

**BOARD OF MAYOR AND COMMISSIONERS
REGULAR WORK SESSION**

April 21, 2010 - 5:30 p.m.

MINUTES

Members Present: Ed Rieker, Mayor
David Milliron, Mayor Pro Tem
Terry Giager, Commissioner
Michael Payne, Commissioner
Gene Lee, Commissioner – arrived at 5:35 p.m.

Staff Present: Clai Brown, City Manager
Juliette Sims, City Clerk

Guests: Corporate Environmental Risk Management (C.E.R.M.) Project Team

Item No. 1 Meeting called to order at 5:30 p.m. by Mayor Rieker.

Item No. 2 Adoption of Agenda

Mayor Rieker noted that he was removing Item 3(c) from the agenda. Mayor Rieker noted that the Avondale Estates Business Association can email their information to the board because this is the second time they have called in their board update.

City Manager Brown noted that he would like to discuss the sign ordinance and the zoning ordinance. Mayor Rieker noted that this will be Item No. 11 on the agenda.

Mayor Pro Tem Milliron noted that there was an email request from Julie Feely to give an update to the board. Mayor Rieker noted that this will be Item No. 3(c).

A motion to adopt the agenda as amended was made by Mayor Pro tem Milliron, seconded by Commissioner Payne, passed with all ayes (4-0).

Item No. 3

Board Update

- a) Lake Avondale Advisory Board – Steve Sanchez
Mr. Sanchez stated he was here tonight to give an update as to where the board is with the improvements for the lake. Mr. Sanchez showed and reviewed the revised plans based on the desires of the Board of Mayor and Commissioners. Mr. Sanchez noted that their goal was to get a path around the lake, do some shoreline stabilization, and do something to stabilize the soil that is around some of the trees that is being overly compacted. Mr. Sanchez stated what the board has done is find a mixture of things that are aesthetically pleasing as well as environmentally sound and sustainable. Mr. Sanchez noted that they got the permits from both the Core of Engineers and the State and the EPD so they are ready to go and the next step is to create the contract documents that then can be bid on. Mr. Sanchez recommended the board take the plan and go

out to the lake and review it. Mr. Sanchez stated that the items can be done in pieces. Mr. Sanchez noted that his firm does this type of service and he offered his service on a fee basis. Mr. Sanchez noted that he is aware that the City has a limit of 5K before it has to go out to bid and his firm is willing to put together the packet (specs and drawings) for this for the 5K limit if the City would like to utilize his firm. Mr. Sanchez reviewed the estimated numbers to do the project and the total will be around 200K to 300K without the irrigation system. Mr. Sanchez will get some estimates for the irrigation system. Mr. Sanchez noted the project will take 60 days, the planting is done in the dormant season. Mr. Sanchez noted that the lake will need to be lowered when they do the project about 18 inches.

The board commended the Lake Board for the job they have done. The board stated there will need to be a real maintenance plan put together.

Commissioner Lee asked about the possibility of putting lighting around the path of the lake.

Mr. Sanchez stated that lights are very high maintenance ants/moisture.

Mayor Pro Tem Milliron asked what the game plan was with the area by the community club in regards to the encroachment.

Mr. Sanchez stated they would have to get permission from the Community Club basically they would be saying “the City will put in the path if you allow us on your property to put the path in”.

Mayor Pro Tem Milliron stated who maintains the property on private property, what obstacles does that cause then.

Commissioner Payne stated an agreement with the Community Club would need to put together as to who maintains the property. Commissioner Payne feels that would not be an obstacle at all and feels the Community Club would be in agreement.

It was the consensus of the board to move forward with obtaining bids. Mr. Sanchez will work with City Manager Brown on his firm putting the contract documents and specs together for it to go out for the bidding process.

b) Downtown Development Authority – Bart Webb

Mr. Webb gave an update on the Downtown Development Authority activities.

- A couple of people have showed interest in opening up the theater for a community art center and the Downtown Development Authority is considering supporting them if they come up with a nice business plan that the board is agreeable on.
- The Downtown Development Authority is going to donate \$835 for the Art-B-Que for a billboard they are renting.

c) Planning and Zoning Board – Julie Feely

Ms. Feely noted that in the course of the Monday night Planning and Zoning Board Regular Meeting, they had an opportunity to discuss two topics, the first is the Mill District Zoning as the board is aware tonight they are not receiving the draft land use plan for the Fenner Dunlop property but they will see that next month. Ms. Feely stated that after the draft land use plan they will start to talk about finalizing that and transitioning that into the zoning that derives directly from that land use plan that the community has worked on. Ms. Feely stated that she is asking the governing board and the City staff to start to think about the resources that will be available to the Planning and Zoning Board and City staff in support of trying to get that Mill District zoning drafted in a timely fashion in support of the annexation that is so desirable for that property along with timelines. Ms. Feely noted that the City is due for their required year five update to our comprehensive plan adopted in 2007 and to at least update the short term work program. Ms. Feely stated that the new City Planner may have expertise in this area and may be the only additional resource that would be needed. Ms. Feely noted it takes about 18 months to go through the planning process.

Mayor Rieker asked Ms. Feely when that was due.

Ms. Feely stated 2012 and it is an 18 month planning process. Ms. Feely explained what the planning and zoning board is doing in preparation of this task. Ms. Feely noted that the Downtown Development Authority also plans to update the Downtown Master Plan. Ms. Feely noted that the Master Plan, Comprehensive Plan and Lake Plan all are under the umbrella of the Comprehensive Plan. Ms. Feely stated that other boards will need to be collaborated with to see if they have any changes they would like made to the plans.

Mayor Rieker asked that a Special Called Work Session be set-up for the Fenner Dunlop Visioning Concept. Mayor Rieker noted that on the agenda tonight is the update for the Century Development and he asked Ms. Feely to stay for that because they might need to look at an alternative plan for what is there now.

Item No. 4 Stormwater Overview - Corporate Environmental Risk Management (C.E.R.M)

City Manager Brown introduced Shawn Askew, Project Manager of Corporate Environmental Risk Management (C.E.R.M) and Bryan Armstead, Director of Public Works. Mr. Askew noted that they are the firm contracted by Avondale Estates to do the MS4 Stormwater System Inventory and Mapping. Mr. Askew introduced his team members. Mr. Askew noted that the mapping was completed in March and he is here tonight to go over what the team did and where the money was spent and why. Mr. Askew noted that there are 426 stormwater structures in the City, 12 retention ponds and 412 connecting pipes or conveyances that they inventoried. Mr. Askew noted that they shared this data with DeKalb County as part of the intergovernmental agreement that the City has with roads and drainage. Mr. Askew stated that of these 850 structures only one matched to what is called a conditional one, high hazard alert and that was a catch basin on Oak Street. Mr. Askew noted that the Environmental Protection Department noted in the beginning that the City's stormwater system was "exceptional" and Mr. Askew stated that there are not many systems around that have that designation and to go through 850 structures and only find one that has any kind of maintenance priority is very remarkable.

City Manager Brown commended Bryan Armstead, Director of Public Works and Oscar Griffin, Director of Parks and Recreation for an outstanding job.

Mr. Askew noted that there were only 14 structures that were condition two and 8 that were conditional three, the vast majority were in good shape.

Mayor Rieker asked if Mr. Askew knew the condition of the pipes that are connected that actually moves the water.

Mr. Askew stated that the actual pipes all that they inventoried were the ones that come into the structure, inventorying the actual inside of the pipe was not part of their investigation. Mr. Askew noted that usually when there is a problem inside the pipe it is going to show some kind of indication where it goes into the structure.

Mayor Rieker asked Mr. Askew if he had any idea on the priority one and two items what the cost will be to fix or is that the next step.

City Manager Brown noted that is the next step.

Commissioner Giager noted that in the stormwater drainage survey do they take an area of drainage that has to go through that drain to evaluate whether that drain is large enough to handle all the water drainage that is coming from everywhere.

Mr. Askew noted what they did was strictly the inventory and mapping to see where the structures are, see where they connect, and how they move the water and where they are moving it to, as far as the sizing of the system in a particular

area that is something that the City would retain the services of a Civil Engineer to do which they do as well.

Commissioner Giager asked if this was needed to obtain the flood insurance.

City Manager Brown noted that this is for permitting as part of the MS4.

Mayor Rieker asked City Manager Brown where the City is going next as far as the issues/fixes that may be out there, is that something that could be talked about tonight or is that something that should be brought back.

City Manager Brown stated that can be brought back to the next meeting.

Item No. 5

Bridal Pathway Clearing Cost Estimates

City Manager Brown noted that he had received three quotes for clearing the paths/pocket parks. City Manager Brown reviewed the quotes and noted that it would cost \$110,102.75 to do it all at once.

Mayor Pro Tem Milliron asked if cheaper bids could be obtained.

City Manager Brown stated that he feels good with the quotes he obtained they were very detailed quotes.

Mayor Rieker stated that there is even a larger issue, does the board really want to open the bridal paths.

Mayor Pro Tem Milliron stated this is a very controversial issue especially for \$110,000.

Commissioner Payne stated that since the City has already gone this far on it, he would like to see some more study on the paths because some of them appear to run right through resident yards.

City Manager Brown noted that two paths are open and the other five go through resident yards, right up against their patio, driveway, garage, etc.

Commissioner Payne stated that he feels the City should do some further study and then get massive citizen input before the board makes an informed decision because a lot of these paths have been dormant for years.

Commissioner Lee stated that Commissioner Payne addressed his concerns. Commissioner Lee noted that he feels the paths should be explored because it makes the neighborhood unique but he does feel the public should be informed. Commissioner Lee stated maybe a couple of the paths could be opened up.

Commissioner Giager stated that he definitely feels because of the City Charter and this being a historic City that sooner or later the City will have to open up the paths but he does not believe now is the time at the expense that was presented, he feels the priority would be the lake.

Mayor Rieker stated that he completely agrees that the lake is the priority. Mayor Rieker noted that he has also heard from citizens on this because they have property that is affected by this and they are already upset. Mayor Rieker stated one of the things that concern him the most is that the Chief has said that there is a public safety issue in terms of opening the paths up because once you open them someone has the ability to go from this street to this street and he is uncomfortable with it. Mayor Rieker stated that the ones that are open are great but he feels as a City if we have let these lapse for so long as far as not being opened then this is an actionable item for him.

Commissioner Payne stated that we do have sidewalks that distinguish us from other cities as far as walking and he feels the lake has far more priority.

Mayor Pro Tem Milliron stated that he did not know history wise why the paths were not maintained and not open to this day. Mayor Pro Tem Milliron would feel more comfortable if there were property owners coming saying that they want the paths open and he does not hear overwhelming clamoring to open the paths and that is what has to be weighed out, a good piece of the City history versus public safety versus cost versus expense. Mayor Pro Tem Milliron stated the lake is only one issue of costs, there is the stormwater as well and that is why he can place this on the bottom.

City Manager Brown agrees that it should take a lower priority. City Manager Brown noted that when they walked the paths with a lot of the residents it was a security concern, City Manager Brown noted that some of the residents are here tonight.

Commissioner Payne stated that this should be deferred unless citizens ask for it to be studied further and the cost alone the City does not have the funds to spend on this and the City staff has spent a lot of time on this.

City Manager Brown noted that the quotes do not include the maintenance of the areas.

It was the consensus of the board to table this item.

Forest Haller, 94 Berkeley Road noted that there is a path by his house and he does not want to see it opened up. Mr. Haller spoke about the liability, the trees and he noted he had not heard any of his neighbors wanting it opened up. Mr. Haller was pleased that the board seems in agreement with not opening the paths.

Sonya Reynolds, 93 Berkeley Road Ms. Reynolds concurred with what Mr. Haller stated. Ms. Reynolds noted that the City prides itself as an Arbor City and the idea of coming in and tearing down all those trees is beyond her and the maintenance, liability, water management problem that could occur when the trees are gone on some of the paths, and security are also concerns and she would appreciate the board putting this item at the bottom of their list.

Unknown Resident reminded the City that the Charter is based on the vision Mr. Willis had and the City has a historical charter because of these paths and you just cannot say you are going to support this park, the lake and not support the bridal paths, this is a total package which makes the City unique, the City could possibly lose historical recognition because of this and the City should be aware of this if this item is tabled.

Julie Feely, 2 Dartmouth Avenue stated from a planning prospective she feels there are several items the board needs to get answers to in regards to the Charter, failing to maintain the property for the benefit of the residents of Avondale Estates and there are liabilities for areas of wild wood areas that are not cared for at all by the City. Ms. Feely stated that what the City needs to do from a planning prospective is take the work they have done now, create a formal report out of it and it gets put into some sort of master plan and then put into the long-term work plan in the comprehensive land use plan so it is not forgotten but the City needs to have a plan because the Charter identifies responsibility for the City and their maybe a diversionary clause that doesn't mean everything gets opened up but at least the City will have a plan.

Mayor Rieker asked City Manager Brown to look into the items that were addressed.

Item No. 6

Resolution for Service Delivery Strategy Extension

City Manager Brown stated that this is a resolution to renew the Service Delivery Strategy Agreement to February 28, 2011. City Manager Brown noted that this will get all the municipalities and county back in compliance with the DCA. City Manager Brown noted that by extending the agreement municipalities will be able to opt in or opt out of police basic service, non-police basic service, parks and recreation and streets and road maintenance. City Manager Brown stated that the City has a right to decline services.

Mayor Rieker asked that this be placed on the April 26th agenda. Mayor Rieker noted that he believes the choices happen next year as he understands it.

City Manager stated once the City passes the resolution then by September 30, 2010 the City needs to send a resolution to the county that we decline and opt out of a service.

Mayor Rieker noted the City will probably opt of parks and recreation.

Mayor Pro Tem Milliron stated it would be helpful to have a list of the basic services.

City Manager Brown will provide the Board of Mayor and Commissioners with the list of the basic services. City Manager Brown also noted that he will send the board all ink to the bill.

Item No. 7 Downtown Development Board Appointment

City Manager Brown noted that the Downtown Development Authority has recommended Tres Indermark. It was the consensus of the board to accept the Downtown Development Authorities recommendation. Mayor Rieker asked that this be placed on the April 26th agenda.

Item No. 8 3rd Annual Art-B-Que

Bart Webb stated that he is before the board as Bart Webb, CEO of the Avondale Estates Cultural Affairs Foundation, Inc. Mr. Webb stated that they are a non-profit organization devoted exclusively to build the arts by educating the public in the arts through exhibits, performances, events, and workshops, in order to attract visitors and businesses to the community and to enhance the education experience of students in the community. Mr. Webb distributed information about the foundation and noted that they are rolling Art-B-Que and RAD into the foundation, he also distributed the estimated budget for Art-B-Que. Mr. Webb noted that the foundation goals for 2010 are to establish an open air urban market two Saturday's a month during spring and summer and establish a haunted house for the moth of October and Mr. Webb explained the details of each of the events. Mr. Webb noted that Art-B-Que this year is two days and they are hoping to get 150 artists and they are charging \$85.00 per booth that will give them around \$12,000 to put toward the Art-B-Que expenses. Mr. Webb explained the activities that will be at Art-B-Que and noted that they are expecting 10,000 people for the event. Mr. Webb stated that he is here tonight to ask the board to give funding of 5K toward advertising.

Mayor Rieker stated that he appreciates everything Mr. Webb has done over the years to get Art-B-Que going and thousands of people showed up last year for the event.

Commissioner Lee stated that the event is great and he is in full support of the City supporting the event. Commissioner Lee will speak to his uncle to see if he can bring one of his grandfather's classic cars to the event.

Commissioner Giager stated that the board has already approved the budget so he would have to defer to City Manager Brown as to what the board can do at this point and he does feel it is a terrific promotion for the City.

Mayor Pro Tem Milliron stated that he would like to see a recommendation from the City Manager based on where the budget is. Mayor Pro Tem Milliron stated he would like to see the Downtown Development Authority do the contract even if the City passes the money as a promotion for the Downtown but it is still promoting the City and he does like the idea of the 5K as seed money.

Commissioner Payne agrees with what has been said subject to if the City Manager feels it is fiscally responsible to do. Commissioner Payne stated that the board has already discussed as far as the arts going forward, the board coming up with a pool and the different groups coming to the board for funding which will better serve the overall art community.

Mr. Webb apologized for not coming to the board during the budget process but he was in the process of doing all the legal paperwork for the foundation.

City Manager Brown stated that the City has the money and his only recommendation to the board is that the funds go to a specific item so he can track what the money is being spent for and he will need receipts back to match what the 5K was used for. City Manager will work on a contract for the board to approve at the April 26th meeting

Mayor Rieker asked that the item be used for advertising/promotions and the board was in agreement with that. Mayor Rieker asked that this be placed on the April 26th agenda.

Mr. Webb stated that when you enter the festival patrons are going to have to pay \$5.00 for a beer ID wristband. Mr. Webb stated is there anyway the City can figure how the foundation could sell the beer itself and make the profit off the beer proceeds because they do not have a liquor license

City Manager Brown will check into this item.

Commissioner Giager expressed his concerns about the haunted house being a liability. Commissioner Giager suggested that Mr. Webb speak to the law officials about those liabilities.

Commissioner Lee will ask his contacts about how they set-up their haunted house and provide that information to Mr. Webb.

Item No. 9 Proclamation for Municipal Clerk Week, May 2-8, 2010

Mayor Rieker asked that this be added to the April 26th meeting agenda.

Item No. 10 Century Update

City Manager Brown stated that as the board is aware Nayef Haddad is no longer with the company and he can't get much communication with the Florida staff so he went to Ted Sandler who is their attorney up here and he stated the following: Century is a family owned business (The Maxwell's) and the father stepped aside about four years ago and the son came up and took the reigns and with the downturn of the economy, Century has not been doing that well, so the father has now come back out of retirement and he has pulled his previous developer out of retirement to look at the economics of every single project they have and once that person assesses all of the projects he will then come back to Lawrence Maxwell and give his findings on which projects need to be done and which do not. City Manager Brown noted as the board knows Century is in default of the development agreement, they missed their second installment. City Manager Brown noted that the board had received the information from the City Attorney on the three things that could happen if they defaulted. City Manager Brown noted that Century had a senior management meeting today and they will be in touch with him the first of next week regarding what is going to happen. City Manager Brown stated what he and Mr. Sandler think is going to

happen is when this new developer reviews all the economics of the property he is going to come back with a proposal to the City stating that they just want to do the Publix. City Manager Brown stated he does not think they are going to do phase II but he does feel that want to do the Publix and the property that the do have will possibly be built out with the mixed use that was originally planned. City Manager Brown noted that they are trying to work with their current lender to refinance. City Manager Brown stated that the City can continue to let the development agreement keep going but once they make the payment there is nothing we can do. We could sue them or resend the entire development agreement and everything goes back to the way it was before but they are property owners now and they can do whatever they want with the property as long as it falls under the CBDZ Zoning Ordinance.

Mayor Rieker stated that he ran into an acquaintance of his that does development and he stated that over a period of time Century has had people approach them about participating in this particular project and they told them everything is fine and they don't want to do anything.

Commissioner Giager asked if they had paid all their back taxes. Commissioner Giager stated that he sees no sunshine with this situation and nothing is happening and they have defaulted and the board needs to make a decision. Commissioner Giager stated that he knows money is short but he knows there are developers out there who are interested in that property.

City Manager Brown stated yes all but one parcel has been paid.

Mayor Pro Tem Milliron stated that they are obviously having meetings so why call the note now let's wait and see what they elect to do as the next move. Mayor Pro Tem Milliron stated that if they elected to do the Publix they are going to have to come back and negotiate the contract or it may be there will to allow the contract to go out the door but given the fact the board has heard the Downtown Development Authority say there is not much cooking out there and not much development going on let's continue to give them a little time to decide what it is that they want from the City. Mayor Pro Tem Milliron stated that if there are maintenance issues then it is the same as anyone else go full force and apply the power of the City and wait until we hear from the developer.

Commissioner Payne stated that he feels right now we would be better advised to wait and see what happens on that end. Commissioner Payne noted as far as the maintenance issues we just continue on. Commissioner Payne stated that there is not much coming out of ground in the commercial world that he sees and we should wait and see if we get just a proposal for the Publix and then we address that issue if and when it happens. Commissioner Payne stated that the City does not own the property and there is very little leverage that we have and right now it is between them and their lender. Commissioner Payne stated that it is in the best interest of Avondale that we just wait until we can make a more informed decision as to what happens, hold out another 30 days.

Commissioner Lee stated that he sent the City Manager an email addressing this issue which he shared with the board. Commissioner Lee stated that he believes the board knows where he stands but he understands that it is very difficult for them and he understands about the waiting and listening to what they have to say but he is a big believer that you don't make commitments that you can't live up to them. Commissioner Lee does not like the lack of communication and he does not feel there is much good to come out of this. Commissioner Lee stated that there needs to be a timetable for them to definitely respond back. Commissioner Lee stated that they can't do the Publix without doing the Maple Street Project. Commissioner Lee noted that he drives by the Maple Street Project and it is an eyesore and he agrees with Commissioner Giager there are people out there interested in the property.

Mayor Rieker stated with this particular agreement, personally he is done with it and he knows if they come back and they want to do a Publix this agreement won't apply we are going to have to start over anyway and leaving it open after someone has been in default is a bad business practice from lots of points of view. Mayor Rieker stated that he can appreciate that it is bad times and he can appreciate that they are reorganizing now but he thinks that there is an opportunity for us to look at other solutions to the Publix issue and he thinks without an agreement it frees the City up to be proactive in going out and speaking with Publix, speaking with developers and trying to get something going because things are happening and starting to come back and he hates to see the City locked in this when it appears to not have any breath left in it. Mayor Rieker stated that his opinion is to default them and move forward and see what we can do. Mayor Rieker stated he does not know if the City needs resolution to do that or what the mechanics are to do this.

City Manager Brown stated that he will find out but he imagines it would call for a vote to resend.

Commissioner Payne asked when City Manager Brown is supposed to hear back from them.

City Manager Brown stated middle of next week.

It was the consensus of the board if they do not have something definitive from Century by the May 19th Work Session the board will have no option but to terminate the contract.

Item No. 11

Zoning Ordinance and Sign Ordinance Update

City Manager Brown stated that the sign ordinance is done and it will need to go through three readings and a public hearing. City Manager Brown noted that the first reading of the sign ordinance will be April 26th, second reading May 24th, public hearing May and third reading June 28th. City Manager Brown noted that the zoning ordinance final draft review is scheduled for next month, they were originally scheduled for tonight but Stephen from ARC called and he is not done with the map amendments so he wanted to push it until May. City Manager Brown noted that the zoning ordinance as far as the Attorney's comments and other comments from our last meeting Stephen has taken care of

and when he receives that draft he will send it out to board and that should be the final draft however; he has not seen the map amendments. City Manager Brown stated that in the May meeting there might be some more comments regarding the map amendments and possibly the text. City Manager Brown stated with that thinking then the last meeting of the zoning would be in June and the first reading would be June 28th, second reading July 26th, a public hearing and then the third reading August 23rd. City Manager Brown stated at the last meeting the board wanted to parallel the zoning ordinance and sign ordinance public hearing therefore he needs a date from the board.

It was the consensus of the board to follow the plan City Manager Brown has outlined for the readings and have a public hearing for the sign ordinance on May 24th and a public hearing for the zoning ordinance on June 28th.

Mayor Pro Tem Milliron will be out of town June 28th.

Mayor Rieker noted that he will not be out of town for the work session on May 19th.

Mayor Rieker stated that he is struggling with the whole idea of everyone going through the Architectural Review Board now and the board is suppose to create laws to fix problems and he does not know if there is a problem out there that needs to be fixed and he is struggling with that particular piece of it in saying that everyone has to go through the Architectural Review Board citywide. Mayor Rieker stated that he wants to throw that out there and the next time the board discusses the zoning they need to discuss.

Mayor Pro Tem Milliron stated he is agreement with Mayor Rieker especially since he owns two condos and they have they own covenant.

Item No. 12

Public Comment

Forest Haller, 95 Berkeley Road thanked the board for hearing the comments on the bridal paths. Mr. Haller spoke about the fecal problem with the geese at the lake.

City Manager Brown will check on this.

Commissioner Giager stated that there is a resident in Avondale that feeds the geese everyday and there is no way to get rid of them if someone is feeding them. Commissioner Giager stated there are also coyote decoys.

Julie Feely, 2 Dartmouth Avenue noted that C.E.R.M. had only discussed one deliverable to the City and that was a set of three maps, and did they not also provide a set of photographs and a GPS database.

City Manager Brown stated yes they provided those as well.

Julie Feely, 2 Dartmouth Avenue asked the board to confirm what they had decided to do regarding Century.

Mayor Rieker stated the board will do nothing until their next work session, May 19th where they will talk about it again.

Item No. 13

Adjournment

There being no further business, a motion to adjourn at 8:25 p.m. was made by Commissioner Payne, seconded by Commissioner Giager; passed with all ayes (5-0).