborhoods it is a problem. He understands the functions of the law make it difficult at times. But on the other hand, properties are going down in value and the owners rights are certainly be affected. It is like the situation on Delaware Avenue. He doubts that Mr. Meadows can come close to selling his place for what he has in it because of what others are doing to make money. It is not right.

Mr. Ballard said there is one thing they have been looking at that would be quite different in terms of how they are approaching code enforcement. By the way, for whatever it is worth, Staff is quite productive in terms of what they are able to handle compared to some other communities they have looked at in terms of ratio of officers to cases processed. One thing they would like to look at is the very mechanism they utilize to handle a violation. For example, they find a junk car and they issue a violation notice and that person does not comply, and the matter is scheduled before the Code Enforcement Board which meets once a month; and the Code Enforcement Board makes a decision if it is a violation and then it must be cured within a specific time or a fine is levied. One option they would like to look at is the ability for Code Enforcement Officers to issue citations with a fine on the spot with an appeal process to the Code Enforcement Board. That is something he thinks is worthy of looking at. It has been initiated in some other communities, but generally is a relatively new approach.

Mayor Dannahower said they should be looking at everything that can make it more effective. There is a fine line between

people's rights and laws, he understands that. He does not like to see them put more laws and rules on the books, it is against his nature to have to do that; but when people's well-being is at stake, he thinks they have to take some strong measures. Some of the things that are happening are serious and unusual problems. Just a few years ago there were no Haitians living here so they did not have to be concerned about fifteen of them living in one residence, but now there are.

**Mr. Mike Morris**, Director of Neighborhood Housing Services of Fort Pierce, said one of the NHS staff members, Linda Van Natta, has been instrumental in getting Code Enforcement Officers out to assist, and they appreciate the City's efforts. The Mayor has alluded to Mr. Meadow's home. During the Spring Home Tour, in the May 8th issue of The Tribune, Mr. Meadow's home was showcased with color photographs of the exterior and interior. NHS is beginning June 18th with a block party for the Delaware Avenue block to try to bring the factions together, hoping they can develop some type of synergism. As to problems with refuse and dumping, on June 11th they are also having a Neighborhood Clean-Up Day in the northwest section. He invites anyone who wants to get involved to call 465-2544.

Mayor Dannahower said some things he wanted to discuss, the Code Enforcement Board and how it functions. His concern there is, can they simplify things for that Board. Are there enough people on the Code Enforcement Board, so that just four or five of them are not having to put in too many hours every month; or is there any problem there?

**Mr. Phil Rosenthal** said he serves on the Code Enforcement Board as an appointed member by the Commission. He does not see that much of a problem because of the diligent effort of the City Staff that prepares the cases for the Board and who outlines the codes and sections applicable to the violations. He will give them an opinion. He thinks the Board make-up needs a change. The Board probably handles 25% to 30% minority cases. He jokingly says he is the only minority on the Board, being Jewish. There is no black representation on the Board. They lost the last one when he moved out of the City. They should consider either expanding the Board with one or two more members, readdressing getting a minority on the Board. He would be willing to drop off the Board if they can find a minority replacement.

Mayor Dannahower asked is there a vacancy on the Board now?

Mr. Rosenthal said no. Mr. Robinson was replaced with a white Anglo a couple of months ago.

Mayor Dannahower said that is something they need to keep in mind and address. He would not suggest dropping Mr. Rosenthal off. But it is a very good point. Commissioner Drummond might...

Commissioner Drummond said he brought up that issue at that meeting.

Mayor Dannahower asked did Commissioner Drummond bring them some names?

Commissioner Drummond said no, at that time a name had been brought to them, the individual who was appointed. But he brought it up that night; and he recommended that they didn't appoint that person for that reason.

Mr. Ballard said he believes it was Robert Tabor.

Mayor Dannahower said then they will certainly be looking for minorities for the Code Enforcement Board in the future. But in general terms, does he feel the Board is not overworked now?

Mr. Rosenthal said no, and it is because of Staff's diligent efforts. They put together the cases for the Board and they are relatively routine, except for occasional gray areas. For instance, the bucking bronco, was that a violation? They had no way to say that it was. It appeared to be a violation until someone pointed out, is a swingset with three kids on it living next door to a senior citizen a violation? There are some things that definitely needs some teeth and strengthening. They can have all the laws in the world, but without enforcement... What aggravates him the most is all the assessments that the Code Enforcement Board levies, he sees a million dollars in uncollected fines. That kind of outstanding money should be collected.

Mayor Dannahower said the trouble is collecting it.

Mr. Rosenthal said that's his point, he thinks the public generally knows that the City can assess any fine it wants; but if they are not going to collect it, what difference does it make?

Mr. Schwerer said looking at the fines on record, these are the hard core violations. They carry fines for a number of years before deleting them from the list. The reason is, they keep them on there in case they want to go after collection. Some of these they know are not collectible. There are a few that are in the couple of hundred thousand range. The numbers should not be shocking because by far, in surveying other boards in this County, Fort Pierce gets the most compliance before its Code Enforcement Board. People voluntarily comply. They have the least number of fines assessed per cases on the docket. But some are a problem. A lot of those are from 1986. And over the years, there is going to be a large number in fine dollar amounts showing; but they just don't want to take them off the list because once they do they lose the ability to ever try to collect, when some time and some way they might be able to.

Mayor Dannahower asked do they ever turn things over to a collection agency? Would that have any effect?

Mr. Ballard said that is one of the things they are kicking around, seeing if that is a possibility. He does not know if the Commission would want them to do that or not. He has not had an opportunity to talk with Mr. Schwerer about that yet.

Mr. Schwerer said he is not sure about a collection agency. They have discussed credit bureau reporting, because some of these people have the ability to pay but are avoiding it. They know because the lien is on their homestead that there is a collection problem, the City cannot foreclose. There are a few of those. They are looking at alternatives, credit bureau reporting for instance, showing it up on someone's credit. That would be rare though, that it would cause someone concern. They do have the ability to foreclose on some liens. There is new legislation out and he is hesitant to discuss it because it has not been signed by the Governor yet. It is going to require the violators, even in cases where they have complied, to reimburse the city for the cost of prosecution. That may cause some problems because it has not been defined yet; but it could include staff time, investigative work, number of hours - the same type procedure used in law enforcement situations. That might help, because once they start assessing some of those costs, word will get out.

Mayor Dannahower asked is that the only new legislation?

Mr. Schwerer said that was one of the major things which would definitely strengthen the code enforcement system. They did something about repeat violations and gave them more strength there. What happens is people will wait until the last minute to comply. It is good that they comply, because that is really what

the Board wants, not necessarily assessing fines and collecting money. But they get tired of the same person coming in every four months or so, and that person knows just exactly when they can comply without having to pay a fine. This new legislation should assist in correcting that problem.

**Ms. Harriet Brenner** said she is particularly concerned about absentee landlords. In her opinion, Fort Pierce is owned lock, stock, and barrel by absentee and present landlords. Until this Commission gets a handle on how to handle these absentee and present landlords and makes them bring their property into compliance and finds some kind of law - whether it be open space or aesthetics or whatever - they are not going to get any kind of solution. Maybe they will have to publish the people's names in the paper who own those properties. If they live here, maybe somebody will go up to them and say "Hey, what's with you and that property there, it belongs to you?" She has been making a concerted effort to find out who owns some of this property, and she is appalled. They grew up here and they left and they came back four years ago, and she is just appalled. It makes her so mad she can't stand it. The other thing is, she does not know how to go about it, but it seems to her that the State needs to go back to reinspecting automobiles. She thinks Florida is probably the only state in the union that doesn't inspect automobiles and get these pieces of junk off the road. She just got back from the east coast on vacation, and she did not see the junk up there along the east coast she sees down here. Maybe this Commission should get together with the County to see if they can't get the State to redo that. She was wondering perhaps, in talking about the vehicles in the yards, if there is anyway to use tonnage? She knows they had problems with the semi-trucks. Perhaps some of those others could be based on tonnage, the migrant vans that are all over town. She also is very angry with the State about the migrant camps, that Fort Pierce is the throw-away city. What has Fort Pierce done wrong? How do they get to the person who is throwing them away?

Mayor Dannahower said those are some interesting questions. He does not know if he could answer them. Ms. Brenner is right-on about what is happening. Part of the problem quite obviously is the nature of their economy. It is agriculture and citrus. The Haitians came here because they could get work readily. He thinks some of the churches brought them here. They were able to blend into the community very easily. He thinks they were encouraged to come to this agricultural area.

Ms. Brenner said they are being exploited.

Mayor Dannahower said they very likely are, but he does not know. He knows most of them that live in the worst conditions are probably much better off than what they were in Haiti, and that's why they want to keep coming here.

Commissioner Bryan said Mr. Ballard had mentioned the migrant homes in Fort Pierce, some twenty?

Mr. Ballard said licensed by the State, more than that actually. ABC Mobile Home Park is a bunch of that, one of them.

Commissioner Bryan asked does that mean that someone here in Fort Pierce or in the County has requested...?

Mr. Ballard said as he understood it, what was happening was the City had gotten calls and some complaints basically. For example, he knows of one mobile home owner where the State, in order to get new spaces licensed, said they wanted it to become a licensed migrant camp. That persons did not want to. Ultimately he does not think he did. But basically people weren't raising their hands and asking to be licensed. But the question he had was, why is Fort Pierce the only place that is happening?

Commissioner Drummond asked weren't they already licensed in the City, but just under a different division of the State - under hotels?

Mr. Ballard said roominghouses were that way.

Commissioner Drummond said they just shifted that all over to HRS, and the closest title they could come up with was "migrant"?

Mr. Ballard said what he is saying is right. The roominghouses and whatnot over a certain number of rooms was handled by the State hotel thing; but now it is HRS. But on top of that, HRS also has this migrant directive. In a way it is related to some of the roominghouses because migrants live in roominghouses oftentimes. So that probably compounded it. The inspectors were going out, and some of that inspection helped because it improved living conditions.

City Manager Powell said he thinks they have gone more away from the concept of migrant labor camps, which they used to have a lot of, to migrant housing, which takes in a lot of residential units. That is where the City has a disagreement with them, because the State is very actively persuading these people to apply. There has been some good in that because the State actually has monitored those houses and are required to monitor them, once they have been licensed for migrant residents. But the State is allowing up to five unrelated persons to live there, up to the State's standards. But again he would point out that is in direct conflict with the City's ordinances. That is why they need to get this thing resolved, because if the City's position is upheld, that is going to deter the State from continuing to license these places for five unrelated persons. If there are five unrelated persons, there are probably ten cars because that is what usually happens.

Commissioner Drummond said he was always of the opinion that local jurisdictions could not come up with anything which was going to be less restrictive than what the State mandated; but that they were allowed to be more restrictive.

Mr. Ballard said that is exactly the City's argument to the State. The problem is, they are having to deal with bureaucrats that either are not or do not want to become familiar with the law. They had a meeting at the City Manager's initiative with HRS. HRS had counsel there, and their counsel basically said "Fort Pierce is a home-rule city and they do have the ability". Hearing that helped. What was happening early on, but is not happening now, is the City was going out inspected the place and telling them there were too many people; then behind them the State came in and said Fort Pierce can't enforce that because the State law says five, and State law counts while local law doesn't. That is not true. The City cannot be less restrictive, but they certainly can as a home-rule city be more restrictive. That's exactly the point they have been trying to make with the State.

Commissioner Bryan asked is there a limit on the number; or in a year from now, will there be thirty or forty more?

Mayor Dannahower said there could be. He talked with HRS and their consultant, and their consultant was the biggest problem. He met with Chamber of Commerce and recently with Staff. HRS knows exactly how they feel, that the City does not want them and that the City disagrees with them legally. No words were minced at all by himself, Mr. Brennan, Mr. Ballard, or Mr. Powell about this situation. HRS is fully aware of it. Mr. Williams is the new director for this district; and he has indicated he intends to cooperate. He does not know if anything is happening or how many more have been licensed or what HRS's attitude is on the ones that have been licensed.

City Attorney Brennan said the thing is, they can't target migrants. At these meetings they have been having with these people it was pointed out they apply these ordinances City-wide to everybody, and it doesn't just apply to migrants.

**Ms. Frances Scott** asked is there an ordinance on the books that states when an apartment is rented to people with children that there has to be at least some lawn so the children do not play in the streets?

City Attorney Brennan said no.

Mayor Dannahower said he does not think it would be enforceable.

Commissioner Drummond said they have laws that from a zoning standpoint have a percentage of lot coverage.

Mr. Moody said it does not say anything about grass though. There is a law that says if the grass is high it must be cut. But there is no law that says they have to plant grass.

Mayor Dannahower said they need one real bad.

City Attorney Brennan said one of the things they asked was why they were targeting Fort Pierce on this migrant deal, and why not in the County. Their answer was basically they wanted to bring the migrant families into areas where schools and other facilities were available. That is the kind of thinking they have run into in reference to these meetings they have had with the State agencies.

Mayor Dannahower said it was also pointed out that the City was spending state and federal monies to try and rehabilitate the neighborhoods and build new housing, and they were basically doing things that were disruptive to a neighborhood. It did not seem to impress them very much. He thinks if HRS does not cooperate as Mr. Williams has indicated, there is no recourse but to try to do something in the courts. He hates to take on another lawsuit, but he thinks that is where it will end up if the State does not cooperate.

**Mr. Al Rivett** said Mr. Ballard had mentioned some other city had drafted codes in regard to general appearance. Can he expound a little bit on that?

Mr. Ballard said in many cases, there are different ways of saying the same thing. Fort Pierce's general appearance code deals with terms like "open space character". He thinks that needs to be better defined and strengthened. One thing he would like to suggest the Commission consider is to require that houses, garages, and sheds be properly painted. They have some examples of ordinances relative to that. Mr. Schwerer has not had a chance to look at some of these, because he just got them. He got them through a Planner's Advisory Service. There are different ways of saying "Don't clutter up your yard". They are going to have to work at whatever language they think will be most effective here.

Mr. Rivett asked does it apply to commercial?

Mr. Ballard said yes. In fact, one ordinance he saw that specifically addressed vacant commercial property. It is something he was intrigued with and they need to look at.

City Manager Powell said about two years ago they looked at an ordinance that dealt with residential and commercial property owners being required to maintain the swales and ditches and sidewalks in front of their property. That is one of the things he thinks some cities have used successfully, but sometimes it is hard to enforce. He knows Mr. Morgan (Director of Public Works)

is having a tough time with a lot of the sidewalks. Go down any street and they will find several neighbors taking care of the sidewalk and the City-owned property in front of their houses, and then all of a sudden there is one where they don't. This is something they need to take a look at.

Mr. Ballard said they deal with some pretty ornery people. There was one situation where this one guy had grass up to there and the City got on his case to cut it; and the guy cut his grass but would not touch anything in the right of way. That happens occasionally.

Mr. Rivett said the reason for his question about the appearance is an economic development issue. The better the community looks, the better chance they have of getting business and industry located here and as a result expand the tax base. The Fort Pierce Area Council has made a request of the Board of Directors to recognize the efforts of the Fort Pierce City Commission, which has done a tremendous job with the resources they have.

Mr. Rosenthal said he has one other item. He knows of a case concerning dogs that occurred on his block. A neighbor had three or four dogs in the yard that barked continuously, and someone called Animal Control numerous times. Animal Control told her a person could have as many dogs as they want, as long as they were not running a kennel.

Mayor Dannahower asked is there an ordinance?

Mr. Ballard said Animal Control is not under Code Enforcement any more; it is under the Police Department. He does not know if there is a limit.

City Clerk Steele said there is no limit to the number of animals; but there is an ordinance that addresses excessive barking.

Mr. Ballard said there was one case where there was thirty or forty cats. It was a public nuisance. They had to go to court on that.

Mayor Dannahower said that may be something else to look at.

Ms. Brenner said Section 4-40 of the Code says: "It shall be unlawful for any owner to permit his or her animal to become a public nuisance or for any individual to create a public nuisance as defined herein."

**Ms. Sunny Gates** said she lives in an older neighborhood on Indian River Drive. Their particular area backs up to 2nd Street. They have formed a Crime Watch. And through Crime Watch over the past year, with the help of Mr. Moody and Capt. Noone and Mr. Ballard and others, they have been able to take down two buildings. They have found a number of things they have been able to improve. She does wish they can become more aggressive in the code enforcement part and absentee landlords. It takes so long to get through the paperwork and red tape. But they have made a great improvement. She wishes to commend them for all the things they have done. Everybody in the neighborhood feels so much better about being there. Part of the problem is total apathy. She wishes more citizens would become involved and care.

Mayor Dannahower said they have a couple of problem areas in their neighborhood, but the rest are really kept up pretty good. One of those is rental property. Part of the problem of that one is there continues to be overgrowth on the river side of Indian River Drive, including real big peppertrees. That is something they may need to address. There is certainly no reason for those to be in the City.

Mr. Ballard said he is not sure about peppertrees, but they have an ordinance on Australian pines.

Commissioner Drummond said peppertrees too.

Mr. Ballard said they can't plant them; but there is nothing about removing them.

Mayor Dannahower said there is severe overgrowth on the bank and down on the river itself, and there is just a little narrow stretch up on the bank that the man mows. Most of what is left is a bad appearance.

Mr. Meadows said they have heard a lot of problems discussed. But he would like to hear something concrete towards at least one subject that they are going to pursue, be it derelict vehicles or whatever. They need an ordinance to solve at least one specific problem.

Mayor Dannahower said he is going to suggest that the Commission agree to give instructions to Staff to review all of these items and come back with some specific recommendations and be very aggressive in the process. That is his feeling. He thinks they are at that point where they have to be aggressive. The attorneys may have to be innovative and not be afraid to push it just a little bit.

Ms. Scott said there is an ordinance that people are supposed to remove their garbage cans. There is not excuse. Most of the rentals do not pick them up. When they went on their Crime Watch walk, there were garbage cans in the middle of the sidewalk on Orange Avenue and they had to walk in the street. Many people don't pick them up at all, including those recycle bins. Is there anything that can be done? Another thing, there are empty ones where people drop off little packages in there; and somebody else comes along later and to pick up the package. She thinks it is drugs.

Mr. Ballard said garbage cans come under the Solid Waste Department.

Mayor Dannahower said maybe the Code Enforcement Division needs to be more involved in the cans being left out.

Mr. Ballard said they were at one point; but then they transferred one Inspector to Solid Waste.

City Manager Powell said they have Neighborhood Policing involved in this too. The officers will be looking for those kinds of violations, to pass those on. Staff will look into that as well.

Commissioner Drummond said he is comfortable with the suggestion the Mayor has made. Staff can come back with some innovative ways to address those items. The problem with cars, licensing is a problem simply because of the fact that that is only used for the purpose of determining whether or not it can be operated on the streets and it has absolutely nothing to do with ownership, and he thinks they got nailed for that. But anything that is innovative he would be happy to look at. The discussion of tonnage as it relates to some vehicles, he would be interested in seeing whether or not that can be addressed because there are vehicles associated with the citrus business which don't add to the appearance of their neighborhoods. If there is a way to attack that, he would appreciate it.

Commissioner Sessions said they can have all the laws and ordinances they want, but unless they have stricter enforcement - whether it be increasing manpower or whatever - it will not do any good.

Mayor Dannahower said Staff should come back and tell the Commission if they need more people.

City Manager Powell said one complaint that reaches his desk most often is commercial vehicles parked in residential areas and on sidewalks. One thing they have had a difficult time dealing with is that most of those violations occur when the Code Enforcement Officers have gone home. Mr. Ballard has recently authorized some overtime to have someone go out and do that. If they are successful during the budget process and are able to obtain some additional help in code enforcement, they are going to schedule people to work an area in coordination with the Police Department. They are going to try to stop those big tractors from coming in at night, parking on the sidewalks all night long. They are going to have to issue some citations and take some people to court. They may help clear it up.

Commissioner Bryan asked what about neighbors getting involved to give the Code Enforcement Board and the Code Enforcement Officers some relief? What about a volunteer group? She thinks there are enough people in town that are concerned about these things. She is not suggesting they issue citations, but they can make calls.

Mr. Ballard said one of the things they did - which in the budget cutbacks was cut out - and it worked real well to begin with, was they had an Unsafe Housing Hotline, a telephone number with a simple answering machine tied up to it. What is really important is neighbors working together, as Ms. Gates indicated and as Mr. Morris is trying to get people to do. In a lot of cases, people do not know their neighbors. They need to organize these neighborhoods and get them active. Maybe they should reinstitute that telephone number where people can call in complaints. There are only four Violations Inspectors out there. Every referral they get, from the Commissioners or from a citizen, helps. It makes the Inspectors more effective.

Commissioner Bryan said there are enough people who would like to be of some help, even if it is just making a telephone call.

Mayor Dannahower asked if people want to call in a complaint, what is the easiest and best way, and who would they ask for?

Mr. Ballard said they usually get referred to the Code Enforcement Clerk, Lois McCoy; and she will refer it to the Inspector whose particular zone that is located in. Sometimes they get a trash complaint, and that is referred to Solid Waste. A dog complaint is referred to Animal Control. The nice thing about the telephone answering machine is that people could call at any time. Maybe they could institute that again and advertise it.

Commissioner Burdge said in reference to volunteerism, some years ago he presented a similar type program in reference to a sidewalk patrol he had picked up some information on. At that particular time the Commission did not wish to further its endeavor on that particular area. There are a great number of people within the City that walk the City. They do it for exercise, but they are also willing to do it for the betterment of the City. There are some forms available in City Hall. He supplied some of those forms to the Neighborhood Housing Services people. It is a check-off list. Those can be distributed to those who want to become involved. He believes that is something they should move forward on, volunteerism of the community. He does not think that it necessarily would be hard to come up with some sort of program similar to the law enforcement seminar for citizens that the Police Department currently has. They could have a workshop for those volunteers who wanted to participate in that type of program, and the Code Enforcement Officers could put on a brief seminar on what to look for, what not to look for, and basically what not to do. In other words, the volunteer is not

the person who needs to go and confront the landowner; just get the information on a form. Another thing he brought up a few months ago was crosstraining of City employees. Specifically there was discussing this afternoon that there seems to be a number of trash piles in the right of way. There are City employees who go down every street of this City twice a week - that's the Solid Waste Department. He knows they are linked by radio back to the office. If they see something, he does not know why they are not reporting it. If they are reporting it, maybe that information is not being transferred to the correct location to get that stuff taken care of. If it is, fine. If it is not, then maybe some crosstraining of the total Staff of the City. One problem they have is there are a number of people who do not live in the City but work for the City. That creates a problem too. But those who do work for the City and live in the City, he thinks it would be more advantageous for them to become more of a part. And possibly a general seminar for all City employees, that the City is taking a stand on code enforcement, and the City employees need to take part of that responsibility in supplying information to the Code Enforcement Division. Again, not necessarily having to actually do the paperwork, but these flyers should be distributed to everyone. And there should be a general consensus that the City as well as the Commission is taking a firm and solid stand against code violators. Those type of efforts resonate from the Commission down to the lowest levels of the employees and throughout the ranks of the employees. He knows that the Police Department could become more involved. He believes there is some number that deals strictly with code enforcement. Through the reports that they receive from 911, there are slots that deal just strictly with code enforcement. He is wondering how often the Police Department becomes involved with code enforcement and actually issue citations. Can the Police Department issue citations if they see things? The thing he remembers most vividly is the milk truck that has gravitated from Ormond Avenue down to Sunrise Boulevard in some way. Hopefully it is not the same one.

Mr. Ballard said that was on the right of way. They tagged it and it is gone. He has not seen it back.

Commissioner Burdge said that is the kind of thing that he thinks the Police Department should take a more active role in. If they need to, set a quota. And if they match their quota, then maybe the Commission should authorize some prize. That is probably illegal. But it is a matter of fact that the Commission needs to from their level all the way down to the lowest level get to the point that all of the City workers become involved in code enforcement, not just the four people that are designated to go out and actually in a sense do the job, but the City as a whole. He knows the Mayor sends reports and he does it himself from time to time. Maybe the other Commissioners should become aware of it and pass it down.

Acting Chief of Police James Mahar said the Police Department is constantly looking at violations and turning them in. When they first started Community Policing, they were working with everybody, and they swamped Code Enforcement and that is when they had plenty of people. As they got into the neighborhoods, what appeared to be a small code violation ended up being something very serious. They were tied up. The Police Department actually had to back off and give them time to clear up some of their cases because they were so buried they could not get out. Then they lost some people. That did not help the situation either. The Police Officers are instructed to look for code violations and bring it to their attention.

Mr. Ballard said they get a lot of referrals to this day from the Police Department. The biggest thing that was probably frustrating to the Police Officers themselves was the due process procedure that the Code Enforcement Division had to go through.

It is not a matter of arresting someone, it is a matter of dealing with private property. The processes are quite different.

Chief Mahar said it was a problem that the Code Enforcement Officers did not have the manpower and were backed up in the process.

City Manager Powell said for example, even if they get a call today about a trash pile - maybe a neighbor calls it in, which happens a lot and they are grateful for that - the situation is, that trash pile is not going to just disappear overnight just because the City knows about it. It could take a week or ten days. He has had several calls from Commissioners on the same pile, for example. Their goal is to get rid of it as soon as they can, but make the responsible party pay for it. They are talking about a lot of dollars here. If there is a truckload, it costs gas and manpower and disposal tipping fees. So it is a very expensive process. So when they get a complaint, Staff goes out and tries to determine - and sometimes it takes a few days to do it - who is the guilty party? One neighbor will put it down on another guy's lot. It takes a little investigation to determine that. When that happens, they maybe have to get help from the Police do to a little mini-investigation to prove that this person actually did that. After it goes on for a while, sometimes it is not worth it; and he will go ahead and instruct City Staff to pick it up, because it is worth more to the community to get rid of it than it is to hassle with it. But keep in mind that it does not happen overnight just because Staff knows it is piled up there.

Commissioner Burdge said on the aspect of volunteerism, he knows by working in the school system that each school tries to get many people involved as volunteers, and there are actual awards given out by the State of Florida. He does not see where in a sense a school is any different than a municipality in the small sense that they are all part of the community and that this is where they live and raise their kids. In some ways in relationship to innovative ideas, the idea of establishing possibly people who would volunteer to actually work in the office to do some of the typing that might be necessary in this, to do some of the research that might be necessary. He does not know what a Violations Inspector does after they get the address and go out and look at it. The point being is, if it is a manpower situation, he is sure that people can be trained and will volunteer in certain areas when they become comfortable in that particular area. As a matter of fact, some of them would probably pride themselves on being able to work in code enforcement, sort of like being a mini-detective in searching out and finding the actual person who owns the land and such like that. He thinks through the Personnel Department they could establish a volunteer section; and then go out and figure out which departments they could actually have people come and do those types of jobs. Then set up some formal training in order to actually teach those people how to do the jobs as volunteers. There are a lot of retirees in the City of Fort Pierce. There are a lot of people who would be willing to come and volunteer three or five hours a week. There are probably a large amount of volunteers that could easily want to work in City Hall with code enforcement as they have already with the Reserve Officers of the Police Department.

Mr. Ballard said perhaps one of the ways volunteers could help the most is just become active in their neighborhoods and to call in problems. A code enforcement violation, once it has been identified, it puts into motion a long and sometimes protracted system that requires a lot of follow-up. There is more to it than most people realize. Certainly people could be trained to do those things. He thinks becoming active in their neighborhoods and becoming committed to playing an important role

as to what that neighborhood is going to become is perhaps the most important form of volunteerism the City could benefit from.

Ms. Brenner said she would like them to go back to the suggestion about the Violations Inspectors being able to issue citations on the spot and pursue that. She also thinks they should look very seriously at a second shift person who would come on at like 3:00 p.m. into this building and be able to work in a quiet atmosphere and follow up on things. She knows people who will not move to Fort Pierce. It looks terrible. If they don't spend some money to fix it up, they are going to lose their tax base and go further away from where they would like to be.

Ms. Scott said what about Crime Watch? NHS has helped them and has been wonderful. They have united people in the neighborhood. But the thing is, they would be happy to volunteer to report things. She wants a better City and she loves this City. She has been here a lot of years.

Mr. Ballard said he does not know if there is a Crime Watch on Delaware Avenue, but there has been a number of meetings that have happened in that neighborhood relative to NHS and what they are trying to do to organize it. He, Mr. Moody, and Mr. Ryley have gone to explain to people what it is that constitutes a violation. They would be happy to come to one of the Crime Watch meetings Ms. Scott referred to.

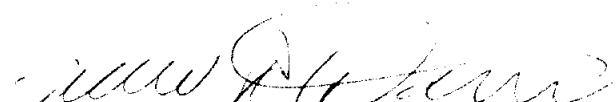
Mayor Dannahower said unless there is something else that is important to talk about on this, they will leave it with Staff. Are there any objections? (No one objected.) They can have another meeting in a couple of weeks if that is enough time for Mr. Ballard. There are problems with vacations and that sort of thing, but they will do the best they can. This is something that he personally is going to try and pursue, and they may meet in special session on some regular basis if they have to. It is important and they look forward to some positive things very quickly.

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There being no further business, Mayor Dannahower declared the meeting adjourned at 7:35 p.m.

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Adjournment.

ATTEST:

  
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CITY CLERK

  
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MAYOR COMMISSIONER