

MINUTES OF A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 6:30 P.M. ON MONDAY, AUGUST 18, 2014.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:30 p.m.
2. **OPENING PRAYER** - Rev. John Lee of Mt. Olive Missionary Baptist Church offered the opening prayer.
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**

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

Absent: Commissioner Rufus Alexander

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

Commissioner Alexander arrived at 6:33 p.m.

5. **APPROVAL OF MINUTES**

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

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

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

Passed

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

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

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

Passed

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

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

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

Passed

6. **PROCLAMATIONS**

7. **LETTERS TO COMMISSION**

8. **COMMENTS FROM THE PUBLIC**

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

9. **CONSENT AGENDA**

- a. Approval to increase Blanket Purchase Order # 140263 for Wuesthoff Medical Center from \$9,500 to \$16,000.
- b. Waive interest, penalties, administrative fees in the amount of \$3,630.96 for Demolition Lien totaling \$11,275.46 against 703 N 23rd Street, owned by Milagros Suarez contingent upon payment of \$7,644.50 within 60 days.
- c. Approve purchase of two (2) billboards for Fort Pierce Authentic Tours Program (FPAT) in the total amount of \$20,150.
- d. Approve contribution of \$6,500 to the Police Athletic League from the Law Enforcement Trust Fund.
- e. Approval of renewal of an enterprise license agreement with Environmental Systems Research Institute, Inc. (ESRI) to provide access to ESRI term license software for GIS system on an unlimited basis including maintenance for a 3 year term in the amount not to exceed \$120,900.
- f. Approval of Memorandum of Understanding between Fort Pierce Utilities Authority (FPUA) and the City of Fort Pierce authorizing FPUA to make an advance distribution payment to the City in the amount of \$1,250,000 to be repaid by deductions from future distribution payments.
- g. Approval of renewal with Guardian for dental insurance coverage for the October 1, 2014 plan year.
- h. Approval of the following provisions for the October 1, 2014 plan year: 1) renewal of contract with Public Risk Management of Florida Health Trust (PRM) for a term of one year to provide group medical insurance coverage; 2) City absorbs the cost of \$22,000 for the increase for employees with dependent coverage; and, 3) piggyback to an agreement between the FPUA and Physicians Immediate Care to provide primary level health care services to employees and their dependents for \$160 per visit, and not to exceed \$110,000 for the year.

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

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

Passed

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

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

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

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

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

Passed

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

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

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

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

Passed

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

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

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

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

Passed

10. PUBLIC HEARINGS

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

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

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

Mayor Hudson opened the Public Hearing.

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

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

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

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

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

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

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

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

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

him to report what they are committed to do tonight.

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

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

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

Passed

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

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

NAY: Commissioner Edward Becht

Passed

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

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

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

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

Mayor Hudson opened the Public Hearing.

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

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

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

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

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

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

Mayor Hudson re-opened the Public Hearing.

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

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

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

Passed

11. MISCELLANEOUS REPORTS & REQUESTS

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

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

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

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

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

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

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

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

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

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

Failed

b. Presentation on the Comprehensive Gang Model

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

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

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

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

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

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

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

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

12. CITY COMMISSION

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

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

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

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

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

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

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

Passed

13. COMMENTS FROM THE CITY MANAGER

- a. City Manager's Activity Report

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

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

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

14. COMMENTS FROM THE COMMISSION

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

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

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

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

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

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

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

15. ADJOURNMENT

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

ATTEST:

CITY CLERK

MAYOR COMMISSIONER