

# CITY OF FORT PIERCE

## CITY COMMISSION AGENDA

Regular Meeting - Monday, November 17, 2014 - 6:30 p.m.

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

1. **CALL TO ORDER**
2. **OPENING PRAYER** - Pastor Bobby Hopkins, Fairlawn Baptist Church
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**
5. **APPROVAL OF MINUTES**
  - a. Approval of minutes from the November 3, 2014 meeting.
6. **PROCLAMATIONS**
  - a. Proclamation recognizing the retirement of Officer James Aikens.
7. **LETTERS TO COMMISSION**
  - a. Commendation letter recognizing Parks & Grounds Division Manager Paul Bertram.
  - b. Certificate of Achievement for Excellence in Financial Reporting awarded by the Government Finance Officers Association of the United States and Canada recognizing the City of Fort Pierce and Gloria Johnson, Director of Finance, for preparing the award-winning comprehensive annual financial report (CAFR) for fiscal year ended September 30, 2013.
8. **COMMENTS FROM THE PUBLIC**

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

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ANY PERSON SEEKING TO APPEAL ANY DECISION BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING IS ADVISED THAT A RECORD OF PROCEEDINGS IS REQUIRED IN ANY SUCH APPEAL AND

THAT SUCH PERSON MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

9. **CONSENT AGENDA**

- a. Reduce Code Enforcement Lien in the amount of \$27,200.00 against 656 (Approx.) N 2nd Street, Ft. Pierce, FL owned by the Estate of Dennis J. Horvath, to \$2,720.00, contingent upon payment within 60 days.
- b. Approve the purchase of two (2) billboards from Clear Channel Outdoor to promote tourism in Fort Pierce in the total amount of \$20,475.00 for the period of one year.
- c. Approve reimbursement to the Arts and Cultural Alliance of St. Lucie County in the amount of \$5,245.00 for the maintenance of Public Art within Fort Pierce.
- d. Approve the purchase of Click2Gov software from SunGard that will allow employees and retirees to have self-service access to employee data and allow applicants to file job applications on-line in the total amount of \$12,296.00.
- e. Acknowledge staff's approval of a Minor Amendment to Site Plan for the former 84 Lumber Truss Plant, consolidating two future storage buildings, totaling 32,000 sq. ft., into a single structure.
- f. Approve permit request by Goodfellas Pizza for installation of two (2) above ground LP tanks at 1008 B Seaway Drive.

10. **PUBLIC HEARINGS**

- a. Ordinance No. 14-033, revising City of Fort Pierce Code of Ordinances, Chapter 11, Sections 11-48 and 11-52 with respect to noise control. FIRST READING
- b. Public and City Commission review and comment on the 2013-2014 CDBG Consolidated Annual Performance and Evaluation Report (CAPER) containing a summary of programmatic activities. First of Two Public Hearings.

11. **MISCELLANEOUS REPORTS & REQUESTS**

12. **CITY COMMISSION**

- a. Resolution No. 14-R36 Accepting the Returns of the General Election held on November 4, 2014.

13. **COMMENTS FROM THE CITY MANAGER**

a. City Manager's Departmental Activity Report

14. **COMMENTS FROM THE COMMISSION**

15. **ADJOURNMENT**

**City Commission Regular Meeting**

**Agenda Item # 5. a.**

**Meeting Date:** 11/17/2014

**Re:** Minutes 11.03.2014

**Submitted For:** Linda Cox, City Clerk, City Clerk

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**SUBJECT:**

Approval of minutes from the November 3, 2014 meeting.

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**Attachments**

11.03.2014

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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, NOVEMBER 3, 2014.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at
2. **OPENING PRAYER** - Mayor Linda Hudson 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

5. **APPROVAL OF MINUTES**

- a. Approval of Minutes from the October 20, 2014 meeting.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve the Minutes of the Regular Meeting on October 20, 2014.

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

Passed

6. **PROCLAMATIONS**

- a. Mayor Hudson issued a Proclamation posthumously recognizing Judge Ralph Flowers. It was accepted by members of the Alpha Phi Alpha Fraternity, Inc.
- b. Mayor Hudson issued a Proclamation supporting the Florida Surgeon General's Healthiest Weight Florida Initiative. It was received by Arlease Hall of the St. Lucie County Health Department.

7. **LETTERS TO COMMISSION**

8. **COMMENTS FROM THE PUBLIC**

**Ms. Dodi Spence**

**Mr. Roy Darby**, 619 South 6th Street

**Mr. Patrick Henry**, 1123 Granada Street

**Ms. Jane Rowley**, 4380 Christensen Road

**Mr. Jim O'Dell**

**Mr. Frederick Jackson**, 1211 Avenue D

**Ms. Gwen Morris**

**9. CONSENT AGENDA**

- a. Approval to award contract for Bid No. 2014-026 Landscape Maintenance of Medians to Mr. B Lawn Service in an amount not to exceed \$35,460.00 for one year with two one-year renewal options at no increase in price.
- b. Approval to purchase Christmas tree and ornaments from Clark Sales Display, Inc. in the amount of \$9,350.00 for the Avenue A/Indian River Drive round-a-bout and to award contract for Bid No. 2015-003 to Let There Be Lights, Inc. to provide Holiday Lights at Marina Square in the amount of \$63,440.00 for three years.
- c. Approval to piggyback National Intergovernmental Purchasing Alliance Contract No. 120576 for the acquisition of refuse containers from Toter, Inc., Statesville, NC, in accordance with the attached quote, for the amount not to exceed \$71,431.00.
- d. Approval of Travel for Commissioner Sessions to attend the Florida League of Cities 54th Annual Legislative Conference in Orlando, FL on November 13-14, 2014 in the amount of \$\$753.43.
- e. Approval of Travel for Commissioner Alexander to attend the Florida League of Cities 54th Annual Legislative Conference in Orlando, FL on November 13-14, 2014 in the amount of \$\$753.43.
- f. Waive interest, penalties, administrative fees for Demolition Lien totaling \$11,275.46 against 703 N 23rd Street, Ft. Pierce, FL, owned by Milagros Suarez and contingent upon payment of \$7,644.50 with a payment plan.

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

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

Passed

**10. PUBLIC HEARINGS**

**11. MISCELLANEOUS REPORTS & REQUESTS**

- a. Discussion of proposal to construct raised medians within US 1 right-of-way to eliminate left turns onto U.S. Highway 1 from Old Dixie Highway.

Jack Andrews, City Engineer, appeared with a staff recommendation to approach TPO and DOT to further evaluate the raised median, or at a minimum redesign so as to keep open the entrance point to Avenue M.

A major concern is safety. He stated from experience and looking at the situation, the median would essentially block the entrance to Avenue M, affecting the businesses on the west side of U.S. Highway 1. Since there have been no accidents at this location for two years, he proposes to leave it as it is and reallocate the money to different intersections that he feels needs more attention.

It was a consensus that Mr. Andrews go back to the TPO to inquire of the original firm that conducted the study and request a possible alternate recommendation.

**12. CITY COMMISSION**

- a. Appointment/Reappointment of a regular member and an alternate member to serve on the Treasure Coast Regional Planning Council for a one-year term.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to reappoint Commissioner Thomas Perona as regular member and Commissioner Reginald Sessions as alternate member.

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

Passed

- b. Approve Resolution No. 14-R34 reappointing Frank M. Blandino, Esq. as a Special Magistrate for a two-year term.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve Resolution No. 14-R34.

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

Passed

- c. Approve Resolution No. 14-R35 reappointing Fran O. Ross, Esq. as a Special Magistrate for a two-year term.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Reginald Sessions to approve Resolution No. 14-R35.

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

Passed

### **13. COMMENTS FROM THE CITY MANAGER**

- a. City Manager's Departmental Activity Report

Mr. Bradshaw had two quick items for the Commission. First of all, an update on the search for the new Police Chief is moving forward. Mayor Hudson signed and executed the agreement allowing the process to begin. Secondly, was a reminder on the strategic workshop they are planning for some time in April 2015. He stated the Commission will be kept posted.

Mr. Schwerer stated the U.S. District Court has appointed Robin Rosenberg, a former 15th Judicial Circuit, Circuit Judge. She is our new District Judge and the new sitting Judge for Fort Pierce. There is a reception scheduled for her on November 13, 2014 at 4:00 p.m. Mr. Schwerer has the invitation that will be forwarded to the City Clerk to be forwarded to the members of the Commission. He stated they do need to respond if they are attending; your name is required in advance for security purposes.

### **14. COMMENTS FROM THE COMMISSION**

Commissioner Perona would like to address Mr. and Mrs. Rowley's issues with annexation. He has talked with them and talked with staff and feels it would be helpful to schedule this as an item for a conference agenda. The consensus was to schedule the Rowley's for discussion at a conference agenda. Commissioner Perona wanted to remind the public to please go out and vote tomorrow.

Commissioner Sessions wanted to follow up with Mr. Schwerer's comments and ask if he thinks it will bring more noticeable activity to the City. Mr. Schwerer responded Federal Court is mostly by paperwork, but this does give the City the ability to say we now have a Judge here in full time status. There will be activity created by her courtroom, both on the civil and criminal side of the bench.

Commissioner Becht stated tomorrow is election day, go vote.

Mayor Hudson wanted to remind everyone the UDT's Navy Seal Museum Muster is this weekend from Friday to Sunday. Also, All Aboard Florida hearings are going to be in Vero Beach at the Richardson Center from 3:30 to 7:00 p.m. and in Port St. Lucie Thursday at the Civic Center from 3:30 to 7:00 p.m. Make sure to vote.

**15. ADJOURNMENT**

There being no further business, Mayor Hudson declared the meeting adjourned at 7:23 p.m.

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER

**City Commission Regular Meeting**

**Agenda Item # 6. a.**

**Meeting Date:** 11/17/2014

**Re:** Officer James Aikens

**Submitted For:** Linda Cox, City Clerk, City Clerk

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**SUBJECT:**

Proclamation recognizing the retirement of Officer James Aikens.

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**Attachments**

James Aikens

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*WHEREAS,* Officer James Aikens began his career as a police officer with the Fort Pierce Police Department on October 10, 1983; and,

*WHEREAS,* Officer James Aikens was deeply devoted and committed to his responsibilities as a member of the Fort Pierce Police Department; and,

*WHEREAS,* Over his career, Officer James Aikens served as a patrol officer, vice detective, crime prevention specialist, community policing officer, lead hostage negotiator, crisis intervention team member, tactical instructor, and acting sergeant, and,

*WHEREAS,* During his term of service, Officer James Aikens received several prestigious awards, including:

- One Hundred Club Officer of the Year in 1991
- Exceptional Duty Award in 1996
- Officer of the Quarter in 1995 and 1999
- Officer of the Year in 1999
- National Association of Police Organizations TOP COPS Nominee in 1999
- International Association of Chiefs of Police Officer of the Year Nominee in 1999
- American Legion, Post #40 Officer of the Year in 1999
- Lifesaving Award in 2005
- Exceptional Police Service in 2007, and

*WHEREAS,* Officer James Aikens, throughout his career, received numerous letters of appreciation from citizens and other law enforcement agencies for the professional manner in which he has handled his assignments; and,

*WHEREAS,* Officer James Aikens served the citizens of Fort Pierce for 31 years with honor and selfless commitment toward Protecting Our Community making Fort Pierce a safer place for our citizens; and,

*WHEREAS,* Officer James Aikens has chosen to retire on December 1, 2014.

*NOW, THEREFORE,* I, Linda Hudson, Mayor of the City of Fort Pierce, Florida, acting on behalf of and with the full support of the City Commission of the City of Fort Pierce, Florida do hereby issue this proclamation in honor of

### *OFFICER JAMES AIKENS*

in appreciation and recognition for his honorable and loyal service to the City of Fort Pierce.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Fort Pierce, Florida, to be affixed this 17th day of November, 2014.

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MAYOR COMMISSIONER

**City Commission Regular Meeting**

**Agenda Item # 7. a.**

**Meeting Date:** 11/17/2014

**Re:** Commendation letter recognizing Paul Bertram

**Submitted For:** Mike Reals, Public Works Manager, Public Works

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**SUBJECT:**

Commendation letter recognizing Parks & Grounds Division Manager Paul Bertram.

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**Attachments**

Paul Bertram commendation

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**To:**  
**Cc:**  
**Bcc:**  
**Subject:** Fw: THANK YOU TO PAUL BERTRAM  
**From:** Mike Reals <mreals@fppwd.com> - Thursday 10/30/2014 03:16 PM

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**From:** jumprunner@comcast.net <jumprunner@comcast.net>

**Sent:** Thursday, October 30, 2014 12:19 PM

**To:** Mike Reals

**Cc:** pbertram@city-ftpierce.com

**Subject:** THANK YOU TO PAUL BERTRAM

***As a homeowner in Fort Pierce, I take great pride in the appearance of my property. My wife and I extend a Big Thank You to Paul Bertram, to whom we turned to in time of need. Although neighboring city landscapes along my street are regularly mowed, mine is not. I telephoned Paul Bertram and expressed my upset. He listened to my concerns and acted promptly to resolve them. Within the same hour, a city worker was outside my home mowing the city landscape. I have to say that I was not only pleasantly surprised but quite shocked with the rapid response time given to my concerns. Mr. Bertram acted on our concerns with a sense of urgency and rendered exceptional public service to us. He deserves recognition for his good work in providing quality management and professional services to his community. He is an asset to the citizens of Fort Pierce and to the Public Works Department.***

***Thank You Paul Bertram !***

***Signed, Happy Homeowners,***

***Mr. & Mrs. Jim Foley***

***312 N. 23rd Street***

***Fort Pierce, Fl., 34950***

***[jumprunner@comcast.net](mailto:jumprunner@comcast.net)***

**City Commission Regular Meeting**

**Agenda Item # 7. b.**

**Meeting Date:** 11/17/2014

**Re:** Certificate of Achievement

**Submitted For:** Linda Cox, City Clerk, City Clerk

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**SUBJECT:**

Certificate of Achievement for Excellence in Financial Reporting awarded by the Government Finance Officers Association of the United States and Canada recognizing the City of Fort Pierce and Gloria Johnson, Director of Finance, for preparing the award-winning comprehensive annual financial report (CAFR) for fiscal year ended September 30, 2013.

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**City Commission Regular Meeting**

**Agenda Item # 9. a.**

**Meeting Date:** 11/17/2014

**Re:** 656 (Approx) N 2nd Street

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

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**SUBJECT:**

Reduce Code Enforcement Lien in the amount of \$27,200.00 against 656 (Approx.) N 2nd Street, Ft. Pierce, FL owned by the Estate of Dennis J. Horvath, to \$2,720.00, contingent upon payment within 60 days.

**SUMMARY:**

Request by Janet J. Power, personal representative of the Estate of Dennis J. Horvath and David N. Sowerby, Esq. legal counsel, 2940 S 25th Street, Ft. Pierce, FL 34981 to waive all costs totaling \$27,200.00 leaving a balance of \$.00. The Special Magistrate recommends the Commission reduce the fines to \$2,720.00 which both parties have agreed to and is payable in 60 days.

**RECOMMENDATION:**

This recommendation is based upon:

1. The millings were removed which complied the violation.
2. Mr. Horvath is deceased and the Estate is wanting to satisfy the lien.

**ALTERNATIVES:**

1. Deny the request.
2. Determine an alternate amount.

**RESPONSIBLE STAFF:**

Colleen Greer, Code Enforcement Executive Secretary.

**COORDINATED WITH:**

Margaret Arraiz, Code Compliance Manager.

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**Fiscal Impact**

**Budgeted Y/N:** 2015

**Fiscal Year:**

**Account:**

**Amount:** 2,720.00

**OTHER INFORMATION:**

\$2,720.00 to the general fund.

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## Attachments

Reduction Request  
Breakdown

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# CITY OF FORT PIERCE

## DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

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

Date:			
Property address:	658 North 2nd Street, Fort Pierce, FL 34950		
Owner(s) of record:	The Estate of Dennis J. Horvath c/o David N. Sowerby, Esq.		
Mailing address:	2940 South 25th Street, Fort Pierce, FL 34981		
Property tax ID #:	2403-801-0006-000/4		
Original purchase date:	October 3, 2011	Original purchase price:	\$230,000.00
Other Information:	<input type="checkbox"/> Inherited Property	<input type="checkbox"/> Purchased at Tax Sale	<input type="checkbox"/> Adjoining Property Owner
Property is used for:	<input type="checkbox"/> Single Family	<input type="checkbox"/> Multi-family	<input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant Lot
Name of person requesting reduction:	Janet J. Power	Relationship to owner(s):	Personal Representative of Estate
Telephone #:	c/o David N. Sowerby 772-464-7900	Mobile phone #:	N/A
E-mail:	dsowerby@melvillesowerby.com	Preferred contact method:	E-Mail
What are owner(s) intentions for property:	Continued Operation as a Restaurant		
Amount of Fine:		Date Fine Initiated:	October 22, 2012
Are there current code violations?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Explain: (please attached notice)	
Is a lien filed against the property?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	If yes, what is the lien amount?	
Is property listed for sale?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	If yes, what is listing price?	
Is property under contract for sale?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	If yes, what is the sale price?	

AMOUNT OF FINE / LIEN \$ 27,200.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED \$ 27,200.00

DOLLAR AMOUNT I AGREE TO PAY \$ - 0 -

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

Janet J. Power  
(Signature of Owner or Representative)

Janet J. Power  
(Printed Name)



# CITY OF FORT PIERCE

## DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, JANET J. POWER, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

SEE ATTACHED

Multiple horizontal lines for handwritten text.

Date: 10/9/14

Signed: Janet J. Power

Print Name: Janet J. Power, as Personal Representative of the Estate of Dennis J. Horvath

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Janet J. Power who acknowledged before me that the information contained herein is true and correct. ~~He~~ She is ~~not~~ personally known to me and has produced \_\_\_\_\_ as identification.

SWORN TO AND SUBSCRIBED before me this 9th day of October, 2014.



Cynthia M. Sowerby  
Notary Public, State of Florida

The Code Enforcement Fines are the unfortunate result of miscommunications between Dennis Horvath, (who is now deceased), his engineer, and City personnel.

Dennis was under the impression that it was a condition precedent to obtaining the permits required to open his business that he commit to paving the adjacent parking lot. The estimated expense (inclusive of permitting, engineering and construction costs), was approximately \$130,000 and was an unexpected expenditure which exceeded his available funds. Unfortunately, what was not communicated to Dennis was the availability of two less expensive alternatives.

On April 14<sup>th</sup> of this year, there was a meeting attended by Dennis, his attorney, Steve McCain, representatives from the several City Departments, and representatives of the new tenants. What came to light at that meeting was:

- Only 9 parking spaces were required, and thus only approximately ¼ of the parking lot required paving; and
- The City has a mitigation program which allowed Dennis to meet his parking requirements upon payment of \$1,000 per parking space (exclusive of one handicap parking space which must be paved and remain on the premise).

When inquiry was made at the meeting about the steps necessary to stop the daily accrual of the fine, Dennis was informed that the fine was the result of the additional millings he had spread on the parking lot, and not because of his failure to pave the parking lot.

At the outset, Dennis had the present ability to pay the mitigation fee (or pave ¼ of the parking lot) and to remove the millings. Had he been aware of the alternatives, the fines never would have occurred.

# MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Assistant to Code Enforcement

**SUBJECT: CODE ENFORCEMENT LIEN REDUCTION**  
656 (Approx.) N 2<sup>nd</sup> Street, Fort Pierce, FL

DATE: November 17, 2014

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The following is a breakdown of the above property:

	Costs (General Fund)	Interest & Penalties	Administrative Fees
CASE # 11-1445	\$27,150.00	\$0.00	\$50.00
<b>TOTAL</b>	\$27,150.00	\$0.00	\$50.00

CAN BE WAIVED (ALL COSTS)

\$27,200.00

**City Commission Regular Meeting**

**Agenda Item # 9. b.**

**Meeting Date:** 11/17/2014

**Re:** Purchase Billboards for FortPierceTours.com

**Submitted For:** Libby Woodruff, Grant Writer, Urban Redevelopment

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**SUBJECT:**

Approve the purchase of two (2) billboards from Clear Channel Outdoor to promote tourism in Fort Pierce in the total amount of \$20,475.00 for the period of one year.

**SUMMARY:**

The FPAT Advisory Board approved the purchase of two (2) billboards at their November 6 meeting. #1 - King's Highway next to Al's Family Farms; #2 - I-95 in South-bound lane at the FAU Harbor Branch/Indrio Rd Exit. Funding allocated in the 2014-2015 CDBG Action Plan. Selection of this single source vendor was based on strategic location and visibility.

**RECOMMENDATION:**

Approve the purchase of the two billboards.

**ALTERNATIVES:**

Do not approve the purchase.

**RESPONSIBLE STAFF:**

Libby Woodruff, Grants Administrator

**COORDINATED WITH:**

Nicholas Mimms, Deputy City Manager

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**Fiscal Impact**

**Budgeted Y/N:** Y

**Fiscal Year:** 2014

**Account:** 10390025548298

**Amount:** \$20,475

**FISCAL IMPACT:**

Funding was allocated in the 2014-2015 CDBG Action Plan for this expense.

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**Attachments**

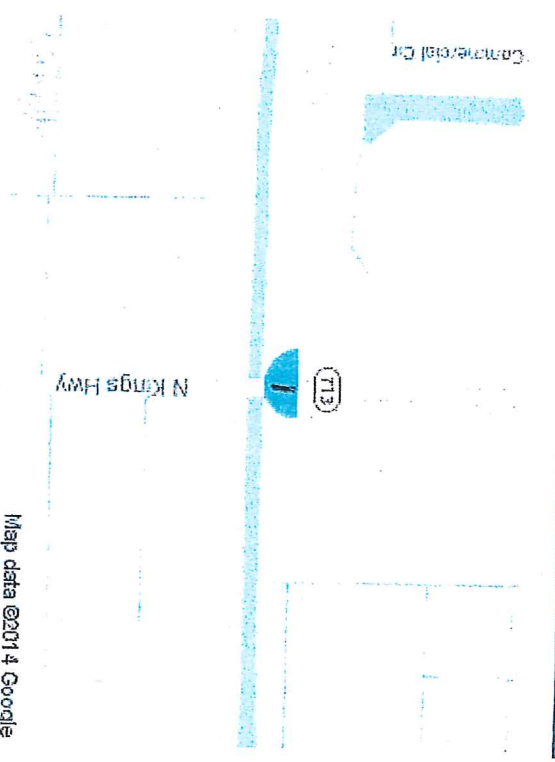
FPAT Billboards 11-17-14

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# 017531 - FORT PIERCE



Description: KINGS HWY WS 0.1mi N/O ANGLE RD F/N - 2  
 TAB Panel ID: 333932  
 Facing: N  
 City: FORT PIERCE  
 Latitude: 27.470087000  
 Media Type: Bulletin  
 Size: 10'6" x 36'  
 Zip: 34951  
 Longitude: -80.399236000



Weekly Impressions  
 18+ yrs - All  
 Available Immediately

In Market	Total
42,853	46,994

*Al's Family Farms*  
 \$6,975<sup>00</sup>  
 Year

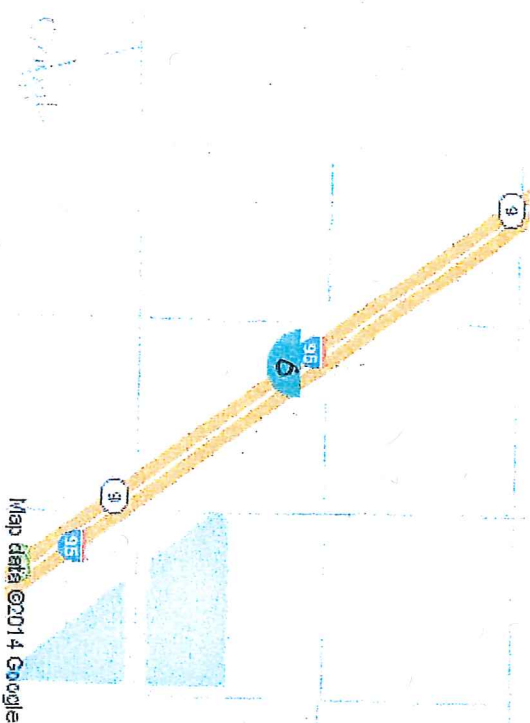
Highlights: This bulletin is located on Kings Hwy a main/north south artery in the Ft. Pierce market. Heavily traveled by truckers and tourists entering and leaving Interstate 95 and the Florida Turnpike. This unit is ideal for reaching consumers looking for restaurants, hotels, service stations and truck stops.

The TAB Out of Home Ratings™ data is proprietary intellectual property owned by the Traffic Audit Bureau for Media Measurement, Inc. and is to be used only by the recipient solely and exclusively for its planning and/or buying of out-of-home media advertisements. The Total 18+ Imps (Weekly) reported for digital now represent only those impressions for a single spot in rotation. ©Copyright 2014. All rights reserved.

# 017669 – FORT PIERCE



Description: I-95 WS 0.8mi N/O INDRIO RD F/N - 2  
 TAB Panel ID: 333914  
 Facing: N  
 City: FORT PIERCE  
 Latitude: 27.531212000  
 Media Type: Bulletin  
 Size: 10'6" x 36"  
 Zip: 34945  
 Longitude: -80.459155000



Weekly Impressions	In Market	Total
18+ yrs - All	120,496	142,693
Available 12/1/14		

*\$13,475/year*

Highlights: This bulletin targets southbound traffic on Interstate 95, the main north/south interstate for southeast Florida. This unit is strategically placed near the exit to Indrio Road, a rapidly growing residential sector of Vero Beach and in close proximity to the Vero Beach Outlet Mall. This unit is ideal for targeting commuters and tourists heading to Ft. Pierce and Port St. Lucie.

The TAB Out of Home Ratings™ data is proprietary intellectual property owned by the Traffic Audit Bureau for Media Measurement, Inc. and is to be used only by the recipient solely and exclusively for its planning and/or buying of out-of-home media advertisements. The Total 18+ Imps (Weekly) reported for digital now represent only those impressions for a single spot in rotation. ©Copyright 2014. All rights reserved.

**City Commission Regular Meeting**

**Agenda Item # 9. c.**

**Meeting Date:** 11/17/2014

**Re:** Reimburse Arts & Cultural Alliance of St. Lucie County for Public Art Maintenance

**Submitted For:** Libby Woodruff, Grant Writer, Urban Redevelopment

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**SUBJECT:**

Approve reimbursement to the Arts and Cultural Alliance of St. Lucie County in the amount of \$5,245.00 for the maintenance of Public Art within Fort Pierce.

**SUMMARY:**

Public art in Fort Pierce needs maintenance. The Arts & Cultural Alliance of SLC determined the maintenance needs of individual pieces and then solicited bids for the work. The cost is \$5,245 and will be paid through an approved allocation in the City's 2014-2015 Action Plan.

**RECOMMENDATION:**

Approve the expenditure to provide maintenance to public art in the City.

**ALTERNATIVES:**

Do not approve the expenditure.

**RESPONSIBLE STAFF:**

Libby Woodruff, Grants Administrator

**COORDINATED WITH:**

Nicholas Mimms, Deputy City Manager

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**Fiscal Impact**

**Budgeted Y/N:** Y  
**Fiscal Year:** 2014  
**Account:** 10390025546310  
**Amount:** \$5,245

**FISCAL IMPACT:**

The 2014-2015 CDBG Action Plan allocates funding for this project.

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**Attachments**

Arts & Cultural Alliance Ltr

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**Arts & Cultural Alliance**  
of St. Lucie, Inc.

Arts & Cultural Alliance, St. Lucie County Inc.  
2300 Virginia Ave  
Ft Pierce Fl. 34982

October 23, 2014

Elizabeth Woodruff  
City of Ft Pierce  
Grants Coordinator

RE: Public Art Maintenance

Please acknowledge this letter as request for your commitment, on March 11, 2013, wherein the City of Ft. Pierce, reimburse the Arts & Cultural Alliance of SLC for the maintenance of Public Art within Ft Pierce for the amount of \$5,245.00. This funding set for reimbursement to occur in the first quarter of Fiscal Year 2015, which begins October 1, 2014.

I will update you with our restoration process prior to moving any works. We are currently storing only one sculpture, *Lush Serendipity*, awaiting a concrete pedestal for site locate in the City of Ft. Pierce near the City Marina and Manatee Center Park. As mentioned previously *Picnic Under the Wave*, was not properly cast and properly built for an Arts in Public Places sculpture. Unfortunately, this work is not able to be restored and sited at it's originally location, should not be placed in public for safety reasons. The work is owned by SLC but currently stored at your general services facility. Further discussion on this work to follow.

Looking forward to a productive partnership as we proceed with the Arts in Public Places Program.

Best regards,

Linda  
Linda Fasano  
Executive Director  
Arts & Cultural Alliance SLC inc.  
561-512-6465

**City Commission Regular Meeting**

**Agenda Item # 9. d.**

**Meeting Date:** 11/17/2014

**Re:** Click2Gov Applicants & Employee Self Service

**Submitted For:** Marjorie Gaskin, Director, Management Information Systems, Management Information Systems

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**SUBJECT:**

Approve the purchase of Click2Gov software from SunGard that will allow employees and retirees to have self-service access to employee data and allow applicants to file job applications on-line in the total amount of \$12,296.00.

**SUMMARY:**

To purchase software that will facilitate processes that are handled by employees, which would significantly reduce the cost of time and materials. Click2Gov Applicant Tracking empowers citizens through self service in filling out job applications and it interfaces with our HR module. Click2Gov Employee Self Service empowers employees and retirees to take advantage of accessing their data anytime and anyplace via the world wide web as needed. Also, allows employees to view and print personal information such as check stubs, W2s and 1099Rs. The software solutions contains robust security functionality which ensures that all data transmitted from the database is fully protected and secure. The Retirement Board has approved to pay \$6,000 towards the cost of the software solution.

**RECOMMENDATION:**

To approve the Click2Gov Applicants and Employee Self Service modules.

**ALTERNATIVES:**

None

**RESPONSIBLE STAFF:**

MIS Senior Staff and Finance Director and Chief Accountant.

**COORDINATED WITH:**

Administrative Services Director, HR Manager, and SunGard Project Manager.

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**Fiscal Impact**

**Budgeted Y/N:** Y  
**Fiscal Year:** 2015  
**Account:** 001-2500-513-46-75  
**Amount:** \$12,962.00

**FISCAL IMPACT:**

Of the total cost \$6,962.00 will come from the MIS Budget with the remaining \$6,000.00 to be paid by the Retirement system.

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**Attachments**

Quote for Click2Gov Modules

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**Quote Prepared By:**

Scott Christensen  
1000 Business Center Drive  
Lake Mary, FL 32746  
Phone: (407) 304-3486 Fax: (407) 304-3301  
Email: scott.christensen@sungardps.com

**Quote Prepared For:**

Marjorie Gaskin  
Fort Pierce, FL  
100 N. US 1  
Fort Pierce, FL 34950  
(772) 467-3102

Quote	Date	Valid Until
Q-00005969	11/03/2014	02/01/2015

**License Fees**

**eGovernment**

Product Code	Product Name	Quantity	Ext Price	Total	Maintenance
KA	Click2Gov Applicants	1	4,098.00	4,098.00	1,310.00
KI	Click2Gov Employee Self Service	1	3,754.00	3,754.00	1,200.00
<b>Totals:</b>			<b>\$7,852.00</b>	<b>\$7,852.00</b>	<b>\$2,510.00</b>

**NaviLine Public Administration**

Product Code	Product Name	Quantity	Ext Price	Total	Maintenance
CJ	QRep Catalogs	1	0.00	0.00	300.00
<b>Totals:</b>			<b>\$0.00</b>	<b>\$0.00</b>	<b>\$300.00</b>

**Professional Services**

**eGovernment**

Product Code	Product Name	Proj Mgmt	Install/Tech	Training	Impl Svcs	Consulting	Conversion	Development	Total Services
KA	Click2Gov Applicants	Base Price: 640.00	1,400.00	1,920.00	0.00	0.00	0.00	0.00	3,960.00
KI	Click2Gov Employee Self Service	Base Price: 640.00	1,400.00	640.00	0.00	0.00	0.00	0.00	2,680.00
		Discount: 480.00	1,050.00	0.00	0.00	0.00	0.00	0.00	1,530.00
		Net Price: 160.00	350.00	640.00	0.00	0.00	0.00	0.00	1,150.00
<b>Totals:</b>		<b>\$800.00</b>	<b>\$1,750.00</b>	<b>\$2,560.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$5,110.00</b>
CJ	QRep Catalogs	Base Price: 0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**SunGard Products and Services**

<b>License Fees (No Third Party):</b>	\$7,852.00
<b>Professional Services:</b>	\$5,110.00
<b>Maintenance:</b>	\$2,810.00

**Discounts**

<b>Professional Services Discount:</b>	\$1,530.00
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**Total Discount:** \$1,530.00

**Quote Total:** \$12,962.00

**Product Notes**

KA: a. It shall be the responsibility of the Customer to provide a Web server to run the applicable Licensed Programs herein. b. Customer shall be responsible for obtaining a valid registered domain name and IP address from an appropriate ISP service. c. Core Module includes Oracle (BEA) Weblogic Express for up to 2 processors. For more than 2 processors additional licenses are required. d. VeriSign requires an annual renewal of its Digital Encryption Module. e. The License Fee includes the license for Oracle (BEA) Weblogic Express (up to 2 processors).

KI: a. It shall be the responsibility of the Customer to provide a Web server to run the applicable Licensed Programs herein. b. Customer shall be responsible for obtaining a valid registered domain name and IP address from an appropriate ISP service. c. Core Module includes Oracle (BEA) Weblogic Express for up to 2 processors. For more than 2 processors additional licenses are required. d. VeriSign requires an annual renewal of its Digital Encryption Module. e. The License Fee includes the license for Oracle (BEA) Weblogic Express (up to 2 processors).

**Comments:**

Click2Gov KA: Requires C2G Core (K1) and Human Resources (HR). Client has these prerequisites. Project Management is a standard service offering for Click2Gov installations. Click2Gov Applicants requires v6 or newer. Also, included in the proposal is the QRep Catalog for Click2Gov Applicants (KA) - No license fees for this but annual maintenance will be required (Year 2). KI Requires PR.

**Payment Terms:**

License, Project Planning, Project Management, Consulting, Conversion, Custom Modification, Third Party Product Software and Hardware Fees are due upon execution of this Quote. Training fees and Travel & Living expenses are due as incurred monthly. Installation is due upon completion. Implementation and Third Party Product Services fees are due 50% on execution of this Quote and 50% due upon invoice, upon completion. Unless otherwise provided, other Professional Services are due monthly, as such services are delivered. Additional services, if requested, will be invoiced at then-current rates. Any shipping charges shown are estimated only and actual shipping charges will be due upon invoice, upon delivery.

Annual Subscription Fee(s): Initial annual subscription fees are due 100% on the Execution Date. The initial annual subscription term for any subscription product(s) listed above shall commence on the Execution Date of this Agreement and extend for a period of one (1) year. Thereafter, the subscription terms shall automatically renew for successive one (1) year terms, unless either party gives the other party written notice of non-renewal at least sixty (60) days prior to expiration of the then-current term. The then-current fee will be specified by SunGard Public Sector in an annual invoice to Customer thirty (30) days prior to the expiration of then-current annual period.

SunGard Public Sector Application Annual Support: Customer is committed to the initial term of Maintenance and Support Services for which the support fee is included in the License fee(s) and begins upon execution of this Quote and extends for a twelve (12) month period. Subsequent terms of support will be for twelve (12) month periods, commencing at the end of the prior support period. Support fees shown are for the second term of support for which SunGard Public Sector is committed and which shall be due prior to the start of that term. Fees for subsequent terms of support will be due prior to the start of each term at the then-prevailing rate. Subsequent terms will renew automatically until such time SunGard Public Sector receives written notice from the Customer thirty (30) days prior to the expiration of the then current term. Notification of non-renewal is required prior to the start of the renewal term. Customer will be invoiced, and payment is due, upon renewal.

Third Party Product Annual Support Fees: The support fee for the initial annual period is included in the applicable Third Party Product License fees(s) unless otherwise stated. Subsequent terms invoiced by SunGard Public Sector will renew automatically at then-prevailing rates until such time SunGard Public Sector receives written notice of non-renewal from the Customer ninety (90) days in advance of the expiration of the then-current term. Notification of non-renewal is required prior to the start of the renewal term. Customer will be invoiced, and payment is due, upon renewal. As applicable for certain Third Party Products that are invoiced directly by the third party to Customer, payment terms for any renewal term(s) of support shall be as provided by the third party to Customer.

**Additional Terms:**

This Quote constitutes an Amendment to the Software License & Services Agreement and the Maintenance/Support Agreement (together, the "Contract and

Agreement”) by and between the parties hereto. The product and pricing information detailed above comprises the “Exhibit 1” schedule or “Supplement” attached to this Amendment. Except as otherwise provided herein, all terms and conditions of the Contract and Agreement shall remain in full force and effect.

Any interfaces listed above are interfaces only. Customer shall be responsible for obtaining the applicable software, hardware and system software from the appropriate third party vendor.

The Component Systems identified above are “Licensed Programs” or “Licensed Systems” licensed by SunGard Public Sector and are provided in and may be used in machine-readable object code form only.

Applicable taxes are not included, and, if applicable, will be added to the amount in the payment of invoice(s) being sent separately. Travel and living expenses are in addition to the prices quoted above and shall be governed by the SunGard Public Sector Corporate Travel and Expense Reimbursement Policy.

The date of delivery is the date on which SunGard Public Sector delivers, F.O.B. SunGard Public Sector's place of shipment, the Component Systems to Customer.

The SunGard Public Sector application software warranty shall be for a period of one (1) year after delivery. There is no Testing and Acceptance period on the Licensed System(s) herein.

Preprinted conditions and all other terms not included in this Quote or in the Contract and Agreement, stated on any purchase order or other document submitted hereafter by Customer are of no force or effect, and the terms and conditions of the Contract and Agreement and any amendments thereto shall control unless expressly accepted in writing by SunGard Public Sector to Customer.

Third party hardware/software maintenance and/or warranty will be provided by the third party hardware and software manufacturer(s). SunGard Public Sector makes no representations as to expected performance, suitability, or the satisfaction of Customer's requirements with respect to the hardware or other third party products specified in this Quote. The return and refund policy of each individual third party hardware/software supplier shall apply.

This Agreement is based on the current licensing policies of each third party software manufacturer as well as all hardware manufacturers. In the event that a manufacturer changes any of these respective policies or prices, SunGard Public Sector reserves the right to adjust this proposal to reflect those changes.

Should Customer terminate this agreement per any "Term of Contract" Section of the Contract and Agreement, as may be applicable for certain customers, Customer agrees to pay, immediately upon termination, the remaining balance for all hardware, software, and services delivered prior to the termination date together with travel reimbursements, if any, related to the foregoing. Notwithstanding any language in the Contract and Agreement to the contrary, the purchase of support services is NOT necessary for the continuation of Customer's License.

Pricing for professional services provided under this quote is a good faith estimate based on the information available to SunGard Public Sector at the time of execution of this Quote. The total amount that Customer will pay for these services will vary based on the actual number of hours of services required to complete the services. If required, additional services will be provided on a time and materials basis at hourly rates equal to SunGard Public Sector's then-current rates for the services at issue.

For training and on-site project management sessions which are cancelled at the request of Customer within fourteen (14) days of the scheduled start date, Customer is responsible for entire price of the training or on-site project management plus incurred expenses.

Fort Pierce, FL

Authorized Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

**City Commission Regular Meeting**

**Agenda Item # 9. e.**

**Meeting Date:** 11/17/2014

**Re:** Minor Amendment to Site Plan - The consolidation of two future storage buildings,

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

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**SUBJECT:**

Acknowledge staff's approval of a Minor Amendment to Site Plan for the former 84 Lumber Truss Plant, consolidating two future storage buildings, totaling 32,000 sq. ft., into a single structure.

**SUMMARY:**

- On January 17th, 2007, the City Commission approved the Site Plan to construct an 86,000 square foot lumber storage facility for 84 Lumber on a 13.84 acre parcel located at 1121 DiGiorgio Road.
- On October 20th, 2008, Planning Staff notified the City Commission of an administrative approval of a Minor Amendment to defer the construction of two of approved structures for future completion.
- The truss plant was completed, and later closed in 2009.
- In April 2014, TentLogix purchased the site and established it as their primary facility for their special event rental operation.
- The property current site plan authorizes the construction of two separate storage structures of 20,000 sq. ft. and 12,000 sq. ft., however the applicant seeks to consolidate the floor areas into a single, 32,000 sq. ft. structure for future completion.
- The Planning Department has administratively approved the Minor Amendment based upon Section 22-58(i).

**RECOMMENDATION:**

Acknowledgement of Staff Action

**ALTERNATIVES:**

None

**RESPONSIBLE STAFF:**

Kori Benton, Historic Preservation Officer

**COORDINATED WITH:**

None

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**Fiscal Impact**

**Budgeted Y/N:**

**Fiscal Year:**

**Account:**

**Amount:**

**OTHER INFORMATION:**

Potential Increase in Ad-Valorem Tax Revenue

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**Attachments**

Staff Report

Application

Aerial & Zoning Map

Approved Amendment & Previously Amended Plan

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# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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

**TO:** Robert J. Bradshaw, City Manager  
**THROUGH:** Rebecca Grohall, AICP, Planning Manager  
**FROM:** Kori Benton, Historic Preservation Officer  
**SUBJECT:** Application of Minor Amendment to Site Plan  
TentLogix  
1121 DiGiorgio Road  
**DATE:** November 7, 2014

### STAFF REPORT

**Owner/Applicant:** NAG Properties, LLC.  
Gary Hendry  
1121 DiGiorgio Road  
Fort Pierce, FL 34982

**Representative:** Gary Hendry  
1121 DiGiorgio Road  
Fort Pierce, FL 34982

**Requested Action:** Approval of a Minor Amendment to Site Plan

**Location:** 1121 DiGiorgio Road

**Parcel ID:** 2428-421-0002-000-7

**Zoning:** I-1, Light Industrial

**Surrounding Zoning:**

North	East	South	West
IL (SLC)	I-1	I-1	PUD

**Future Land Use:** I, Industrial

**Land Area of Subject ROW:** 13.84 acres

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**Staff Analysis:**

In accordance with Section 22-58(i) of the City Code, the applicant is requesting the approval of a Minor Amendment to a Site Plan in order to consolidate remaining square footage of future expansion into a single structure.

On January 17<sup>th</sup>, 2007, the City Commission approved the Site Plan to construct an 86,000 square foot lumber storage facility for 84 Lumber a 13.84 acre parcel located at 1121 DiGiorgio Road. On October 20<sup>th</sup>, 2008, Planning Staff notified the City Commission of an administrative approval of a Minor Amendment to defer the construction of two of approved structures for future completion.

The former owner completed the site based upon the amended site plan. The trust plant closed in 2009 and remained vacant until the site was purchased in April 2014, by the current owners. The site has been adaptively reused as a support facility for TentLogix, storing special event equipment for a distribution site for their activities.

The property current site plan authorizes the construction of two separate storage structures of 20,000 sq. ft. and 12,000 sq. ft., however the applicant seeks to consolidate the floor areas into a single, 32,000 sq. ft. structure for future completion.

Section 22-58(i) of the City Code allows the administrative approval of a Minor Amendment which does not:

1. Change the use or character of the development;
2. Increase the overall coverage or height of structures by more than ten (10) percent;
3. Reduce the approved open space or increase the impervious surface by more than ten (10) percent; and,
4. Increase density or the total number of dwelling units.

**Conclusions:**

As the proposed Minor Amendment does not exceed any of the above requirements, and is consistent with City Code and the Comprehensive Plan, the Planning Department has administratively approved the Minor Amendment. Section 22-58(j) of the City Code requires that the City Commission shall be notified at the earliest practical opportunity.

October 16<sup>th</sup>, 2014

Kori Benton  
Historic Preservation Planner  
City of Fort Pierce

RE: Minor Amendment to Site Plan – TentLogix aka Former 84 Lumber Truss Plant

Dear Mr. Benton,

Our request for minor amendment is for the purpose of consolidating two previously approved structures into a single structure. Square footage would remain the same at 32000 sf or less. This allows for more efficient use of space and keeps cost down. This structure will be additional warehouse for our event rental and disaster response businesses.

I appreciate your consideration of our proposal.

Gary Hendry  
CEO, Tentlogix, Inc



# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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

### APPLICATION FOR MINOR AMENDMENT



Project Name: NAG PROPERTIES / TENTLOGIX

1. Description of minor amendment for which approval is requested. COMBINING 2 STRUCTURES INTO ONE.
2. Reason for Minor Amendment: BETTER USE OF SPACE
3. Property Tax I.D. # 2428-421-0002-000-7
4. Property address: 1121 DIGIORGIO RD FT PIERCE
5. Zoning district: i-1-FP      6. Future Land Use: \_\_\_\_\_
7. Name of Owner(s): NAG PROPERTIES, LLC  
Signature of Owner(s): Gary Henry  
Mailing Address: (street) 1121 DIGIORGIO RD  
(City) FT. PIERCE (State) FL (zip) 34982  
Phone # 772-215-1164
8. Name of Applicant: NAG PROPERTIES, LLC  
Signature of Applicant: Gary Henry  
Mailing Address: (street) SAME  
(City) \_\_\_\_\_ (State) \_\_\_\_\_ (zip) \_\_\_\_\_  
Phone # \_\_\_\_\_
9. Name of Representative: GARY HENRY  
Signature of Representative: Gary Henry  
Mailing Address: (street) SAME  
(City) \_\_\_\_\_ (State) \_\_\_\_\_ (zip) \_\_\_\_\_  
Phone # 772-215-1164 Fax # 772-600-0350  
E-mail: GARY@TENTLOGIX.COM

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

GARY HENDRY FOR NAG PROPERTIES, LLC 772-215-1164  
Property Owner's Name (Please Print) Phone  
1121 DiGIORGIO RD FT PIERCE FL 34982  
Address State Zip  
Gary Hendry 10/15/14  
Property Owner's Signature Date

STATE OF FLORIDA)  
ST LUCIE COUNTY)

The foregoing instrument was acknowledged before me this 15 day of October, 20 14, by Gary Hendry who is personally known to me or has produced \_\_\_\_\_ as identification.

Donna Ann Neckles  
Signature of Notary

(seal)



**APPLICATION REQUIREMENTS:**

- a. **Application fee**
  - b. **Application submission shall include the following:**
    - TRC (Initial Submission): One (1) original and  paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
    - City Commission: One (1) original and (11) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below
1. Application,
  2. Narrative of proposed changes
  3. Approved Site Plan, and
  4. Amended Site Plan

**An Intake meeting is required before any submittals are accepted.**

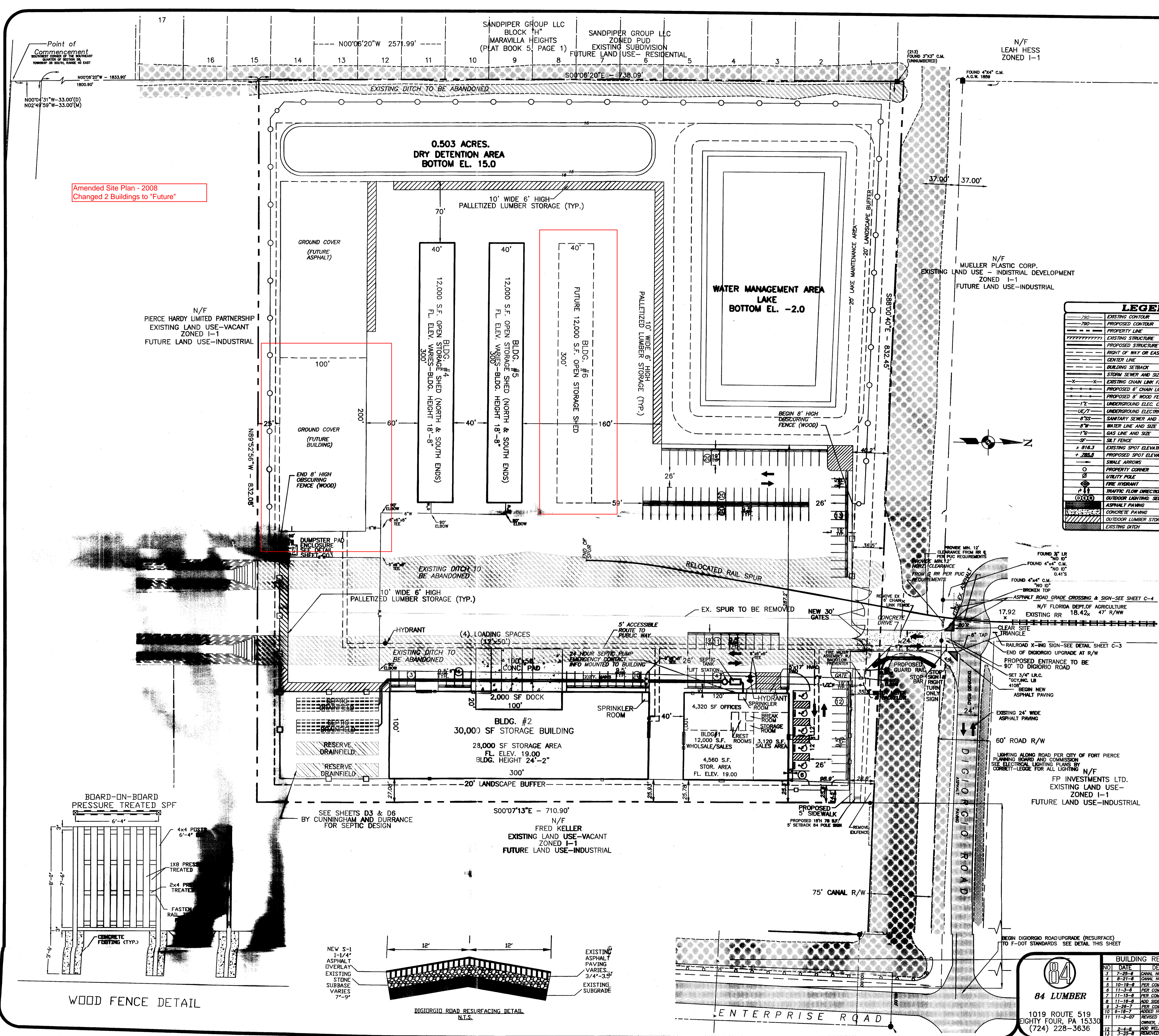
<b>For City Use Only</b>	
Date Received: _____	By: _____
Fee Paid: _____	Receipt Number: _____

*City of Fort Pierce Code of Ordinance, Section 22-58.i:* Any change or modification in an approved site plan which is not exempt from the requirements of this section shall require approval of the city commission and shall follow the same procedure required for original approval, except that the director of development may authorize minor amendments to an approved site plan which are not otherwise exempt from site plan review pursuant to this section. Such minor amendments shall be consistent with the intent and purpose of the comprehensive plan and this ordinance and shall be the minimum necessary to overcome the particular difficulty which necessitated such amendment. Such minor amendment shall not:

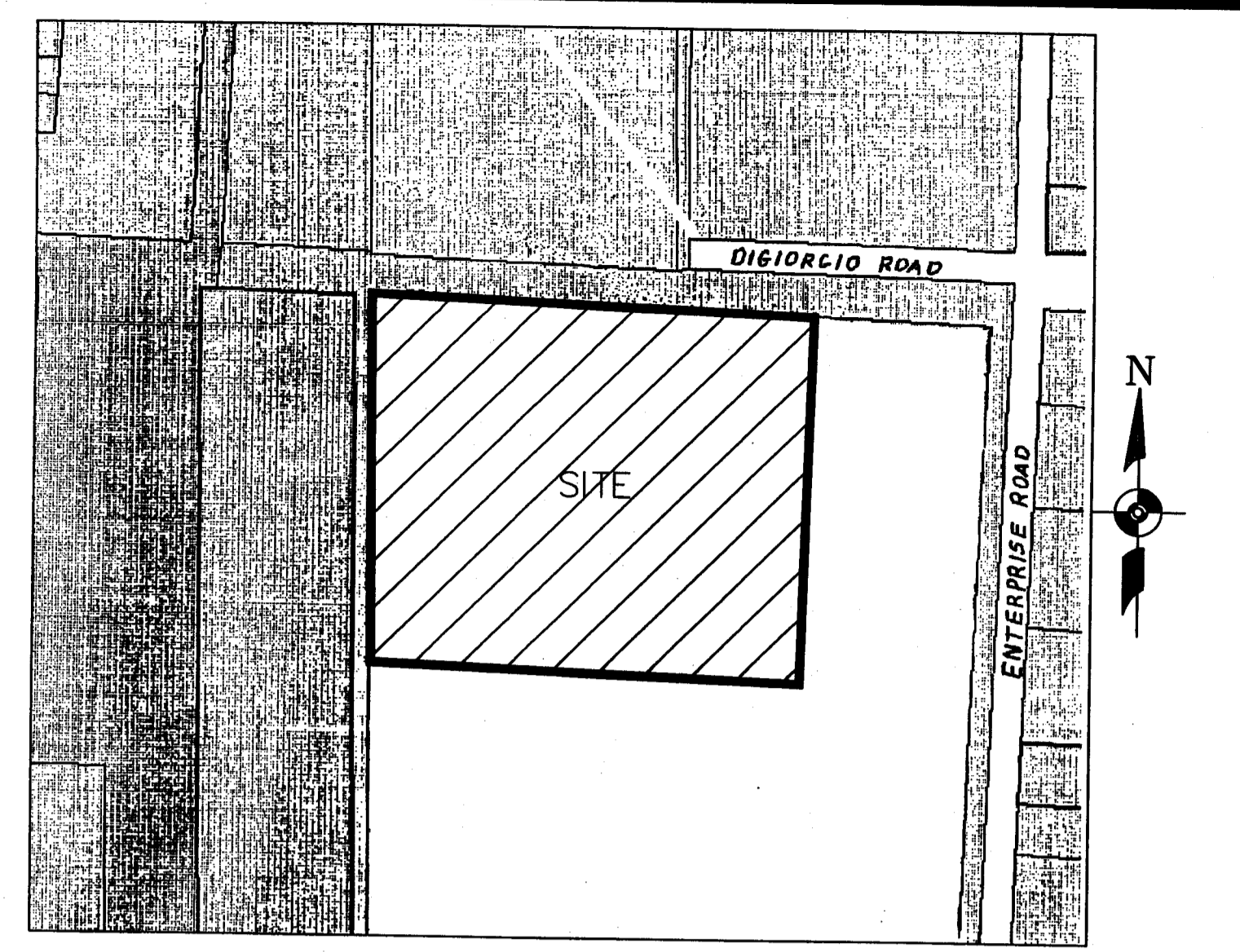
- (1) Change the use or character of the development;
- (2) Increase the overall coverage or height of structures by more than ten (10) per cent;
- (3) Reduce the approved open space or increase the impervious surface by more than ten (10) per cent;
- (4) Increase density or the total number of dwelling units or the intensity of the development.

All such minor amendments shall not become effective until a completed application form and filing fee have been received by the director of development and the director shall have advised the city commission of his administrative approval at the earliest practical opportunity; and such determination shall then become effective, unless the city commission thereupon finds that the proposed amendment is substantial, not minor, in nature, whereupon the amendment shall then be reviewed by the same procedure required for original approval as set forth in this section.



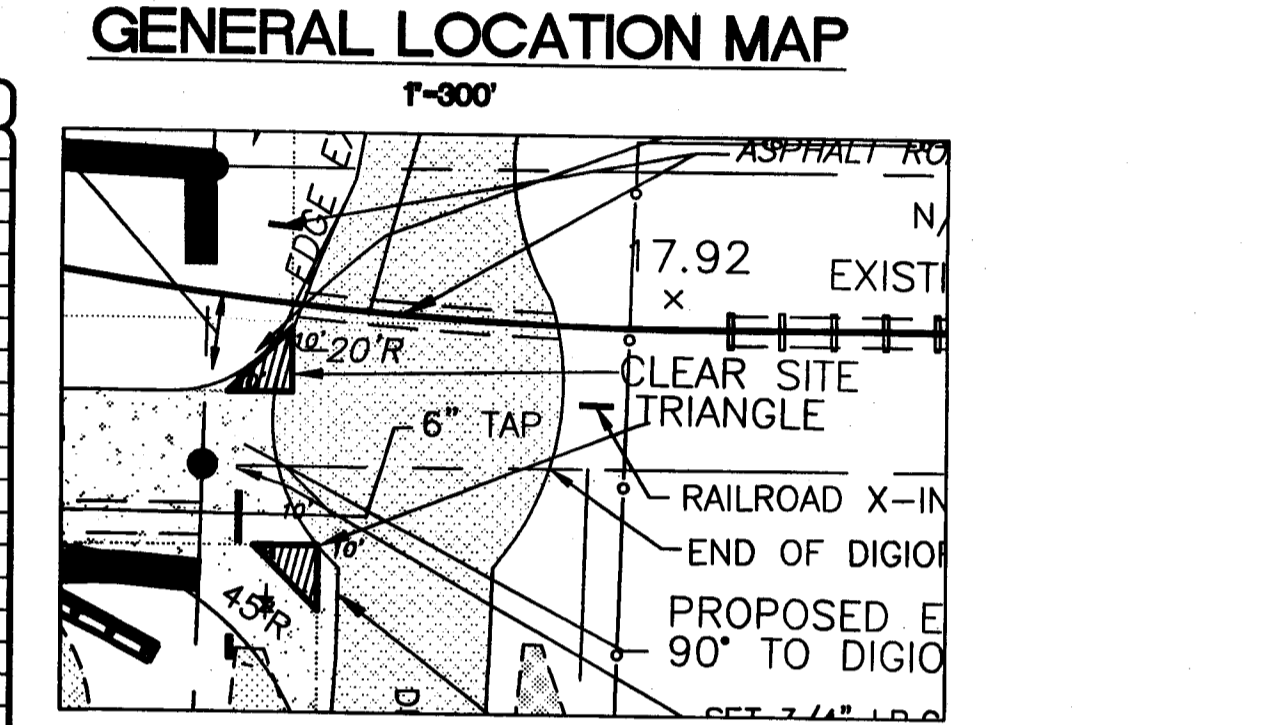


Amended Site Plan - 2008  
Changed 2 Buildings to "Future"



**LEGEND**

---	EXISTING CONTOUR
---	PROPOSED CONTOUR
---	PROPERTY LINE
---	EXISTING STRUCTURE
---	PROPOSED STRUCTURE
---	RIGHT OF WAY OR EASEMENT LINE
---	CENTER LINE
---	BUILDING SETBACK
---	STORM SEWER AND SIZE
X-X	EXISTING CHAIN LINK FENCE
---	PROPOSED 6" CHAIN LINK FENCE
---	PROPOSED 8" WOOD FENCE
---	UNDERGROUND ELEC. CONDUIT AND SIZE
---	UNDERGROUND ELECTRIC/PHONE
---	SEWAGE SANITARY SEWER AND SIZE
---	WATER LINE AND SIZE
---	GAS LINE AND SIZE
---	SILT FENCE
X 016.3	EXISTING SPOT ELEVATION
+ 286.5	PROPOSED SPOT ELEVATION
○	PROPERTY CORNER
○	SWALE ARROWS
○	FIRE HYDRANT
○	TRAFFIC FLOW DIRECTIONAL ARROWS
○	PROPOSED LIGHTING SEE ELECTRICAL LIGHTING PLANS
---	ASPHALT PAVING
---	CONCRETE PAVING
---	OUTDOOR LUMBER STORAGE
---	EXISTING DITCH



**TABULATION OF ACREAGE**

IMPERVIOUS AREA:	AREA (SF)	ACRES	PERCENT
ENCLOSED BLDG. AREA:	62,000 SF	1.423 AC	10.3%
SHED AREA:	24,000 SF	0.551 AC	4.0%
FUTURE SHED AREA:	12,000 SF	0.275 AC	2.0%
ASPHALT AREA:	259,728 AC	5.963 AC	43.1%
FUTURE ASPHALT AREA:	18,385 SF	0.376 AC	2.7%
TOTAL IMPERVIOUS AREA:	374,094 SF	8.588 AC	62.1%
OPEN SPACE:	20,445 SF	0.469 AC	3.3%
CANAL MAINTENANCE EASEMENT:	12,487 SF	0.287 AC	2.1%
DRY DETENTION AREA:	21,914 SF	0.503 AC	3.6%
SEPTIC DRAIN FIELD AREA:	7,000 SF	0.161 AC	1.2%
WATER MANAGEMENT AREA (LAKE):	58,288 SF	1.338 AC	9.7%
LANDSCAPE BUFFER AREA:	87,584 SF	2.011 AC	14.5%
LAKE MAINTENANCE EASEMENT:	28,974 SF	0.663 AC	3.5%
TOTAL PERVIOUS AREA:	228,572 SF	5.250 AC	37.9%
TOTAL LOT AREA:	13,84 AC	13.84 AC	100%

**LOT REQUIREMENTS**

LOT AREA:	REQUIRED	PROVIDED
13.84 AC	13.84 AC	13.84 AC
100' MIN.	832.45'	832.45'
15' MIN.	98.9'	98.9'
N/A	2532'	2532'
N/A	25'	25'
N/A	24'-3"	24'-3"
18' MAX	18'	18'
200' S.F. MAX	78 S.F.	78 S.F.
5' MAX	5'	5'

**IMPERVIOUS SURFACE (INCLUDING BLDG.)**  
374,094 S.F. 62%

**PARKING REQUIREMENTS**

PARKING SPACE AREA: 9.5x19 S.F. MIN. - USE 9.5'x19' SPACE MIN.  
HANDICAP SPACE AREA: 12x19 S.F. MIN. - USE 12'x19' SPACE MIN.

ENCLOSED BLDGS. ONLY  
OFFICE AREA: 1SP/300 S.F. OF OFFICE SPACE x 4,320=15 SPACES  
TOTAL PARKING PROVIDED= 123 SPACES  
SALES AREA: 1SP/200 S.F. OF RETAIL SPACE x 3,120=16 SPACES  
STORAGE AREA: 1SP/600 S.F. OF STORAGE SPACE x 54,560=91 SPACES  
TOTAL PARKING REQUIRED= 122 SPACES  
HANDICAP ACCESSIBLE SPACES PROVIDED= 5  
HANDICAP SPACES REQUIRED= 1SP/25 REGULAR SPACES

LOADING SPACES-BULK STORAGE ONLY (BLDG. #2&3)  
1SP/10,000 + 1/ADDITIONAL 15,000x54,560= 3.9=4 SPACES REQUIRED  
4 SPACES PROVIDED

**PHYSICAL LIMITATIONS**

- TOPOGRAPHY- THERE ARE NO PHYSICAL TOPOGRAPHICAL LIMITATIONS
- SOILS-PROPERTY CONSISTS OF WAVELAND & LAMWOOD SAND PER SOIL SURVEY MAP
- FLOOD PLAIN-PROPERTY IS NOT LOCATED WITHIN 100-YR FLOOD PLAIN

**NOTES**

- ALL EXISTING WATER COURSES ARE SHOWN HERON
- THERE ARE NO EXISTING EASEMENTS, MEAN HIGH TIDE LINES, OR ORDINARY HIGH WATER LINES WITHIN THE PROPERTY
- THERE ARE NO EXISTING TREES TO BE REMOVED - ANY TREES ALONG WESTERN BOUNDARY WILL REMAIN AS A BUFFER
- SLOPE TO BE MAX 2% FROM ALL BUILDING EXGRESS POINTS TO PARKING NO CURBING IS PROPOSED (INTERIOR LOT EXCLUSIVE OF ROADWAY SIDEWALK)
- PER CODE 11-4.1.3 EXCEPTION, MEZZANINES ARE CONSIDERED STORAGE SPACES THAT ARE NOT FOR PUBLIC ACCOMMODATIONS, SIGNS TO BE PLACED AT THE BOTTOM OF STAIRS STATING EMPLOYEES ONLY ACCESS

**CERTIFICATION**

I HEREBY CERTIFY THAT THE PROPOSED USE OF THE LAND AND BUILDINGS ARE IN CONFORMANCE WITH THE PROVISIONS OF CHAPTERS 17 & 22 OF THE CITY OF FORT PIERCE CODE AND THAT FINAL CERTIFICATIONS WILL BE PROVIDED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY

*Vernon E. Smith, P.E.*  
VERNON E. SMITH, P.E.

**AVBEL ENGINEERING**  
Vernon E. Smith  
Engineer  
43 RIDGEWOOD AVENUE  
MCDONALD, PA 15057  
TEL. (724) 745-1965  
FAX. (724) 745-1034

**BUILDING REVISIONS**

NO.	DATE	DESCRIPTION
1	7-29-08	CANAL WIDTH EASEMENT
2	8-21-08	CHAIN LINK FENCE
3	10-18-08	PER COMMENTS
4	11-3-08	PER COMMENTS
5	11-15-08	PER COMMENTS
6	11-18-08	ADD SIDEWALK
7	2-28-09	PER COMMENTS
8	11-19-09	REVISED ADJACENT LAND-OWNER REMOVE BUILDING AND WELL
9	3-25-09	REMOVED WELL

**NEW FACILITY SITE PLAN**

DIGIORGIO ROAD  
ENTERPRISE ROAD

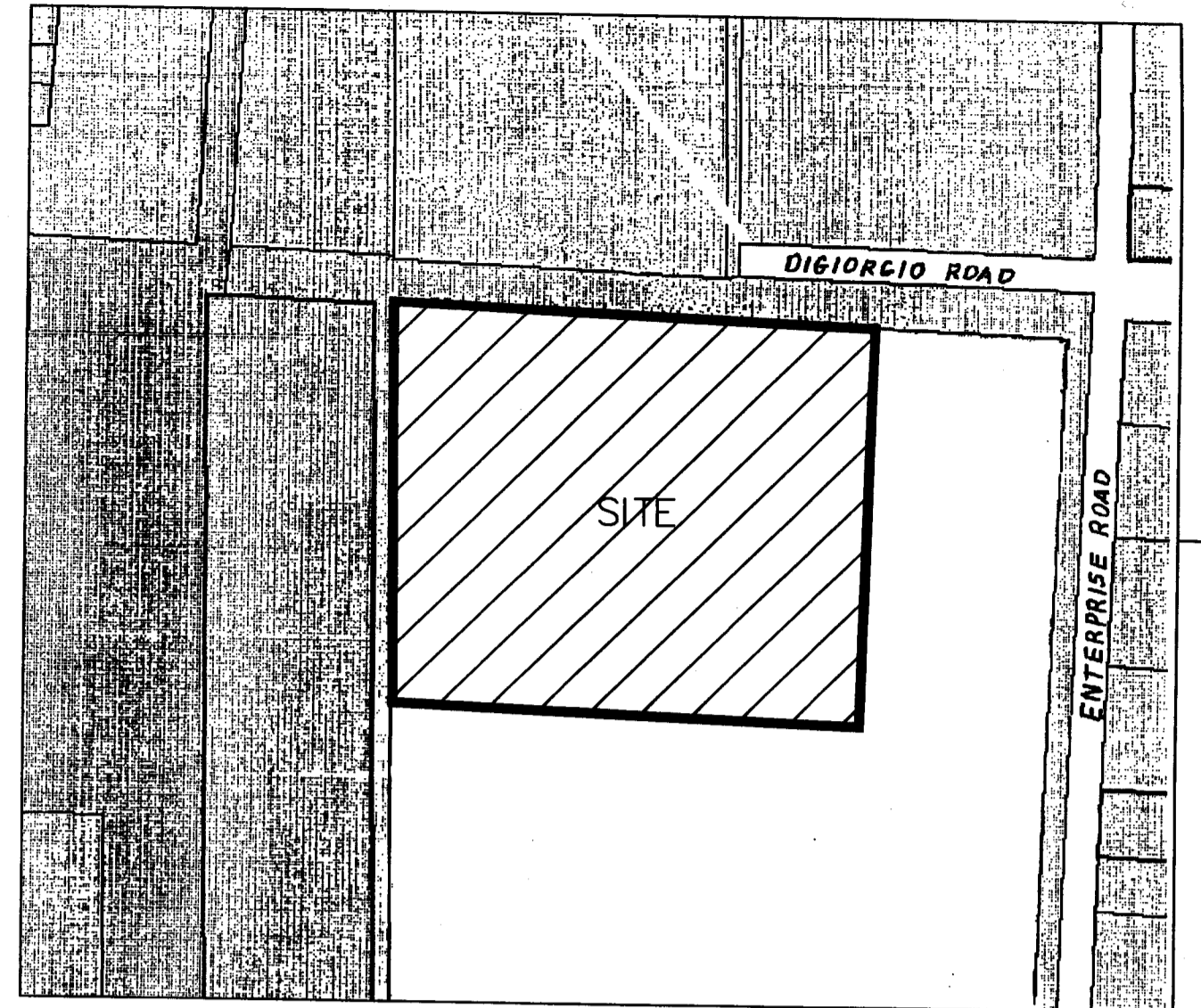
**CITY OF FT. PIERCE**  
ST. LUCIE COUNTY, FL

**PROJECT INFORMATION**  
SCALE: 1"=50'  
JOB NO. 13-FTP  
STORE NO. 13-FTP  
SHEET NO. C1  
DESIGN BY: CJ  
DRAWN BY: RCN  
DATE: 12/12/05

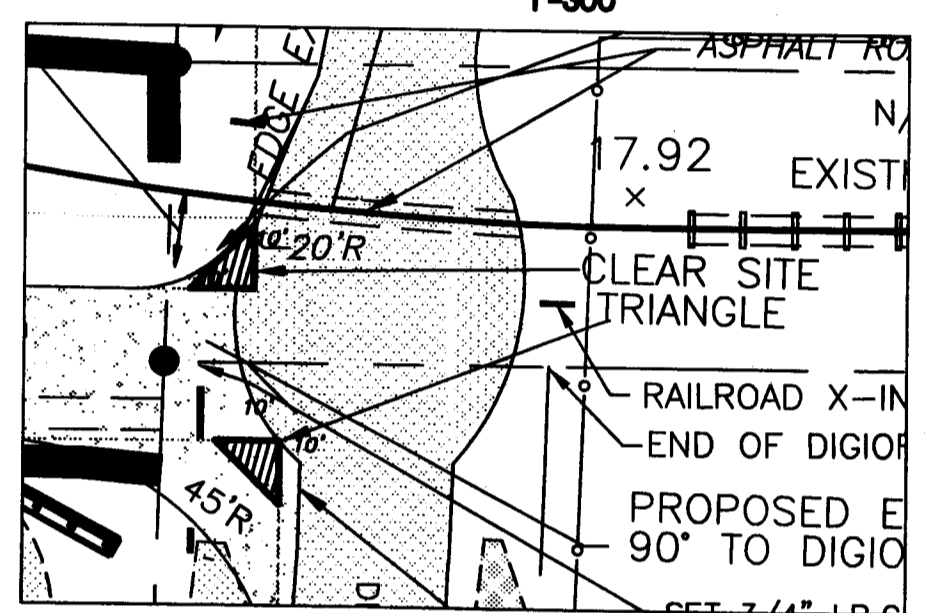
**84 LUMBER**  
1019 ROUTE 519  
EIGHTY FOUR, PA 15330  
(724) 228-3636

SANDPIPER GROUP LLC  
BLOCK 14  
MARAVILLA HEIGHTS  
(PLAT BOOK 5, PAGE 1)  
EXISTING SUBDIVISION  
FUTURE LAND USE - RESIDENTIAL

N/F  
LEAH HESS  
ZONED I-1



GENERAL LOCATION MAP



TABULATION OF ACREAGE

IMPERVIOUS AREA:	AREA (SF)	ACRES	%
ENCLOSED BLDG AREA:	62,000 SF	1.423 AC	10.3%
SHED AREA:	24,000 SF	0.551 AC	4.0%
FUTURE SHED AREA:	12,000 SF	0.275 AC	2.0%
ASPHALT AREA:	259,729 SF	5.963 AC	43.1%
FUTURE ASPHALT AREA:	16,365 SF	0.376 AC	2.7%
TOTAL IMPERVIOUS AREA:	374,094 SF	8.588 AC	62.1%
PERVIOUS AREA:	20,445 SF	0.469 AC	3.3%
CANAL MAINTENANCE EASEMENT:	12,487 SF	0.287 AC	2.1%
DRY DETENTION AREA:	21,814 SF	0.503 AC	3.6%
SEPTIC DRAINFIELD AREA:	7,000 SF	0.161 AC	1.2%
WATER MANAGEMENT AREA (LAKE):	58,288 SF	1.338 AC	9.7%
LANDSCAPE BUFFER AREA:	87,584 SF	2.011 AC	14.5%
LAKE MAINTENANCE EASEMENT:	20,974 SF	0.481 AC	3.5%
TOTAL PERVIOUS AREA:	228,872 SF	5.250 AC	37.9%
TOTAL LOT AREA:	13,84 AC	13.84 AC	100%

LOT REQUIREMENTS

LOT AREA:	AREA (SF)	GROUND COVERAGE (%)
BLDG #1	12,000	2%
BLDG #2	30,000	5%
BLDG #3	20,000	3%
BLDG #4	12,000	2%
BLDG #5	12,000	2%
IMPERVIOUS SURFACE (INCLUDING BLDG.)	374,094 S.F.	62%

PARKING REQUIREMENTS

PARKING SPACE AREA: 9.5x19 S.F. MIN. - USE 9.5x19' SPACE MIN.  
 HANDICAP SPACE AREA: 12x19 S.F. MIN. - USE 12x19' SPACE MIN.  
 ENCLOSED BLDGS. ONLY  
 OFFICE AREA: 1SP/300 S.F. OF OFFICE SPACE x 4,320=15 SPACES  
 SALES AREA: 1SP/200 S.F. OF RETAIL SPACE x 3,120=16 SPACES  
 STORAGE AREA: 1SP/600 S.F. OF STORAGE SPACE x 54,580=91 SPACES  
 TOTAL PARKING REQUIRED= 122 SPACES  
 TOTAL PARKING PROVIDED= 123 SPACES  
 HANDICAP ACCESSIBLE SPACES PROVIDED = 5  
 HANDICAP SPACES REQUIRED=1SP/25 REGULAR SPACES  
 LOADING SPACES-BULK STORAGE ONLY (BLDGS #2&3)  
 15P/10,000 + 1/ADDITIONAL 15,000x54,580= 3.9+4 SPACES REQUIRED  
 4 SPACES PROVIDED

PHYSICAL LIMITATIONS

- TOPOGRAPHY-THERE ARE NO PHYSICAL TOPOGRAPHICAL LIMITATIONS
- SOILS-PROPERTY CONSISTS OF WELAND & LAWNWOOD SAND PER SOIL SURVEY MAP
- FLOOD PLAN-PROPERTY IS NOT LOCATED WITHIN 100-YR FLOOD PLAN

NOTES

- ALL EXISTING WATER COURSES ARE SHOWN HEREON
- THERE ARE NO EXISTING EASEMENTS, MEAN HIGH TIDE LINES, OR ORDINARY HIGH WATER LINES WITHIN THE PROPERTY.
- THERE ARE NO EXISTING TREES TO BE REMOVED. ANY TREES ALONG WESTERN BOUNDARY WILL REMAIN AS A BUFFER

CERTIFICATION

I HEREBY CERTIFY THAT THE PROPOSED USE OF THE LAND AND BUILDINGS ARE IN CONFORMANCE WITH THE PROVISIONS OF CHAPTERS 17 & 22 OF THE CITY OF FORT PIERCE CODE AND THAT FINAL CERTIFICATIONS WILL BE PROVIDED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY

*Vernon E. Smith*  
 VERNON E. SMITH, P.E.

AVBEL ENGINEERING

Vernon E. Smith  
 Engineer  
 43 RIDGEWOOD AVENUE  
 MCDONALD, PA 15057  
 TEL. (724) 745-1985  
 FAX. (724) 745-1034

**NEW FACILITY**  
 SITE PLAN  
 DIGIORIO ROAD  
**CITY OF FT. PIERCE**  
 ST. LUCIE COUNTY, FL

PROJECT INFORMATION  
 SCALE: 1"=50'  
 JOB NO. 13-FTP  
 STORE NO. 13-FTP  
 SHEET NO. C1  
 DESIGN BY: JZ  
 DRAWN BY: RCN  
 DATE: 12/12/05

**84 LUMBER**  
 1019 ROUTE 519  
 EIGHTY FOUR, PA 15330  
 (724) 228-3636

NO.	DATE	DESCRIPTION
1	3-1-06	PER COMMENTS
2	5-23-06	PER COMMENTS
3	7-25-06	CANAL NO.10 EASEMENT
4	8-21-06	CANAL NO.10 EASEMENT COMMENTS
5	10-19-06	PER COMMENTS
6	11-3-06	PER COMMENTS
7	11-15-06	PER COMMENTS
8	11-15-06	ADD SIDEWALK

Original Site Plan Approval

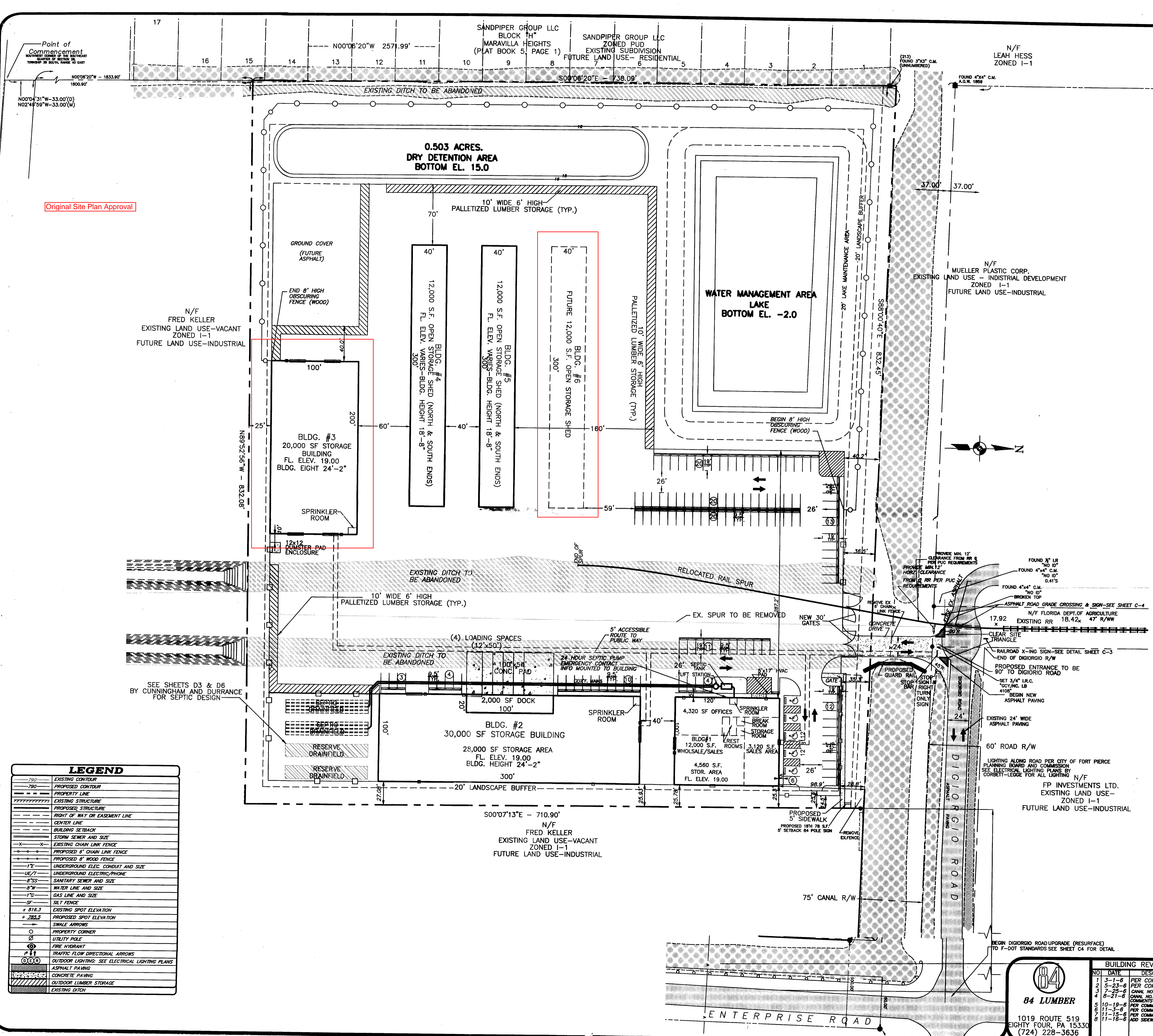
**LEGEND**

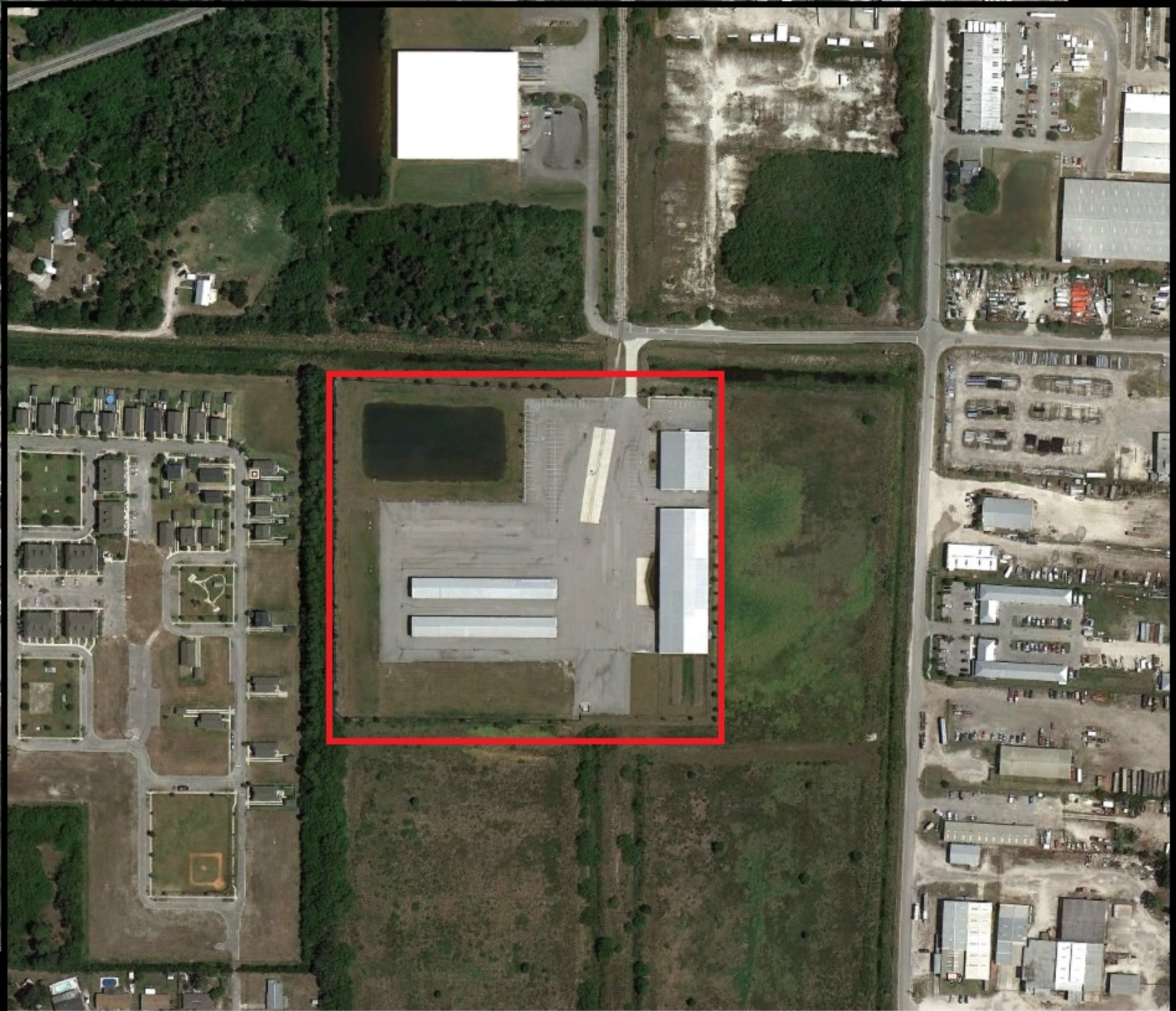
---790---	EXISTING CONTOUR
---790---	PROPOSED CONTOUR
---	PROPERTY LINE
---	EXISTING STRUCTURE
---	PROPOSED STRUCTURE
---	RIGHT OF WAY OR EASEMENT LINE
---	CENTER LINE
---	BUILDING SETBACK
---	STORM SEWER AND SIZE
---	EXISTING CHAIN LINK FENCE
---	PROPOSED 6" CHAIN LINK FENCE
---	PROPOSED 8" WOOD FENCE
---	UNDERGROUND ELEC. CONDUIT AND SIZE
---	UNDERGROUND ELECTRIC/PHONE
---	SAWTRIP SEWER AND SIZE
---	WATER LINE AND SIZE
---	GAS LINE AND SIZE
---	SILT FENCE
---	EXISTING SPOT ELEVATION
---	PROPOSED SPOT ELEVATION
---	SMALL ARROWS
---	PROPERTY CORNER
---	UTILITY POLE
---	FIRE HYDRANT
---	TRAFFIC FLOW DIRECTIONAL ARROWS
---	OUTDOOR LIGHTING SEE ELECTRICAL LIGHTING PLANS
---	ASPHALT PAVING
---	CONCRETE PAVING
---	OUTDOOR LUMBER STORAGE
---	EXISTING DITCH

N/F  
 FRED KELLER  
 EXISTING LAND USE-VACANT  
 ZONED I-1  
 FUTURE LAND USE-INDUSTRIAL

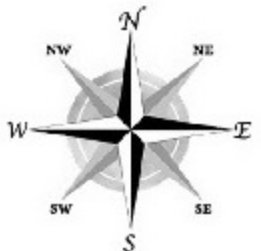
SEE SHEETS D3 & D6  
 BY CUNNINGHAM AND DURRANCE  
 FOR SEPTIC DESIGN

84 LUMBER  
 1019 ROUTE 519  
 EIGHTY FOUR, PA 15330  
 (724) 228-3636



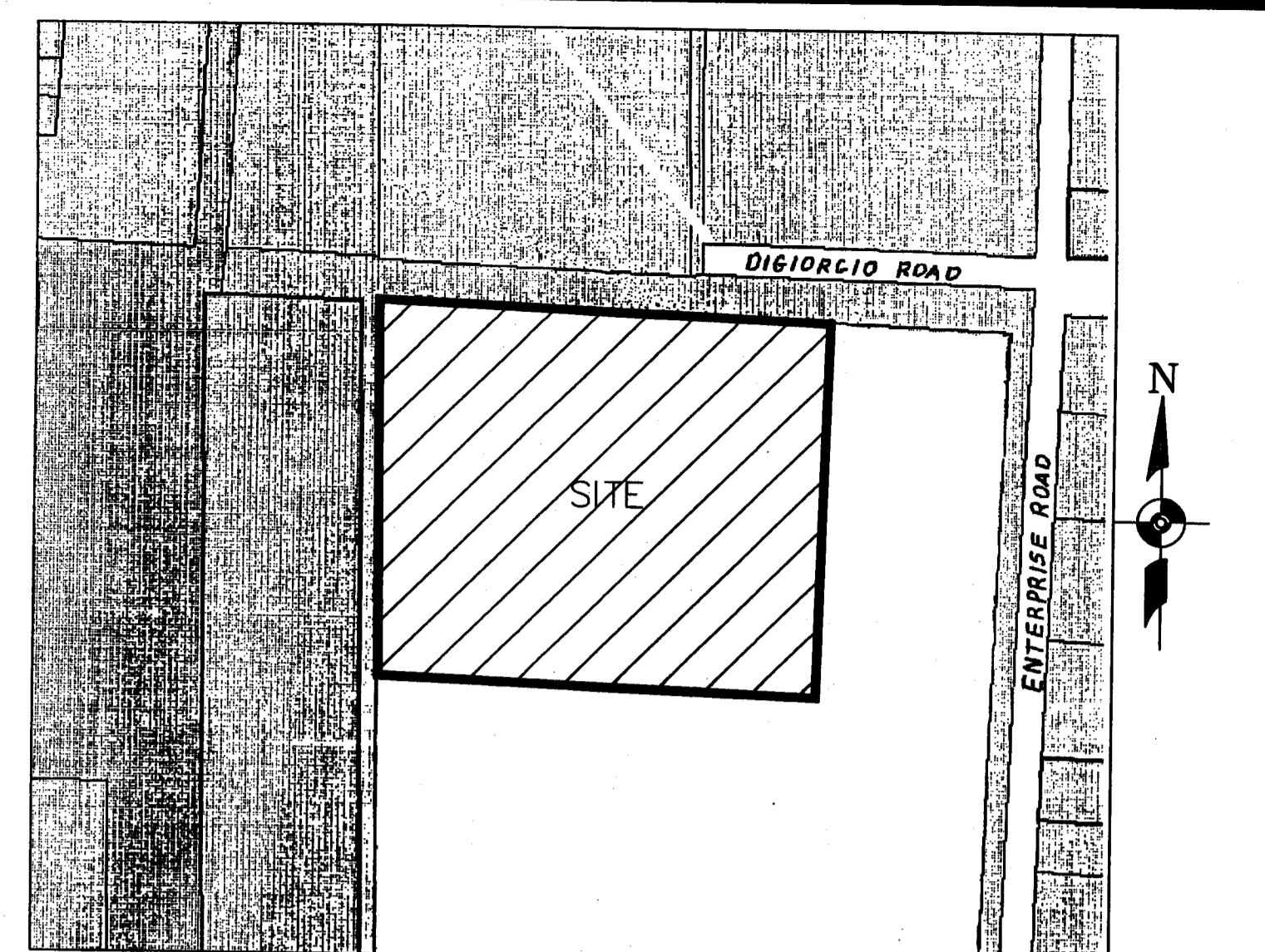
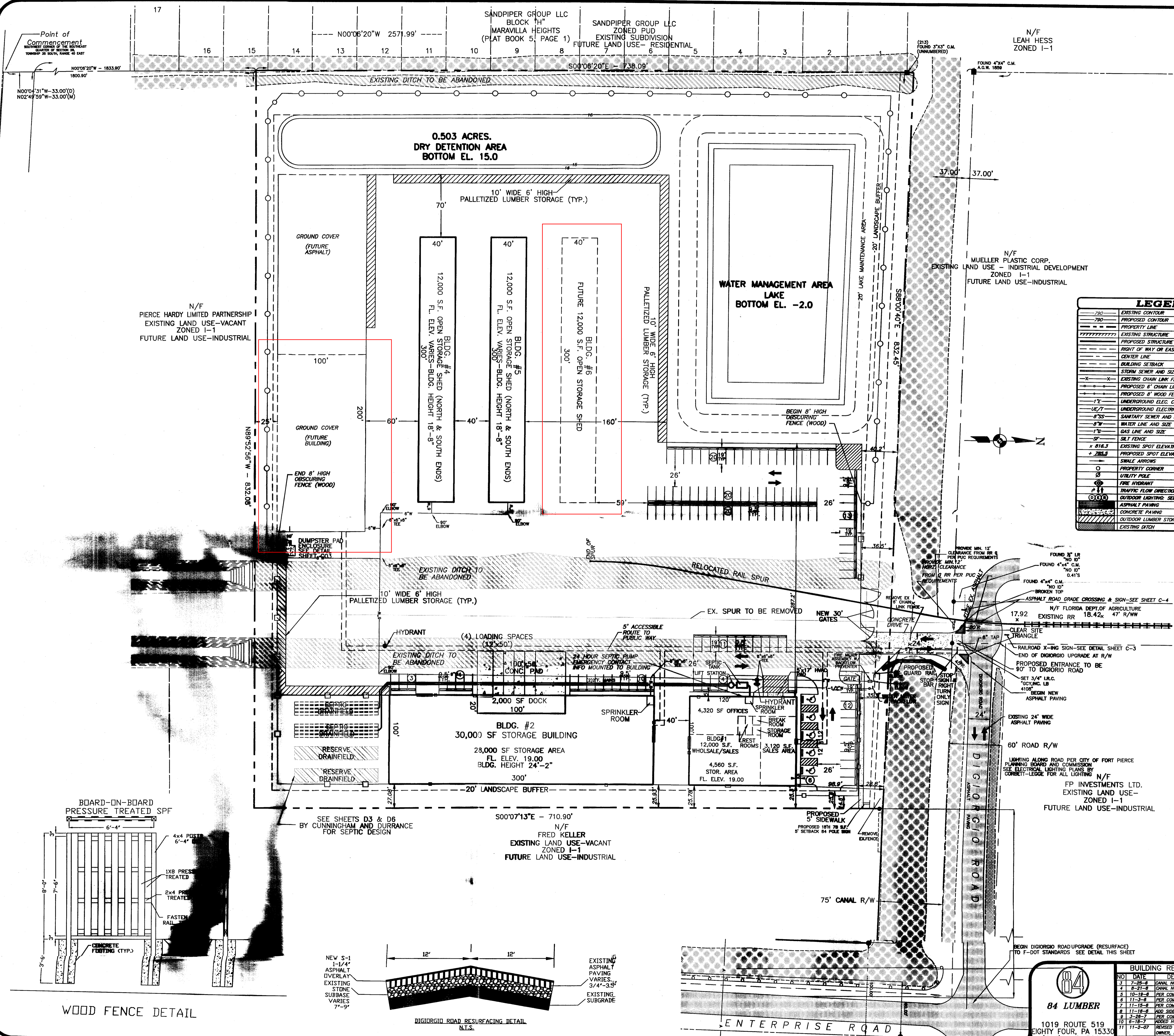


**1121 DiGiorgio Road**



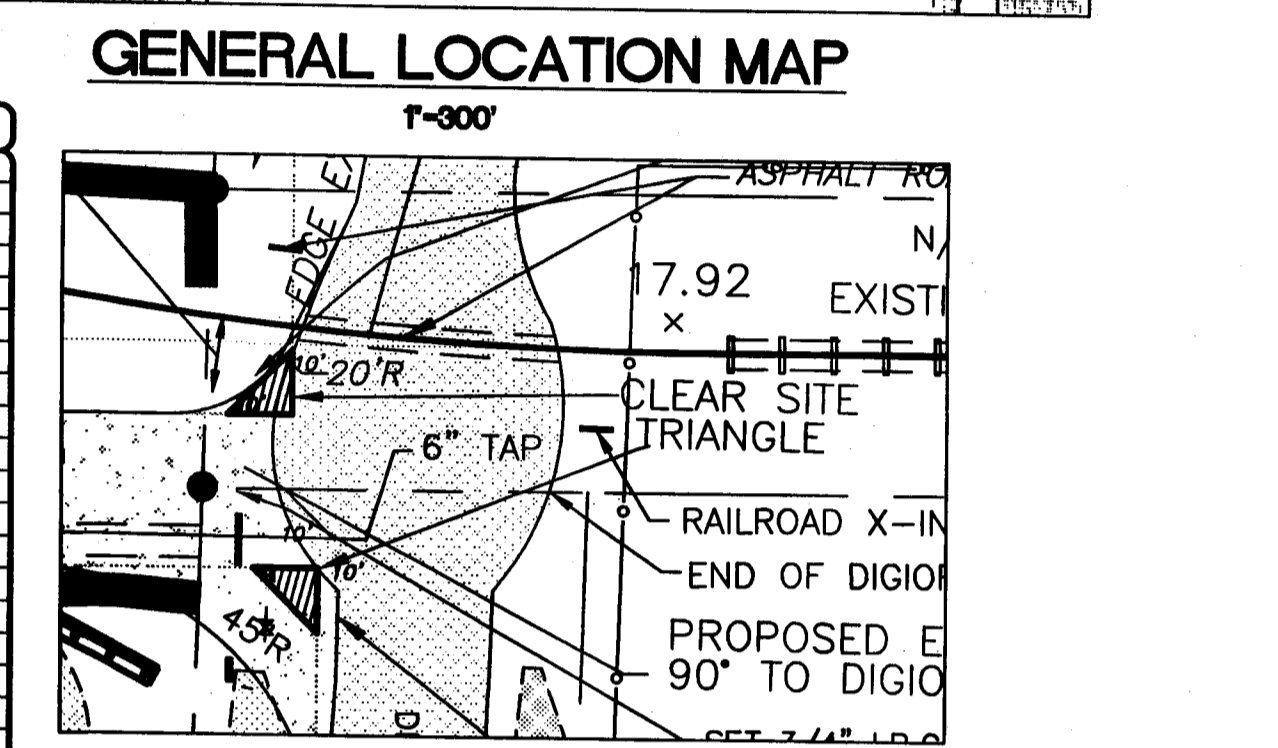






**LEGEND**

---	EXISTING CONTOUR
---	PROPOSED CONTOUR
---	PROPERTY LINE
---	EXISTING STRUCTURE
---	PROPOSED STRUCTURE
---	RIGHT OF WAY OR EASEMENT LINE
---	CENTER LINE
---	BUILDING SETBACK
---	STORM SEWER AND SIZE
---	EXISTING CHAIN LINK FENCE
---	PROPOSED 6" CHAIN LINK FENCE
---	PROPOSED 8" WOOD FENCE
---	UNDERGROUND ELEC. CONDUIT AND SIZE
---	UNDERGROUND ELECTRIC/PHONE
---	SEWAGE SANITARY SEWER AND SIZE
---	WATER LINE AND SIZE
---	GAS LINE AND SIZE
---	SILT FENCE
---	EXISTING SPOT ELEVATION
---	PROPOSED SPOT ELEVATION
---	PROPERTY CORNER
---	UTILITY POLE
---	FIRE HYDRANT
---	TRAFFIC FLOW DIRECTIONAL ARROWS
---	OUTDOOR LIGHTING. SEE ELECTRICAL LIGHTING PLANS
---	ASPHALT PAVING
---	CONCRETE PAVING
---	OUTDOOR LUMBER STORAGE
---	EXISTING DITCH



**TABULATION OF ACREAGE**

ENCLOSED BLDG. AREA :	62,000 SF	1.423 AC	10.3%
SHED AREA :	24,000 SF	0.551 AC	4.0%
FUTURE SHED AREA :	12,000 SF	0.275 AC	2.0%
ASPHALT AREA :	259,728 AC	5.963 AC	43.1%
FUTURE ASPHALT AREA :	18,385 AC	0.376 AC	2.7%
TOTAL IMPERVIOUS AREA :	374,094 SF	8.588 AC	62.1%
OPEN SPACE PERVIOUS AREA :	20,445 SF	0.469 AC	3.3%
CANAL MAINTENANCE EASEMENT :	12,487 SF	0.287 AC	2.1%
DRY DETENTION AREA :	21,914 SF	0.503 AC	3.8%
SEPTIC DRAIN FIELD AREA :	7,000 SF	0.161 AC	1.2%
WATER MANAGEMENT AREA (LAKE) :	58,288 SF	1.338 AC	9.7%
LANDSCAPE BUFFER AREA :	87,584 SF	2.011 AC	14.5%
LAKE MAINTENANCE EASEMENT :	28,974 SF	0.661 AC	3.5%
TOTAL PERVIOUS AREA :	228,572 SF	5.250 AC	37.9%
TOTAL LOT AREA :	13,84 AC	13.84 AC	100%

**LOT REQUIREMENTS**

ZONING:	(I-1) LIGHT INDUSTRIAL ZONE	
FUTURE LAND USE:	INDUSTRIAL	
LOT AREA:	REQUIRED 13.84 AC PROVIDED 13.84 AC	
LOT WIDTH:	100' MIN. PROVIDED 832.45'	
FRONT YARD:	15' MIN. PROVIDED 98.9'	
SIDE YARD:	N/A PROVIDED 2532'	
REAR YARD:	N/A PROVIDED 25'	
BLDG. HEIGHT:	65' MAX PROVIDED 24'-3"	
SIGN HEIGHT:	18' MAX PROVIDED 18'	
SIGN AREA:	200' S.F. MAX PROVIDED 78 S.F.	
SIGN SETBACK:	5' MAX PROVIDED 5'	
LOT AREA:	AREA (SF)	GROUND COVERAGE (%)
BLDG. #1	12,000	2%
BLDG. #2	30,000	5%
BLDG. #3	20,000	3%
BLDG. #4	12,000	2%
BLDG. #5	12,000	2%
BLDG. #6	12,000	2%
IMPERVIOUS SURFACE (INCLUDING BLDG.)	374,094 S.F.	62%

**PARKING REQUIREMENTS**

PARKING SPACE AREA: 9.5x19 S.F. MIN. - USE 9.5'x19' SPACE MIN.  
HANDICAP SPACE AREA: 12x19 S.F. MIN. - USE 12'x19' SPACE MIN.

ENCLOSED BLDGS. ONLY  
OFFICE AREA: 1SP/300 S.F. OF OFFICE SPACE x 4,320=15 SPACES  
RETAIL SPACE: 1SP/200 S.F. OF RETAIL SPACE x 3,120=16 SPACES  
STORAGE AREA: 1SP/600 S.F. OF STORAGE SPACE x 54,560=91 SPACES

TOTAL PARKING REQUIRED= 122 SPACES  
TOTAL PARKING PROVIDED= 123 SPACES  
HANDICAP ACCESSIBLE SPACES PROVIDED= 5  
HANDICAP SPACES REQUIRED= 1SP/25 REGULAR SPACES

LOADING SPACES-BULK STORAGE ONLY (BLDG. #2&3)  
1SP/10,000 + 1/ADDITIONAL 15,000x54,560= 3.9=4 SPACES REQUIRED  
4 SPACES PROVIDED

**PHYSICAL LIMITATIONS**

- TOPOGRAPHY- THERE ARE NO PHYSICAL TOPOGRAPHICAL LIMITATIONS
- SOILS-PROPERTY CONSISTS OF WELAND & LAMWOOD SAND PER SOIL SURVEY MAP
- FLOOD PLAIN-PROPERTY IS NOT LOCATED WITHIN 100-YR FLOOD PLAIN

**NOTES**

- ALL EXISTING WATER COURSES ARE SHOWN HERON
- THERE ARE NO EXISTING EASEMENTS, MEAN HIGH TIDE LINES, OR ORDINARY HIGH WATER LINES WITHIN THE PROPERTY
- THERE ARE NO EXISTING TREES TO BE REMOVED - ANY TREES ALONG WESTERN BOUNDARY WILL REMAIN AS A BUFFER
- SLOPE TO BE MAX 2% FROM ALL BUILDING EGRESS POINTS TO PARKING
- NO CURBING IS PROPOSED (INTERIOR LOT EXCLUSIVE OF ROADWAY SIDEWALK)
- PER CODE 11-4.1.3 EXCEPTION, MEZZANINES ARE CONSIDERED STORAGE SPACES THAT ARE NOT FOR PUBLIC ACCOMMODATIONS, SIGNS TO BE PLACED AT THE BOTTOM OF STAIRS STATING EMPLOYEES ONLY ACCESS

**CERTIFICATION**

I HEREBY CERTIFY THAT THE PROPOSED USE OF THE LAND AND BUILDINGS ARE IN CONFORMANCE WITH THE PROVISIONS OF CHAPTERS 17 & 22 OF THE CITY OF FORT PIERCE CODE AND THAT FINAL CERTIFICATIONS WILL BE PROVIDED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

*Vernon E. Smith, P.E.*  
VERNON E. SMITH, P.E.

**AVBEL ENGINEERING**  
Vernon E. Smith  
Engineer  
43 RIDGEWOOD AVENUE  
MCDONALD, PA 15057  
TEL. (724) 745-1965  
FAX. (724) 745-1034

**BUILDING REVISIONS**

NO.	DATE	DESCRIPTION
1	7-29-8	CANAL WIDTH EASEMENT
2	8-21-8	CANAL WIDTH EASEMENT
3	10-18-8	PER COMMENTS
4	11-3-8	PER COMMENTS
5	11-15-8	PER COMMENTS
6	11-18-8	ADD SIDEWALK
7	2-28-7	PER COMMENTS
8	11-19-7	MOVED UTILITY
9	11-2-87	REVISED ADJACENT LAND-OWNER, REMOVE BUILDING AND WELL
10	2-4-8	REVISED
11	3-25-8	REVISED WELL

**NEW FACILITY**  
SITE PLAN  
DIGIORGIO ROAD  
CITY OF FT. PIERCE  
ST. LUCIE COUNTY, FL

**PROJECT INFORMATION**  
SCALE: 1"-50'  
JOB NO. 13-FTP  
STORE NO. 13-FTP  
SHEET NO. C1  
DESIGN BY: CJ  
DRAWN BY: RCN  
DATE: 12/12/05

**84 LUMBER**  
1019 ROUTE 519  
EIGHTY FOUR, PA 15330  
(724) 228-3636

**City Commission Regular Meeting**

**Agenda Item # 9. f.**

**Meeting Date:** 11/17/2014

**Re:** Above Ground LP Tanks for Goodfellas Pizza

**Submitted For:** Marc Meyers, Building Official, Building

---

**SUBJECT:**

Approve permit request by Goodfellas Pizza for installation of two (2) above ground LP tanks at 1008 B Seaway Drive.

**SUMMARY:**

Goodfellas Pizza has requested a permit to install two (2) 120 gallon LP tanks at 1008 B Seaway Dr. City Commission approval is required per Section 7-20 of the City Ordinance.

**RECOMMENDATION:**

Approval of the LP Tanks

**ALTERNATIVES:**

Deny the installation of the LP tanks

**RESPONSIBLE STAFF:**

Marc Meyers, Building Official

**COORDINATED WITH:**

Kristie Kirstein, Senior Permit Specialist

---

**Fiscal Impact**

**Budgeted Y/N:**

**Fiscal Year:**

**Account:**

**Amount:**

**OTHER INFORMATION:**

A gain of \$154.50 to the Building Department Fund for permit and application fees.

---

**Attachments**

1008 Seaway Dr

---

# CITY OF FORT PIERCE BUILDING DEPARTMENT ROUTING FORM

October 30, 2014

Permit #: 14-00002718

Owner Name: REPUBLIC WESTERN INVESTMENTS

Property Address: 1008 SEAWAY DR B

Type of Permit: MISCELLANEOUS GAS – Above Ground LP

Planning:

Approved

Approved as Noted

Rejected

N/A

10/30/14  
*[Signature]*

Historic:

Approved

Individually Designated

Approved as Noted

Rejected

District

N/A

Arch Design:

Approved

Approved as Noted

Rejected

N/A

Landscape:

Approved

Approved as Noted

Rejected

Comments: Bellweds must not infringe into established Drive Aisles.

Zoning \_\_\_\_\_

Calculations (Road)

Land Use		Fee per Unit		Impact Fee
# Units _____	x	_____	=	_____
# Sq. Ft _____	x	_____	=	_____

Calculations (School, Parks, Library, Public Bldgs)

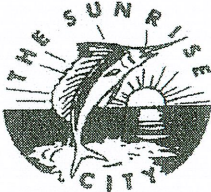
# Units _____	x	_____	=	_____
# Sq. Ft _____	x	_____	=	_____

Impact fee credits due to change of use or previously demolished buildings: \$ \_\_\_\_\_

Road Impact Fee: _____	Road Impact Fee: _____	Road Impact Fee: _____
School Impact Fee: _____	School Impact Fee: _____	School Impact Fee: _____
Parks Impact Fee: _____	Parks Impact Fee: _____	Parks Impact Fee: _____
Library Impact Fee: _____	Library Impact Fee: _____	Library Impact Fee: _____
Public Bldg Impact Fee: _____	Public Bldg Impact Fee: _____	Public Bldg Impact Fee: _____
Fire/ EMS Impact Fee: _____	Fire/ EMS Impact Fee: _____	Fire/ EMS Impact Fee: _____
Law Impact Fee: _____	Law Impact Fee: _____	Law Impact Fee: _____

Impact Fee Credit: \_\_\_\_\_

TOTAL IMPACT FEE: \_\_\_\_\_



**CITY OF FORT PIERCE, FLORIDA  
BUILDING DEPARTMENT  
APPLICATION FOR BUILDING PERMIT**  
(772) 460-2200 EXT. 261 OR 276 FAX (772) 467-9836

Permit # 14-2718  
FBC 2010

\*Property Address 1008 B Seaway Dr \*Date 10/20/14 # of plans submitted 1 # of CD's submitted \_\_\_\_\_  
Parcel ID# 240214200010004 Phone # ( ) - - Fax # ( ) - -  
(Located on your tax bill) Email Address \_\_\_\_\_ Cell # ( ) - -  
\*Owner Name \_\_\_\_\_ \*Owner Address \_\_\_\_\_

Type of permit Propane \*Valuation \$ 2000.00  
\*Description of Work Set Two aboveground Tanks along the building and run gas line to kitchen equipment and outside water heater  
Architect: \_\_\_\_\_ Phone ( ) - - Fax ( ) - -  
Email Address \_\_\_\_\_  
Engineer: \_\_\_\_\_ Phone ( ) - - Fax ( ) - -  
Email Address \_\_\_\_\_

\*CONTRACTOR/APPLICANT INFORMATION: City License # \_\_\_\_\_ State License # 09707  
Company Name Amerigas Qualifier Larry Licastri  
Address 3301 Oleander Ave City/State FT Pierce FL Zip 34982  
Phone # (772) 465-8886 Fax # (772) 465-8448 Cell # (772) 633-0740  
Email Address mike.miley@amerigas.com

SUBCONTRACTORS: See Subcontractor Verification Sheet. It may be Required to accompany this application  
Occupancy \_\_\_\_\_ Construction Type \_\_\_\_\_ # of Units \_\_\_\_\_ # of Stories \_\_\_\_\_  
Sq. Ft. Conditioned Space \_\_\_\_\_ Total Sq. Ft. \_\_\_\_\_

RECEIVED

OCT 29 2014

Building Department *KK*

Is the property located in a Special Flood Hazard Area (floodplain) per the current Flood Insurance Rate Map (FIRM)  Yes  No

If Yes, the applicant must include certified elevation information on a FEMA NFIP Elevation Certificate.

I understand that no building may be occupied until a Certificate of Occupancy/Certificate of Completion has been issued after final inspection by the Building Department and full compliance with the building code, city and state ordinances and other applicable rules and regulations. I am also verifying that all sets of plans submitted are identical.  
Signature of Applicant \_\_\_\_\_ Signature of Property Owner \_\_\_\_\_

State of Florida, County of St. Lucie State of Florida, County of \_\_\_\_\_

Affirmed to and subscribed before me this October Affirmed to and subscribed before me this \_\_\_\_\_  
23rd 2014, by Larry Licastri 20\_\_\_\_, by \_\_\_\_\_

personally known to me or who has produced as identification. \_\_\_\_\_  
Notary Signature: Jessica Altalla Notary Signature: \_\_\_\_\_  
Notary (print name) \_\_\_\_\_ Notary (print name) \_\_\_\_\_



Construction documents must accompany this application. The Florida energy code submitted becomes an integral part of this plan and must pass final inspection. "Notice: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public record of this county, and there may be additional permits required from other governmental entities such as waste management district, state agencies, or federal agencies. SIGNATURE OF THE APPLICANT MUST BE NOTARIZED. If owner builder, applicant must sign in person. BUILDING PERMIT includes: Building, Electrical, Plumbing, Mechanical, and Sewer only. All other trades require separate permits.  
\* Required Information

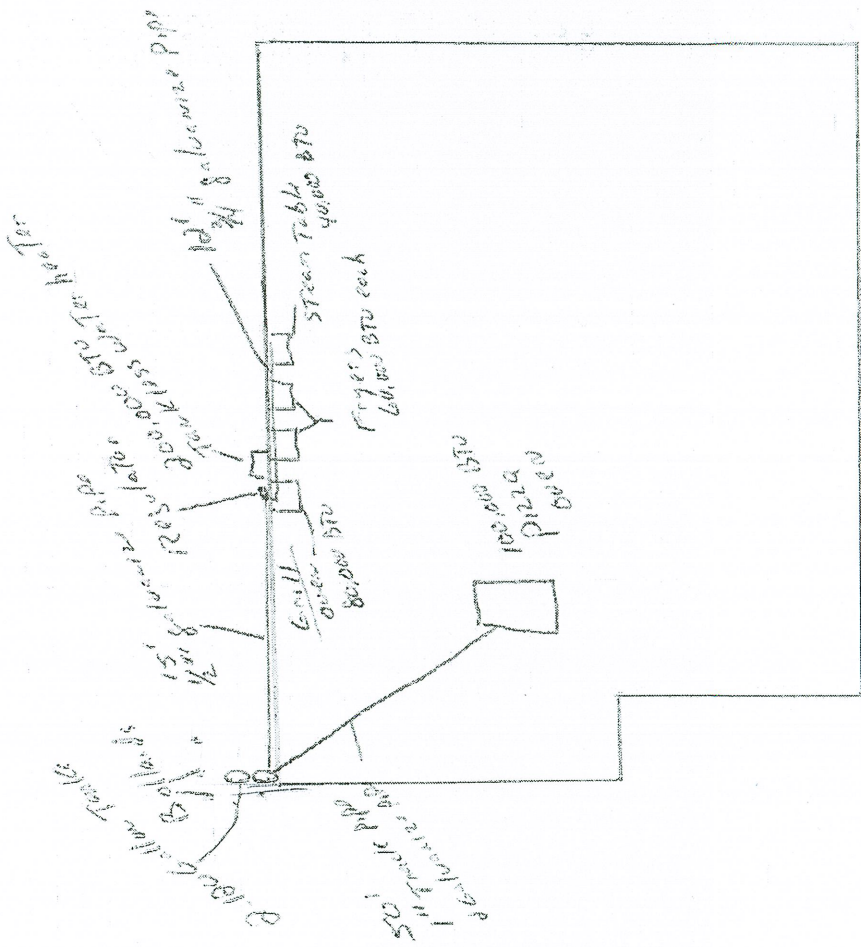
Asbestos compliance: It is the owner's or operator's responsibility to comply with section 469.003, Florida Statutes, and to notify the Department of Environmental Protection of his or her intentions to remove asbestos, when applicable, in accordance with state and federal law.

FEES: \* See the break Down Fee Sheet

Total Fees Due \$ \_\_\_\_\_

OFFICE USE ONLY  
\$75 PL  
\$10 RT } CC  
\$425 CC

Remarks \_\_\_\_\_  
Reviewed by JTB Date 10-20-14 Building Official \_\_\_\_\_ Date \_\_\_\_\_



**CITY OF FORT PIERCE**

Reviewed: JZB

Date: 10-30-14



**City Commission Regular Meeting**

**Agenda Item # 10. a.**

**Meeting Date:** 11/17/2014

**Re:** Ordinance No. 14-033 - Noise Control

**Submitted For:** Frank Amandro, Deputy Chief , Police Department

---

**SUBJECT:**

Ordinance No. 14-033, revising City of Fort Pierce Code of Ordinances, Chapter 11, Sections 11-48 and 11-52 with respect to noise control. FIRST READING

**SUMMARY:**

The police department has worked with the City Attorney's Office to draft revisions to City of Fort Pierce Code of Ordinance, Chapter 11, Sections 11-48 and 11-52 with respect to noise control. The revised ordinance establishes specific noise levels, as measured by a sound meter, that constitute violation within residential and commercial zones. It also retains the City's existing prohibition against noise that disrupts residential neighborhoods after 11:00 p.m.

The police department has already obtained the sound measurement equipment and training required to enforce the revised ordinance. Therefore, there is no additional fiscal impact.

**RECOMMENDATION:**

Approval or revision in accordance with the City Commission's direction.

**ALTERNATIVES:**

The drafted regulations may be modified as required by the City Commission.

**RESPONSIBLE STAFF:**

Lieutenant Robert Curry.

**COORDINATED WITH:**

City Attorney Robert V. Schwerer  
Assistant City Attorney Karen Emerson  
City Clerk Linda Cox

---

**Fiscal Impact**

**Budgeted Y/N:**

**Fiscal Year:**

**Account:**

**Amount:**

**OTHER INFORMATION:**

No fiscal impact.

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## **Attachments**

City Attorney Memo

Noise Ordinance Updates Memo

Ordinance No. 14-033

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CITY OF FORT PIERCE - OFFICE OF THE CITY ATTORNEY

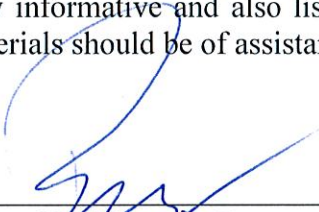
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**MEMORANDUM**

**TO:** R. Sean Baldwin, Chief of Police (*via email*)  
**FROM:** Robert V. Schwerer, City Attorney  
**SUBJECT:** Noise Ordinance 2013 Updates  
**DATE:** August 8, 2013

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I am attaching for your review a copy of the Noise Control Update that was presented at the July 2013 Florida Municipal Attorneys Association meeting we just attended. These materials are very informative and also list various source information including sample ordinances. These materials should be of assistance to staff in crafting the City's revised noise ordinance.



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Robert V. Schwerer, Esq.  
City Attorney

/mlp

Attachment

c: Fort Pierce Mayor and Commissioners  
Robert J. Bradshaw, City Manager  
Nicholas Mimms, Deputy City Manager (*via email*)  
Peggy Arraiz, Code Compliance Manager (*via email*)  
Karen Emerson, Assistant City Attorney (*via email*)



## **Noise Control Update**

**Hetal H. Desai, Assistant City Attorney, Tallahassee**

## LESSONS IN DRAFTING NOISE REGULATIONS IN FLORIDA

Hetal Desai, Assistant City Attorney, City of Tallahassee

### STATE v. CATALANO – TOP TEN LESSONS

State v. Catalano, 104 So. 3d 1069 (Fla. 2012), affirming, 60 So. 3d 1139 (Fla. 2<sup>nd</sup> DCA 2011):

1. **Noise regulations are subject to the First Amendment.** Section 316.3045, Fla. Stat. (*Operation of radios or other mechanical soundmaking devices or instruments in vehicles; exemptions*), making it unlawful for any person operating a motor vehicle to amplify sound produced by a radio, or other sound making device or instrument that is plainly audible at a distance of 25 feet or more, or louder than necessary in areas adjoining churches, schools or hospitals.
2. **The right to play music, including amplified music, is protected by the U.S. Constitution.** See Ward v. Rock against Racism, 491 U.S. 781 (1989). In Ward, the Supreme Court upheld regulations on a band shell, noting noise ordinances that are content-neutral are constitutional because their purpose is to limit the volume of sound, not the content of the music.
3. **The government can regulate protected rights, such as the right to play music, with reasonable limits on time, place and manner.** The Court used the modern test used in Ward to review the noise regulation in section 316.3045.
  - a. Is the noise restriction content neutral?
  - b. Is it narrowly tailored to serve a significant governmental interest?
  - c. Does it allow ample alternative channels for communication or source sound?
4. **Subjective standards are not necessarily unconstitutionally vague.** The test is: Does a person of "average intelligence and understanding" have notice of what noise is prohibited? The "plainly audible at a distance of 25 feet" standard in the statute was not unconstitutionally vague. The court resolved a conflict between Davis v. State, 710 So. 2d 635 (Fla. 5th DCA 1998) (upholding pre-2005 amendment version of section 316.3045(1)(a), which required that amplified sound be plainly audible more than one-hundred feet from the vehicle, as not unconstitutionally vague), and Easy Way of Lee County, Inc. v. Lee County, 674 S.2d 863, 866 (Fla. 2<sup>nd</sup> DCA 2d 1996) (striking county's sound ordinance was vague and overbroad because of its "plainly audible" standard). Also see Montgomery v. State, 69 So. 3d 1023, 1032 (Fla. 5th DCA 2011) (holding section

316.3045(1)(a) is not unconstitutionally vague, but finding the statute unconstitutionally overbroad as an impermissible content-based restriction).

5. **An administrative regulation can save a vague statute.** Here, Florida Administrative Code Rule 15B-13.001, provided clear guidelines as to when a sound that was "clearly heard" by the officer and violated the statute.
  - a. The officer must have a direct line of sight and hearing to the motor vehicle.
  - b. The officer cannot use a microphone or hearing aid; must be using his or her normal auditory senses.
  - c. The officer does not have to determine particular words or phrases, or the name of any song or artist.
  - d. The detection of a rhythmic bass reverberating sound is sufficient.
  - e. The motor vehicle source of sound must be on a street or highway as defined, or a parking lot or driveway that is open to the public.
6. **Be wary of exceptions.** The exceptions in section 316.3045(3), for political and business vehicles and speech made the statute an impermissibly content-based regulation. Section 316.3045, did not apply to all amplified sounds; rather it made reference to commercial and political purposes.
7. **A content-based regulation requires strict scrutiny: a compelling state interest that is narrowly tailored to address that state interest.** Section 316.3045, was content based because it did not apply equally to music, political speech and advertising. The over-arching interest for the statute, traffic safety, was not a compelling interest. Moreover, the statute was overbroad and not narrowly tailored.
8. **A noise ordinance is overbroad if it restricts the freedom of expression in a manner that is more intrusive than necessary.** Section 316.3045, was unconstitutional because the government could offer no explanation of how commercial or political vehicles are less dangerous or more tolerable than non-commercial vehicles amplifying a religious message. See also Daley v. City of Sarasota, 752 S.2d 124 (Fla. 2<sup>nd</sup> DCA 2000) (finding local noise ordinance that prohibited all amplified noise that was not in a completely enclosed structure to be an unconstitutionally overbroad restriction on free speech; although the purpose of in regulating unreasonable sound was a significant interest it was more severe than necessary).
9. **Protecting the public from excessively loud noise can be a compelling state interest.** See Kovacs v. Cooper, 336 U.S. 77, 78 (1949) (upholding constitutionality of a municipal sound ordinance; noting that protecting public from

distracting, loud and raucous sounds and interference with privacy was a justified government purpose), also see Florida Constitution Art 2, § 7. Natural resources and scenic beauty.( "...Adequate provision shall be made by law for the abatement of air and water pollution and of excessive and unnecessary noise..."). Traffic Safety and aesthetics are substantial government interests, but not compelling interests, especially where the regulation involves an individual's freedom of expression.

10. **The Court must uphold legislation where it is possible to remove the portions that are unconstitutional.** The "severance test" ultimately determines whether the overall intent is still accomplished without the invalid provisions. To sever all of the following must be answered in the positive:
- a. Can the unconstitutional provisions be logically separated from the valid ones?
  - b. Can the legislative purpose in the valid provisions be accomplished without the void provisions?
  - c. Would the Legislature have passed the good features without the bad features?
  - d. Is there a complete act without the invalid provisions are stricken?
  - e. Can the striking of provisions be done without expanding modifying or limiting the scope of the original statute's intent?

## TOP TEN PRACTICAL TIPS IN DRAFTING A NOISE ORDINANCE

1. Declare the purpose and back it with data.
2. One size does not fit all. Understand and incorporate the technical aspects of sound.
3. Make sure the ordinance is not overly broad. It must be “narrowly tailored to serve the government’s interest.”
4. Clearly articulate terms, definitions, methods of measurements, and exceptions to ensure regulations are content neutral.
5. Beware blanket prohibitions for noises. Instead specify standards that are tailored for the place and time. Noises that are per se violations or activities that are restricted should be allowed in certain areas or during certain hours to ensure there are ample alternatives. City of Miami Beach v. Seacoast Towers-Miami Beach, 156 So. 2d 528 (3d DCA 1963) (striking ordinance prohibiting construction near hotels during months of December 1 –March 31, but giving City manager tight to waive requirement; noting the ordinance was not an “anti-noise” ordinance, but a “anti-building ordinance”).
6. Determine what is right for your community: Quantitative or Qualitative? The standards are not mutually exclusive, you can use both. Establish objective criteria in the form of decibel levels or if regulating noise based on subjective standards, use a reasonable standard person.
7. Do not use terms like “annoying,” “unusual” or “offensive.”
8. Consider permits for special events and exceptions, but provide guidelines to prevent prior restraint and due process challenges. City of Tampa v. Islands Four, Inc., 364 So. 2d 738 (Fla. 2<sup>nd</sup> DCA 1978).
9. Clearly define penalties and enforcement; set process for calibration, training of officers and process of review.
10. Budget a large amount of time for drafting, public input and passing of ordinance. See City of Sarasota v. Lemon, 722 So. 2d 268 (Fla. 2<sup>nd</sup> DCA 1998) (upholding municipal noise ordinance and permitting regulations and holding noise ordinances regulate conduct and therefore are not considered “land development regulations” as defined by Chapter 163, Florida Statutes, and not subject to the review requirements of Chapter 163).

## SOURCES FOR DRAFTING OR REVISING NOISE ORDINANCES:

Florida Constitution Art 2, § 7. Natural resources and scenic beauty  
42 U.S.C. § 4901. Congressional findings and statement of policy (Noise Control Act)

### **Florida Statutes:**

Section 335.17. State highway construction; means of noise abatement  
Section 316.293. Motor vehicle noise  
Section 403.415. Motor vehicle noise  
Section 823.16. Sport shooting ranges; definitions; exemption from liability; exemption from specified rules; exemption from nuisance actions; continued operation

### **Other Sources**

IMLA Model Noise Ordinance available at:

[http://www.imla.org/index.php?option=com\\_content&task=view&id=31&Itemid=61](http://www.imla.org/index.php?option=com_content&task=view&id=31&Itemid=61),

also available at Attachment 2 and 3, at:

[http://www.leoncountyfl.gov/admin/agenda/new\\_view.asp?item\\_no=%2715%27&meeting\\_date=3/11/2008](http://www.leoncountyfl.gov/admin/agenda/new_view.asp?item_no=%2715%27&meeting_date=3/11/2008).

Local Noise Enforcement Options and Model Noise Ordinance With Pre-Approved Language for the State of New Jersey, available at:

[http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=6&ved=0CFcQFjAF&url=http%3A%2F%2Fwww.popcenter.org%2Fproblems%2Floud\\_car\\_stereos%2FPDFs%2Fe215.pdf&ei=usjZUdyQAYa89QT9s4CQDw&usq=AFQjCNFiKcWBOZL\\_VaOylroSl6iQ81-shA&sig2=Fr7LK1wWIRmQgywX0Hy\\_JQ&bvm=bv.48705608,d.eWU](http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=6&ved=0CFcQFjAF&url=http%3A%2F%2Fwww.popcenter.org%2Fproblems%2Floud_car_stereos%2FPDFs%2Fe215.pdf&ei=usjZUdyQAYa89QT9s4CQDw&usq=AFQjCNFiKcWBOZL_VaOylroSl6iQ81-shA&sig2=Fr7LK1wWIRmQgywX0Hy_JQ&bvm=bv.48705608,d.eWU)

Model Noise Control Ordinance (1974), available at:

<http://nepis.epa.gov/Exe/ZyNET.exe>

Noise Ordinances, Tools for Enactment, Modification and Enforcement of a Community Noise Ordinance, by Robert C. Chanaud, Ph.D., available at:

<http://www.noisefree.org/resourceroom.php>

### **Websites:**

Noisefree America - <http://www.noisefree.org/cityord.php>

Kinetics Noise Control - [http://www.kineticsnoise.com/industrial/noise\\_ordinance.html](http://www.kineticsnoise.com/industrial/noise_ordinance.html)

Noise Pollution Clearinghouse - <http://www.nonoise.org/lawlib/cities/cities.htm>



**SOUND MEASUREMENT REPORT FORM**

NAME/ADDRESS OF NOISE SOURCE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE \_\_\_\_\_ DAY OF WEEK \_\_\_\_\_ TIME \_\_\_\_\_ am /pm.

Investigating  
Agency \_\_\_\_\_  
Investigating Officer \_\_\_\_\_  
Name of responsible party notified \_\_\_\_\_

Description of noise source to be measured: \_\_\_\_\_  
\_\_\_\_\_

Description of property receiving noise \_\_\_\_\_

Description of Residual Noises, (fairly constant in nature) \_\_\_\_\_

Description of Extraneous Noises, ( intermittent in nature, and not from source) \_\_\_\_\_

**DESCRIPTION OF INSTRUMENT:**

SOUND LEVEL METER \_\_\_\_\_ MODEL # \_\_\_\_\_ ANSI TYPE \_\_\_\_\_  
SERIAL # \_\_\_\_\_ DATE OF LAST CERTIFICATION \_\_\_\_\_  
SOUND LEVEL CALIBRATOR \_\_\_\_\_ WIND SCREEN USED (YES/NO) \_\_\_\_\_  
WIND METER USED ( YES/ NO) \_\_\_\_\_ TIME OF CALIBRATION \_\_\_\_\_

**WEATHER CONDITIONS:**

PRECIPITATION \_\_\_\_\_ GROUND WET \_\_\_\_\_ TEMPERATURE: \_\_\_\_\_  
WIND VELOCITY \_\_\_\_\_ TIME TAKEN \_\_\_\_\_

**NEIGHBORHOOD RESIDUAL NOISE MEASUREMENT:**

TIME : START / FINISH      READING RANGE (dba)      TYPE RESIDUAL      LOCATION OF MEASUREMENT/  
COMMENTS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**MEASUREMENT OF TOTAL NOISE:**

TIME : START / FINISH      READING RANGE ( dbA)      CORRECTED (SOURCE) LEVEL      LOCATION / COMMENTS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Noise Measurement Taken By:

Reviewed By:

INCLUDE SITE SKETCH ON REVERSE ( Include source, walk around, and exact measurement location)

**NOISE/SOUND ORDINANCES  
COMPARISON OF FLORIDA & OTHER JURISDICTIONS**

The following Florida cities and their respective Noise Ordinances contain objective standards set in maximum decibel measurements for residential land use zones and also have special entertainment zones.

**Tallahassee, FL (Proposed)**

Residential/Non-Residential		Commercial	
Daytime (8am-10pm)	Nighttime (10pm-8am)	Daytime (8am-10pm)	Nighttime (10 pm- 8am)
Res. 65	Res. 60	75	65

Special Entertainment Zones	
Week Daytime (8am-11pm)	Week Nighttime (11pm-7am)
Weekend Day (8:00 am – 12 am)	Weekend Night (12 am – 8:00 am)
85	65

**Gainesville, FL**

Residential		Commercial	
Daytime	Nighttime	Daytime	Nighttime
61	55	66	60

**Orlando, FL**

Type of Property Generating Noise	Class A Standard 7 AM—10 PM	Class A Standard 10 PM—7 AM	Class B Standard (Entertainment)
Residential	60 dBA/65 dBC	55 dBA/60 dBC	65 dBA/70 dBC
Multi-Use	65 dBA/70dBC	55 dBA/60 dBC	65 dBA/70 dBC
Commercial	70 dBA/75 dBC	65 dBA/70 dBC	75 dBA/80 dBC
Industrial	75 dBA/80 dBC	75 dBA/70 dBC	85 dBA/90 dBC

**Daytona, FL**

Residential		Commercial		Industrial
7:00 a.m.—10:00 p.m.	10:00 p.m.—7:00 a.m.	7:00 a.m.—10:00 p.m.	10:00 p.m.—7:00 a.m.	All Times

60	55	65	60	75
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### Ft. Lauderdale, FL

USE	TIMES	OUTDOOR	INDOOR
Residential	7:00 a.m. to 10:00 p.m.	60 dBA*	45 dBA
	10:00 p.m. to 7:00 a.m.	50 dBA	35 dBA
Commercial	24 hours	65 dBA	55 dBA
Industrial	24 hours	75 dBA	65 dBA

### Fort Myers, FL

Standard Sound Levels	
Residential, public space, agricultural, or institutional—7:00 a.m. to 7:00 p.m.	75 dBA
Residential, public space, agricultural, or institutional—7:00 p.m. to 11:00 p.m.	65 dBA
Residential, public space, agricultural, or institutional—11:00 p.m. to 7:00 a.m.	60 dBA
Commercial and industrial—7:00 a.m. to 7:00 p.m.	75 dBA
Commercial and industrial—7:00 p.m. to 7:00 a.m.	70 dBA
Entertainment—2:00 p.m. to 2:00 a.m.	75 dBA
Entertainment—2:00 a.m. to 2:00 p.m.	70 dBA

### Miami, FL

Receiving Land Use	At Property Line or Beyond Between 10:00 p.m. and 7:00 a.m.	At Property Line or Beyond Between 7:00 a.m. and 10:00 p.m.
Single-family	5 dBA above ambient or maximum of 55 dBA	10 dBA above ambient or maximum of 60 dBA
Multifamily, institutional, parks and noise-sensitive zones	5 dBA above ambient or maximum of 60 dBA	10 dBA above ambient or maximum of 65 dBA
Retail commercial (offices, retail, restaurants and movies)	5 dBA above ambient or maximum of 65 dBA	10 dBA above ambient or maximum of 65 dBA
Wholesale commercial and industrial	5 dBA above ambient or maximum of 70 dBA	10 dBA above ambient or maximum of 75 dBA

### Panama City, FL

Land Use Category	Time	Sound Level Limit (dB(A))
Residential, public space or institutional	7:00 a.m.—10:00 p.m.	70
	10:00 p.m.—7:00 a.m.	65
Commercial or business	7:00 a.m.—10:00 p.m.	75
	10:00 p.m.—7:00 a.m.	70
Industrial, manufacturing or agricultural	At all times	75

**Port St. Lucie, FL**

Land Use Category	Sound Level Limits (in dBA)						Peak Sound Levels (in dBA)
	Time						
	7:00 a.m.—11:00 p.m.			11:00 p.m.—7:00 a.m.			
	L <sub>1</sub> *	L <sub>10</sub> *	L <sub>50</sub> *	L <sub>1</sub> *	L <sub>10</sub> *	L <sub>50</sub> *	
Residential	70	65	60	65	60	55	80
Commercial	75	70	65	70	65	60	85
Industrial	75	70	65	75	70	65	85

**Tampa, FL**

**Noise Limitations.** The maximum dBA and dBC sound levels permitted on any property within the City of Tampa, shall be as follows:

(1) In the Central Business District, the Ybor City Historic District and the Channel District as each is delineated in Chapter 27, City of Tampa Code, the average measurement taken between ten (10) and twenty (20) seconds shall be no greater than the maximum levels set out below.

- a. Eighty-five (85) dBA or eight-seven (87) dBC between the hours of 6:00 p.m. and 3:00 a.m.
- b. Sixty-five (65) dBA or seventy-five (75) dBC between the hours of 3:00 a.m. and 6:00 p.m.

(2) In all areas of the City of Tampa other than those areas listed in subsection (b)(1) above, the average measurement taken between (10) and twenty (20) seconds shall be no greater than the maximum levels set out below.

- a. Sixty (60) dBA or sixty-five (65) dBC between the hours of 7:00 a.m. and 10:00 p.m.
- b. Fifty-five (55) dBA or sixty-five (65) dBC between the hours of 10:00 p.m. and 7:00 a.m.

**Pinellas County, FL**

Sec. 58-451. - Maximum allowable noises created within residential zones.

- a. Except for those noises otherwise specifically provided for within this article, and in addition to the prohibitions set forth in section 58-444 it shall be unlawful to create or to permit to be created any noise within a residential zone that exceeds 72 dBA during the hours between 7:00 a.m. to 11:00 p.m., or 55 dBA during the hours between 11:00 p.m. and 7:00 a.m., daily, measured at the nearest adjacent property line.
- b. It shall be unlawful to operate or permit to be operated any air conditioning, heating or ventilating unit at any time that produces a noise exceeding 60 dBA, measured at the nearest adjacent property line.
- c. In the case of multifamily dwelling units, it shall be unlawful to create or permit to be created any noise that exceeds 55 dBA during the hours between 7:00 a.m. to 11:00 p.m., or 40 dBA during the hours between 11:00 p.m. and 7:00 a.m., daily, measured from a neighbor's dwelling.

- (1) Exceeds an equivalent A-weighted sound level (Leq) of 60 db(a) across a residential real property boundary or within a noise-sensitive zone, between the hours of 7:00 a.m. and 10:00 p.m.;
- (2) Exceeds an equivalent A-weighted sound level (Leq) of 55 db(a) across a residential real property boundary or within a noise-sensitive zone, between the hours of 10:00 p.m. and 7:00 a.m.; or
- (3) Exceeds an equivalent A-weighted sound level (Leq) of 80 db(a) across a real property boundary within a commercial/light industrial district; or
- (4) Disturbs the peace, quiet and comfort of the neighboring residential inhabitants, or at any time with louder volume than is necessary for convenient hearing for the persons who are in the room, vehicle or chamber in which the noise is generated and who are voluntary listeners, or is plainly audible across a residential property line 50 feet or more from the source of the noise; or

## **Charlotte, NC**

Sec. 15-69. Amplified sound.

(a) It shall be unlawful to:

- (1) Operate or allow the operation of any sound amplification equipment so as to create sounds registering fifty-five (55) db(A) between 9:00 a.m. and 9:00 p.m. or fifty (50) db(A) between 9:00 p.m. and 9:00 a.m., as measured anywhere within the boundary line of the nearest residentially occupied property, except in accordance with a permit obtained from the noise control officer.
- (2) As to multifamily structures including apartments condominiums, or other residential arrangements where boundary lines can not readily be determined, it shall be unlawful to operate or allow the operation of any sound amplification equipment so as to create sounds registering fifty-five (55) db(A) between 9:00 a.m. and 9:00 p.m. or fifty (50) db(A) between 9:00 p.m. and 9:00 a.m., as measured from any point within the interior of another residential unit in the same complex or within the boundary line of the nearest residentially occupied property, except in accordance with a permit obtained from the noise control officer.
- (3) As to places of public entertainment having a capacity of one thousand (1,000) or more persons, operate or allow the operation of any sound amplification equipment so as to create sounds registering more than sixty-five (65) db(A) between 9:00 a.m. and 9:00 p.m., or fifty (50) db(A) between 9:00 p.m. and 9:00 a.m., as measured anywhere within the boundary line of the nearest residentially occupied property, except in accordance with a permit obtained from the noise control officer.
- (4) Operate or allow the operation of any sound amplification equipment for advertising purposes or otherwise to attract customers so as to cast sounds which are unreasonably loud and disturbing or which register more than sixty (60) db(A) at or on the boundary of the nearest public right-of-way or park.
- (5) Operate or allow the operation for personal use of any sound amplification equipment on the public right-of-way, including streets or sidewalks, or in the public parks so as to produce sounds registering more than sixty (60) db(A) fifty (50) feet or more from any electromechanical speaker between the hours of 9:00 a.m. and 9:00 p.m., or fifty (50) db(A) fifty (50) feet or more from any electromechanical speaker between the hours of 9:00 p.m. and 9:00 a.m.

## NON-FLORIDA CITY ORDINANCES (Excerpts)

### **Austin, TX (Ordinance Extract)**

(RESIDENTIAL/PERMANENT BUSINESS LOCATION): The use or operation of an amplification device at a permanent business location or private residence to produce a sound in excess of 85 dB between 10:00 a.m. and 10:00 p.m., and 80 dB between 10:00 p.m. and 2:00 a.m. as measured at the boundary line of the permanent business location or private residence shall be deemed reasonably calculated to disturb the peace and unreasonably offensive to the public.

(PARKS) If the sound amplification device is to be used or operated within a park, any permit shall be conditioned upon the use or operation of such device between the hours of 10:00 a.m. and 10:00 p.m., except as provided hereinafter:

(1) If approval for use of the park beyond the established curfew has been obtained from the Director, and the sound amplification device is to be used or operated on a permanently constructed bandstand, or within or about a building utilized for dances, performances, parties or similar activities, any permit shall be conditioned upon the use or operation of such device between the hours of 10:00 a.m. and 2:00 a.m.

(2) If approval for use of the park beyond the established curfew has been obtained from the Director, and the amplified sound device is more than 600 feet from any property having a residential zoning designation, any permit shall be conditioned upon the use or operation of the sound amplification device between the hours of 10:00 a.m. and 2:00 a.m.

(3) (a) In addition to the preceding time restrictions, no amplification device shall be used or operated within a park to produce a sound in excess of 85 dB between 10:00 a.m. and 10:00 p.m.; and 80 dB between 10:00 p.m. and 2:00 a.m., as measured 100 feet in front of the device or at the boundary of such park in front of the device, whichever distance is lesser.

(b) No amplification device shall be used or operated at Auditorium Shores to produce sound in excess of 80 dB at any time a measurable wind is blowing from any northerly direction. Sound measurements shall be taken in front of the sound

### **San Antonio, TX**

(9) The making of noise which exceeds sixty-three (63) decibels on residential zoned property as defined by City Code Chapter 35 (Unified Development Code), when measured from property under separate ownership.

(10) The making of noise which exceeds seventy (70) decibels on business zoned property as defined by City Code Chapter 35 (Unified Development Code), when measured from property under separate ownership.

(11) The making of noise which exceeds seventy-two (72) decibels on industrial zoned property as defined by City Code Chapter 35 (Unified Development Code), when measured from property under separate ownership.

(12) The making of noise which exceeds 85 decibels using the Leq method of noise measure for noise emanating from entertainment zoned property as defined by City Code Chapter 35 (Unified Development Code), when measured from property under separate ownership.

### **Kansas City, MI**


Noise disturbance means any sound level which, except as authorized by permit:

# POLICE

## FORT PIERCE



### MEMORANDUM

To: Robert J. Bradshaw, City Manager  
From: R. Sean Baldwin, Chief of Police   
Date: October 13, 2014  
Re: Noise Ordinance No. 14-033 Updates

The police department has drafted Ordinance No. 14-033, which revises City of Fort Pierce Code of Ordinances, Chapter 11 with respect to the regulation of noise. The ordinance has been reviewed and approved by the City Attorney's Office and placed into final form by the City Clerk's Office. With your approval, we are prepared to present Ordinance No. 14-033 to the City Commission at public hearings on November 17 and December 1, 2014.

For years, the police department has struggled with enforcement of our existing noise regulation codes (Sections 11-48 & 11-52). The existing codes are confusing, contradictory, and legally unenforceable. We have worked closely with the City Attorney Rob Schwerer and Assistant City Attorney Karen Emerson to resolve these issues and create an ordinance that is practical and enforceable.

As you know, the majority of our noise issues surface as conflicts between residential and commercial uses. Last year, we responded to multiple complaints from residents of Edgartown due to loud music from Captain Jax. For several years, we have responded to complaints from residents of Sandlewood Estates due to loud music from Skatetown. Although, we will probably never be able to find a perfect solution to this issue, we believe that the proposed ordinance establishes standards that can be regulated and enforced. Perhaps even more importantly it sets consistent expectations that commercial enterprises can monitor themselves to ensure compliance and avoid enforcement action.

The revised ordinance establishes specific noise levels, as measured by a sound meter, which are generally permissible within residential and commercial zones. We have trained officers and obtained noise measurement equipment for enforcement of this provision. We have also retained the City's existing prohibition against noise that disrupts residential neighborhoods after 11:00 p.m. Law enforcement officers may enforce this provision without sound measurement readings.

Lieutenant Robert Curry has become our resident expert in noise regulation, and he will be presenting the proposed ordinance to the City Commission. Mr. Douglas Price, an independent consultant who helped us draft the ordinance, will also be present for any technical questions. Lieutenant Curry will also be prepared to conduct a live noise level demonstration,

so that our City Commissioners have a point of reference for the noise level thresholds proposed in the ordinance.

In addition to the proposed ordinance, I have enclosed a memorandum from City Attorney Robert Schwerer (dated August 8, 2013) with a report from the Florida Municipal Attorney's Association titled Noise Control Update, by Hetal H. Desai, Assistant City Attorney, Tallahassee. This report provides an overview of the legal challenges involved in noise enforcement, some practical considerations, and a review of local ordinances throughout Florida.

RSB/sc

c: Frank J. Amandro, Deputy Chief of Police  
Robert Curry, Lieutenant

**ORDINANCE NO. 14-033**

AN ORDINANCE AMENDING AND RENUMBERING PORTIONS OF **CHAPTER 11, OFFENSES-MISCELLANEOUS, ARTICLE 1 GENERAL** RELATING TO NOISE CONTROL AND REGULATION; AMENDING AND REVISING DEFINITIONS, STANDARDS, AND SOUND LEVELS FOR VARIOUS USE DISTRICTS AND TIME PERIODS; **DELETION OF CURRENT SECTION 11-52; CREATION OF NOISE CONTROL AND SECTIONS 11-52.1 THROUGH SECTION 11-52.22**; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City Commission of the City of Fort Pierce, Florida has made the following determinations:

- 1) The regulation of noise is important to the health and safety of the community and its citizens; and
- 2) Updating and revising prior City ordinances, including City Ordinance No.: J-248, relating to noise regulation was necessary to effectuate said goal.

**NOW, THEREFORE, BE IT ORDAINED** by the City Commission of the City of Fort Pierce, Florida:

**SECTION 1:** Chapter 11 Offenses-Miscellaneous, Article 1 General is amended as follows:

**Sec. 11-1. State misdemeanors.**

It shall be unlawful for any person to commit, within the limits of the city, any act which is or shall be recognized by the laws of the state as a misdemeanor, and the commission of such acts shall be punished upon conviction thereof as provided by statute, not to exceed the fines and penalties as provided by section 1-5 of this Code.

**Sec. 11-48. Reserved** ~~Music or loud noises; hours; area.~~

~~It shall be unlawful for any person to operate, play or cause to be operated or played within that portion of the city which has been zoned and designated as a business area or business section of the city, between the hours of 11:00 p.m. and 7:00 a.m. of each day, and on Sunday from 7:00 a.m. to 1:00 p.m., and within that section or those sections of the city which have been zoned and designated as residential districts, between the hours of 10:00 p.m. and 7:00 a.m., any radio, phonograph, talking machine, piano, electric piano, music box or other machine, instrument or appliance for making music or noise, in such manner that the music or noise produced by the same may be heard at a greater distance than fifty (50) feet therefrom.~~

**Sec. 11-52. Excessive, unnecessary, etc., Noises prohibited; penalty for violation.**

~~(a) Generally. It shall be unlawful, except as expressly permitted herein, for any person to make, continue or cause to be made or continued any excessive, unnecessary or unusually loud noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the City of Fort Pierce, Florida. Failure to comply with this section shall constitute a violation of this Code.~~

~~(b) ——— Definitions. For the purpose of this section, the following definitions shall apply:~~

~~A-weighted sound level means the sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated dBA.~~

~~Ambient noise is the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources, near and far, independent of any single, identifiable noise source.~~

~~Bel is a unit of level when the base of logarithm is ten (10). Use of the Bel is restricted to levels of quantities proportional to power.~~

~~Decibel (dB) is a unit for measuring the volume of a sound, equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micropascals (twenty (20) micronewtons) per square meter.~~

~~Emergency work is work made necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from an imminent exposure to danger.~~

~~Frequency of a function periodic in time is the reciprocal of the primitive period. The unit is the cycle per unit time and must be specified.~~

~~Person is any person, person's firm, association, copartnership, joint venture, corporation or any entity, public or private in nature.~~

~~Sound level means the weighted sound pressure level obtained by the use of a metering characteristic and weighting A, B or C as specified in American National Standards Institute specifications for sound level meters, ANSI S1.4-1971, or in successor publications. If the weighting employed is not indicated, the A-weighting shall apply.~~

~~Sound level meter is an instrument including a microphone, an amplifier, an output meter and frequency weighting networks for the measurement of noise and sound levels in a specified manner.~~

~~Sound pressure levels in decibel of sound is twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of this sound to the reference pressure, which reference pressure must be explicitly stated.~~

~~All technical definitions are in accordance with American National Standards Institute Standard S1.1-1960 or in successor publication entitled Acoustical; Terminology, as reaffirmed.~~

~~(c) Classification of use occupancy. For purposes of defining the "use occupancy," all premises containing habitually occupied sleeping quarters shall be considered residential use. All premises containing transient commercial sleeping quarters shall be considered commercial use. All premises containing businesses where sales, professional or other commercial uses are legally permitted shall be considered commercial use. All premises where manufacturing is legally permitted shall be considered industrial use. In cases of multiple use, the more restrictive use category shall prevail. Hospitals, nursing homes, schools, libraries, churches and all institutional uses shall be considered residential uses. Any area not otherwise classified shall conform to commercial standards.~~

~~(d) ——— Maximum permissible sound levels by use occupancy. It shall be unlawful to project a sound or noise, from one property into another property within the boundary of the use occupancy, which exceeds either the limiting noise spectra set forth in Table I below or exceeds the ambient noise level by more than three (3) decibels when measured as specified under the noise enforcement practices as adopted by the city commission by ordinance.~~

~~(1) Sound or noise projecting from one use occupancy into another use occupancy with a different noise level limit shall not exceed the limits of the use occupancy into which the noise is projected.~~

~~(2) The limits hereinabove referred to shall be in accordance with the following table:~~

TABLE I  
APPLICABLE NOISE LIMITS

Measurement period one quarter hour (continuous), as measured at the property boundary of the receiving parcel.

Use Classification	Sound Level in Decibels A-Scale (dBA)					
	Day (7:00 a.m.—10:00 p.m.)			Night 10:00 p.m.—7:00 a.m.		
	L <sub>1</sub>	L <sub>10</sub>	L <sub>50</sub>	L <sub>1</sub>	L <sub>10</sub>	L <sub>50</sub>
Residential	70	<u>65</u>	<u>60</u>	<u>65</u>	<u>60</u>	<u>55</u>
Commercial	75	70	<u>65</u>	70	<u>65</u>	<u>60</u>
Industrial	75	70	<u>65</u>	75	70	<u>65</u>

~~Level L<sub>1</sub>. That noise (A-weighted sound level) exceeding one per cent of a measurement time equivalent to at least fifteen (15) minutes.~~

~~Level L<sub>10</sub>. That noise (A-weighted sound level) exceeding ten (10) per cent of a measurement time equivalent to at least fifteen (15) minutes.~~

~~Level L<sub>50</sub>. That noise (A-weighted sound level) exceeding fifty (50) per cent of a measurement time equivalent to at least fifteen (15) minutes.~~

~~(3) If the noise occurs at any time on Sundays or holidays, the decibel level applicable between 10:00 p.m. and 7:00 a.m. shall prevail.~~

~~(4) Noise levels shall not exceed the peak noise levels, independent of time duration, set out in Table II below:~~

TABLE II  
PEAK NOISE LEVEL

Use Classification	Sound Level in Decibels A-Scale (dBA)
Residential	<u>80</u>
Commercial	<u>85</u>
Industrial	<u>85</u>

~~(5) For noise of impulsive character (hammering, etc.), the permissible decibel levels set out in Table I shall be corrected by subtracting five (5). Impulsive sound is any sound of short duration, usually less than one second with an abrupt onset and rapid decay, e.g. explosions, blasting, and discharge of firearms.~~

~~(e) Exemptions.~~

- ~~(1) The following uses and activities shall be exempt from noise level regulations:~~
- ~~a. Noises of safety signals, warning devices and emergency pressure relief valves.~~
  - ~~b. Noises resulting from any authorized emergency vehicle, when responding to an emergency call or acting in time of emergency.~~

- ~~e. Noises resulting from emergency work as defined in subsection (b) herein.~~
- ~~d. Noise resulting from the operation of any type of aircraft, not including scale model aircraft.~~
- ~~e. Noise resulting from the operation of any motor vehicle as specified in Chapter 316 and Chapter 403, Florida Statutes, not including cars or trucks with loud stereos or boom boxes, tape players or sounds amounting to rolling juke boxes.~~
- ~~f. Noise resulting from the operation of the following facilities existing and in operation on the effective date of the ordinance from which this section derives:
  - ~~1. Electricity regulating substations.~~
  - ~~2. Electric general plants.~~
  - ~~3. Other electric utilities.~~
  - ~~4. Gas pressure control stations.~~
  - ~~5. Gas production plants.~~
  - ~~6. Natural or manufactured gas storage and distribution points.~~
  - ~~7. Other gas utilities.~~
  - ~~8. Pipeline pressure control stations.~~
  - ~~9. Railroad, rapid rail transit, and street railway transportation.~~
  - ~~10. Industrial wastewater disposal.~~
  - ~~11. Sewage disposal.~~
  - ~~12. Sewage pressure control stations.~~
  - ~~13. Sewage treatment plants.~~
  - ~~14. Sewage sludge drying beds.~~
  - ~~15. Water utilities and irrigation.~~
  - ~~16. Solid waste disposal.~~~~
- ~~g. Air conditioners are exempt from provisions of Table I of this section when this equipment is functioning in accord with the manufacturer's specifications and with all manufacturer's standard mufflers and noise-reducing equipment in use and in proper operating condition according to standards promulgated by the American Refrigeration Institute. The same exception shall apply to lawn mowers and agricultural equipment during daylight hours.~~
- ~~h. Nonamplified crown noises resulting from the activities such as those planned by student, governmental or community groups.~~
- ~~i. Construction operations for which building permits have been issued, or construction operations not requiring permits due to ownership of the project by an agency of government; providing all equipment is operated in accord with the manufacturer's specifications and with all standard equipment, manufacturers' mufflers and noise-reducing equipment in use and in proper operating condition.~~
- ~~j. Noises made by persons having obtained a permit to use the streets.~~
- ~~k. Noises resulting from any authorized law enforcement and firefighting training activities including, but not limited to, police department shooting range exercises.~~
- ~~l. Noise resulting from the activities of any permitted use, conditional use or accessory use permitted in districts zoned industrial, light or industrial, heavy.~~
- ~~m. Noise resulting from the temporary operation of equipment or activities relating to normal maintenance of residential or commercial uses, between the hours of 7:00 a.m. and 10:00 p.m. including, but not limited to, the~~

~~following activities: lawn mowing, maintenance of trees, hedges and gardens; refuse collection; soil cultivation; and pavement sweeping and cleaning.~~

~~n. Noise resulting from the operation of railways and shipping activities.~~

~~e. Noise resulting from construction activities occurring between 7:00 a.m. and sundown. The exemption shall be effective upon obtaining a building permit and shall pertain to any construction activity directly related to the construction authorized under the permit. A special permit issued pursuant to subsection (f) herein shall be required for the generation of noise resulting from construction activities between sundown and 7:00 a.m. For any violation of the terms of the special permit, the permit holder shall be jointly and severally liable.~~

~~p. Any other noise resulting from activities of a temporary duration permitted by law and for which a license or permit therefor has been granted by the city manager or his designated appointee.~~

~~(2) Where an industrial or commercial use is established on property not adjacent to a residential use district and the adjacent property subsequently becomes residential, the noise resulting from the operation of the preexisting industrial or commercial use which is projected into the residential use district shall be subject to the permissible noise levels for industrial or commercial use districts, as appropriate.~~

~~(3) Where the noise levels for a preexisting use are more restrictive than those for a subsequent use established adjacent to the preexisting use, the noise level for the preexisting use shall apply.~~

~~(f) *Application for special permit.* Application for a permit for relief from the noise levels designated in this section on the basis of undue hardship may be made to the city manager or his designated appointee. Any permit granted by the city manager or his designated appointee hereunder shall be in writing and contain all conditions upon which the permit has been granted and shall specify a reasonable time that the permit shall be effective. The city manager or his designated appointee may grant the relief as applied for under the following conditions:~~

~~(1) The city manager or his designated appointee may prescribe any reasonable conditions or requirements as he deems necessary to minimize adverse effects upon the community or the surrounding neighborhood, including use of mufflers, screens or other sound-attenuating devices.~~

~~(2) Permits for entertainment. Permits may be granted for the purpose of entertainment under the following conditions:~~

~~a. The function must be open to the public (admissions may be charged).~~

~~b. The function must take place on public property.~~

~~(3) Other. Special permits for nonentertainment special purposes may be issued under the following conditions:~~

~~a. 1. If the special purpose relates to the operation of a trade or business, that the special purpose not be in the ordinary course of that trade or business; or~~

~~2. If the special purpose does not relate to the operation of a trade or business, that the special purpose not be an ordinary event in the affairs of the applicant; and~~

~~b. If the special purpose be a recurring purpose, that it not recur more often than four (4) times each calendar year; and~~

~~c. 1. That the special purpose be absolutely necessary to the operation of the applicant's trade or business; or~~

~~2. If the special purpose does not relate to the operation of the trade or business, that the special purpose be compatible with the ordinary activities of the neighborhood in which the special purpose is to occur; and~~

- ~~d. Except in emergency situations, as determined by the city manager or his designated appointee, the special permit may be issued for only four (4) hours between 7:00 a.m. and 11:00 p.m. on weekdays; and~~
  - ~~e. Special permits may be issued for no longer than fifteen (15) consecutive days, renewable by further application to the city manager or his designated appointee.~~
- ~~(4) No permit may be issued to permit the use of any loudspeaker or sound-amplifying device on the exterior of any building which at any time exceeds the sound level limits in Table I except those used for emergency warnings.~~
- ~~(g) ——— *Noises prohibited; unnecessary noise standard; sworn complaint required.*~~
- ~~(1) Some sounds may be such that they are not measurable or may not exceed the limits but they may be excessive, unnatural, prolonged, unusual and are a detriment to the public health, comfort, convenience, safety, welfare and prosperity of the residents of the city.~~
- ~~(2) With the exception of those exemptions provided by state law, noises prohibited by this subsection (g) are unlawful notwithstanding the fact that no violation of subsection (a) is involved and notwithstanding the fact that the activity complained about is exempted in subsection (e).~~
- ~~(3) Thus the following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this section, but said enumeration shall not be deemed to be exclusive, namely:~~
- ~~a. The sounding of any horn or signaling device on any automobile or other vehicle, except as a danger warning; the creation by means of any signaling device of any unreasonably loud or harsh sound; the sounding of any signaling device for any unnecessary or unreasonable period of time; and the unreasonable use of any signaling device.~~
  - ~~b. The using, operating or permitting to be played, used or operated any radio, television, tape or record player, amplifier, musical instrument or other machine or device used for the production, reproduction or emission of sound; any prolonged sounds made by people and the keeping of any animal which, by causing frequent or long continuous noise, disturbs the public peace, quiet and comfort of the neighboring inhabitants or at any time with greater intensity than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such sound emitter is operated and who are voluntary listeners thereto. Quieter standards are expected during nighttime hours.~~
- ~~(4) Any person making a complaint under this section shall be required to sign a sworn affidavit prior to a warrant being issued; otherwise, no such complaint will be honored.~~
- ~~(h) ——— *Penalties.*~~
- ~~(1) Violation of this section is a misdemeanor pursuant to section 125.69, Florida Statutes, and is punishable under said section by imprisonment for up to sixty (60) days or a fine of up to five hundred dollars (\$500.00), or both such imprisonment and fine.~~
- ~~(2) Upon conviction of being in violation of this section three (3) times for the same offense within a twelve-month period, when such sound is created by the same sound emitter or same type of sound emitter, the noise-creating equipment may be confiscated.~~
- ~~(i) *Additional remedy; injunction.* The operation or maintenance of any device, instrument, vehicle or machinery in violation of any provisions hereof, which endangers the comfort, repose, health and peace of residents in the area, is declared to be a public nuisance, and the city is authorized to pursue any and all remedies therefor. Nothing herein shall be construed to limit any private right of action.~~

**Sec. 11-52.1. - Purpose.**

- (1) Excessive, unnecessary or unusually loud noise is a detriment to the public health, comfort, convenience, safety, welfare and prosperity of city residents.
- (2) It is in the public interest that the regulations contained in this chapter be adopted as public policy to promote the public health, comfort, safety, welfare and repose of the county and its inhabitants.

**Secs. 11-52.2—11-52.15. - Reserved.**

**Sec. 11-52.16. - Terminology, standards, and definitions.**

For the purposes of this chapter, the following definitions shall apply:

A-Weighting is the electronic filtering in sound level meters that models human hearing frequency sensitivity.

**Ambient noise** is the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources, near and far, independent of any single, identifiable noise source.

**Background sound level** is the total sound pressure level in the area of interest excluding the noise source of interest.

**Bel** is a unit of level when the base of logarithm is ten (10). Use of the Bel is restricted to levels of quantities proportional to power.

**C-Weighted scale** is often used to characterize low frequency sounds capable of inducing vibrations in buildings or other structures.

**Commercial property** is any property zoned for commercial purposes that is used primarily for the sale of merchandise or goods, or for the performance of service, or for office or clerical work.

**Construction** is any site preparation, assembly, erection, repair, alteration or similar action, or demolition of buildings or structures.

**Decibel (dB)** is the unit of measurement for sound pressure level at a specified location.

**dBA** is the A-weighted unit of sound pressure level. C-weighted measurements are expressed as dBC. Z-weighted measurements are expressed as dBZ.

**Emergency** is any occurrence or set of circumstances involving actual or imminent physical trauma or property damage that demands immediate action.

**Emergency work** is any work or action performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency or delivering essential services.

**Frequency** of a function periodic in time is the reciprocal of the primitive period. The unit is the cycle per unit time and must be specified.

**Impulsive sound** is a sound having a duration of less than 1 s with an abrupt onset and rapid decay.

**Industrial property** is any property that is used primarily for manufacturing or processing.

**Legal holiday** includes the following: New Years Day, Martin Luther King Jr. Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Christmas Eve and Christmas Day.

**Mixed use building** is a building in which both residential and commercial uses are permitted.

**Muffler** is a sound-dissipative device or system for attenuating the sound of escaping gases of an internal combustion engine.

**Multi-Family dwelling** is any building or other shelter that has been divided into separate units to house more than one family.

**Noise** is any sound that annoys or disturbs humans or causes or tends to cause an adverse psychological or physiological effect on humans or that would unreasonably interfere with the enjoyment of life or property.

**Octave band** is all of the components in a sound spectrum whose frequencies are separated by an octave.

**Person** is any person, person's firm, association, copartnership, joint venture, corporation or any entity, public or private in nature.

**Real property line** is the line, including its vertical extension that separates one parcel of real property from another.

**Residential property** is any property on which people live and sleep.

**Sound level** means the weighted sound pressure level obtained by the use of a metering characteristic and weighting A, B, C or Z as specified in American National Standards Institute specifications for sound level meters, ANSI S1.4-1971, or in successor publications. If the weighting employed is not indicated, the A-weighting shall apply.

**Sound level meter (SLM)** is an instrument used to measure sound pressure levels conforming to Type 1 or Type 2 standards as specified in the ANSI Standard S1.4-1983 or the latest version thereof.

**Sound pressure level (SPL)** is twenty (20) multiplied by the logarithm, to the base of ten (10), of the measured sound pressure divided by the sound pressure associated with the threshold of human hearing, in units of decibels.

**Weekday** is any day, Monday through Friday that is not a legal holiday.

**Z-Weighting** is the true absolute un-weighted dB sound levels. Un-weighted decibel measurements are used for refined analyses that require data on the frequency spectrum of a sound (e.g., when determining the sound absorption or sound transmission properties of materials). As a direct measure of the pressure fluctuations associated with sound, un-weighted decibel measurements also have considerable usefulness in evaluating noise-induced vibrations.

All technical definitions are in accordance with American National Standards Institute Standard S1.1-1960 or in successor publication entitled Acoustical; Terminology, as reaffirmed.

(c) **Classification of use occupancy.** For purposes of defining the "use occupancy," all premises containing habitually occupied sleeping quarters shall be considered residential use. All premises containing transient commercial sleeping quarters shall be considered commercial use. All premises containing businesses where sales, professional or other commercial uses are legally permitted shall be considered commercial use. All premises where manufacturing is legally permitted shall be considered industrial use. In cases of multiple use, the more restrictive use category shall prevail. Hospitals, nursing homes, schools, libraries, churches and all institutional uses shall be considered residential uses. Any area not otherwise classified shall conform to commercial standards.

(d) **Maximum permissible sound levels by use occupancy.** It shall be unlawful to project a sound or noise, from one property into another property within the boundary of the use occupancy, which exceeds either the limiting noise spectra set forth in Table I below or exceeds the ambient noise level by more than three (3) decibels when measured as specified under the noise enforcement practices as adopted by the city commission by ordinance.

- (1) Sound or noise projecting from one use occupancy into another use occupancy with a different noise level limit shall not exceed the limits of the use occupancy into which the noise is projected.
- (2) The limits hereinabove referred to shall be in accordance with Table 1 below::

**Sec. 11-52.17. - Classification of use districts.**

For purposes of defining the "use occupancy," all premises containing habitually occupied sleeping quarters shall be considered in residential use. All premises containing transient commercial sleeping quarters shall be considered commercial use. All premises containing businesses where sales, professional or other commercial use is legally permitted shall be considered commercial use. All premises where manufacturing is legally permitted shall be considered industrial use. In cases of multiple use, the more restrictive use category shall prevail. Hospitals, nursing homes, schools, libraries, churches and all institutional uses shall be considered residential uses. Any area not otherwise classified shall conform to commercial standards.

**Sec. 11-52.18. - Sound level limitations.**

No person shall cause, suffer, allow, or permit the operation of any sound source in such a manner as to create a sound level that exceeds the sound level limits set forth in Table 1 when measured from the real property line of the nearest receiving property, using the slow response setting unless otherwise noted. Such a sound source would constitute a noise disturbance.

**TABLE I**  
**SOUND LEVEL LIMITS BY RECEIVING PROPERTY**

<u>Receiving Property Category</u>	<u>Time</u>	<u>Sound Level Limit (dBA)</u>	<u>Sound Level Limit (dBC)</u>	<u>Sound Level Limit (dBZ)</u>
<u>Residential</u>	<u>Monday through Saturday</u> <u>7:00 a.m.—11:00 p.m.</u>	<u>60</u>	<u>60</u>	<u>60</u>
<u>Residential</u>	<u>Sunday 7:00 a.m. – 1:00 p. m.</u>	<u>see sub (1) below</u>	<u>see sub (1) below</u>	<u>see sub (1) below</u>
<u>Residential</u>	<u>Sunday through Saturday</u> <u>11:00 p. m. – 7:00 a.m.</u>	<u>see sub (1) below</u>	<u>see sub (1) below</u>	<u>see sub (1) below</u>
<u>Commercial</u>	<u>At all times</u>	<u>65</u>	<u>65</u>	<u>65</u>
<u>Industrial</u>	<u>At all times</u>	<u>70</u>	<u>70</u>	<u>70</u>

- (1) It shall be unlawful for any person to make, continue or cause to be-made or continued within that portion of the city which has been designated as a residential or mixed use area of the city, between the hours of 11:00 p.m. and 7:00 a.m. of each day, and on Sunday from 7:00 a.m. to 1:00 pm any unreasonably loud, excessive, unnecessary, or unusual noise in such manner that noise produced,

or the vibration made, by the same would be obvious, or cause discomfort and annoyance to an ordinary, reasonable prudent person at a distance greater than fifty (50) feet from the real property line of the nearest receiving property. A sound level meter or sound level reading shall not be necessary for the enforcement of this paragraph.

- (2) If the noise is an impulsive sound, the fast response setting shall be used and the daytime (7:00 a.m.—11:00 p.m.) limits of Table 1 shall be increased by ten (10) dBA, dBC, or dBZ.
- (3) In a multi-family dwelling, it shall be unlawful to create or permit to be created any noise that exceeds the daytime (7:00 a.m.—11:00 p.m.) limit of fifty (50) dBA, dBC, or dBZ and the nighttime (11:00 p.m.—7:00 a.m.) limit of forty (40) dBA, dBC, or dBZ. as measured from a neighbor's dwelling.
- (4) In a mixed use building, it shall be unlawful to create or permit to be created any noise that exceeds the daytime (7:00 a.m.—11:00 p.m.) limit of fifty-five (55) dBA, dBC, or dBZ and the nighttime (11:00 p.m.—7:00 a.m.) limit of forty-five (45) dBA, dBC, or dBZ as measured within the residential use portion of the building.
- (5) In addition to the limits of Table 1, for any sound source which impacts residential property, the maximum allowable sound level limits for the individual octave bands whose centers are 31.5, 63 and 125 Hertz shall not exceed sixty-five (65) dB.

**Sec. 11-52.19. - Exemptions.**

- (1) The following uses and activities shall be exempt from noise level regulations:
  - (a) Noise of safety signals, warning devices, and emergency pressure relief valves.
  - (b) Noise resulting from any authorized emergency vehicles, when responding to an emergency call or acting in time of emergency.
  - (c) Noise resulting from emergency work.
  - (d) Noise resulting from the operation of any type of aircraft, not including scale model aircraft.
  - (e) Noise resulting from the operation of any motor vehicle as specified in F.S. Ch. 316 and Ch. 403.
  - (f) Noise resulting from the operation of the following facilities existing and in operation on the effective date of this chapter:
    1. Electricity regulating substations.
    2. Electric generation plants.
    3. Other electric utilities.
    4. Gas pressure control stations.
    5. Gas production plants.
    6. Natural or manufactured gas storage and distribution points.
    7. Other gas utilities.
    8. Pipeline pressure control stations.
    9. Railroad, rapid rail transit, and street railway transportation.
    10. Industrial wastewater disposal.
    11. Sewage disposal.
    12. Sewage pressure control stations.
    13. Sewage treatment plants.
    14. Sewage sludge drying beds.
    15. Water utilities and irrigation.

16. Solid waste disposal.

- g. Air conditioners are exempt from provisions of Table I of this Chapter when this equipment is functioning in accord with the manufacturer's specifications and with all manufacturers' standard mufflers and noise-reducing equipment in use and in proper operating condition according to standards promulgated by the American Refrigeration Institute. The same exception shall apply to lawn mowers and agricultural equipment during daylight hours.
  - h. Non-amplified crowd noises resulting from the activities such as those planned by student, governmental or community groups.
  - i. Construction operations for which building permits have been issued, or construction operations not requiring permits due to ownership of the project by an agency of government; providing all equipment is operated in accord with the manufacturer's specifications and with all standard equipment, manufacturers' mufflers and noise-reducing equipment in use and in proper operating condition.
  - j. Noises made by persons having obtained a Special Events permit to use the streets as provided for in Chapter 12 Article III of city code.
  - k. Noises resulting from any authorized law enforcement and firefighting training activities including, but not limited to, police department shooting range exercises.
  - l. Noise resulting from the activities of any permitted use, conditional use or accessory use permitted in districts zoned industrial, light or industrial, heavy.
  - m. Noise resulting from the temporary operation of equipment or activities relating to normal maintenance of residential or commercial uses, between the hours of 7:00 a.m. and 10:00 p.m. including, but not limited to, the following activities: lawn mowing, maintenance of trees, hedges and gardens; refuse collection; soil cultivation; and pavement sweeping and cleaning.
  - n. Noise resulting from the operation of railways and shipping activities.
  - o. Noise resulting from construction activities occurring between 7:00 a.m. and sundown. The exemption shall be effective upon obtaining a building permit and shall pertain to any construction activity directly related to the construction authorized under the permit. A special permit issued pursuant to 11-52.20 herein shall be required for the generation of noise resulting from construction activities between sundown and 7:00 a.m. For any violation of the terms of the special permit, the permit holder(s) shall be jointly and severally liable.
  - p. Any other noise resulting from activities of a temporary duration permitted by law and for which a license or permit therefore has been granted by the city manager or his designated appointee.
- (2) Where an industrial or commercial use is established on property not adjacent to a residential use district and the adjacent property subsequently becomes residential, the noise resulting from the operation of the preexisting industrial or commercial use which is projected into the residential use district shall be subject to the permissible noise levels for industrial or commercial use districts, as appropriate.
- (3) Where the noise levels for a preexisting use are more restrictive than those for a subsequent use established adjacent to the preexisting use, the noise level for the preexisting use shall apply.

**Sec. 11-52.21. – Noises Prohibited, Unnecessary Noise Standard, Sworn Complaint Required**

- (1) Sounds may be such that they may be excessive, unnatural, prolonged, unusual and are a detriment to the public health, comfort, convenience, safety, welfare and prosperity of the residents of the city as deemed by a reasonable person are prohibited.
- (2) With the exception of those exemptions provided by state law, noises prohibited by this Section are unlawful notwithstanding the fact that no violation of this Chapter is involved and notwithstanding the fact that the activity complained about is exempted in this Chapter.
- (3) A sound level meter or sound level reading shall not be necessary for the enforcement of this section.

**Sec. 11-52.22 – Penalties for each violation**

Violations of this chapter are punishable as misdemeanors pursuant to F.S. 162.22 and as provided in Section 1-5 of City Code. Each instance of a violation of this chapter shall constitute a separate offense.

**SECTION 2.** All other portions of current City Code in Chapter 11 Offenses – Miscellaneous, Article General shall remain the same.

**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

**SECTION 4.** This Ordinance is and the same shall become effective immediately upon final passage.

**APPROVED AS TO FORM  
AND CORRECTNESS:**

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Robert V. Schwerer, Esq., City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

**WE, THE UNDERSIGNED**, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 14-033 was duly advertised by title only in the St. Lucie News Tribune on November 7, 2014; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 17, 2014; and was duly introduced, read by title only, and passed on second and final reading on December 1, 2014 by the City Commission of the City of Fort Pierce, Florida.

**IN WITNESS HEREWITH**, we hereunto set our hands and affix the Official Seal of

the City of Fort Pierce, Florida, this the 1st day of December, 2014.

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Linda Hudson  
Mayor Commissioner

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Linda W. Cox  
City Clerk

(City Seal)

**City Commission Regular Meeting**

**Agenda Item # 10. b.**

**Meeting Date:** 11/17/2014

**Re:** CDBG Consolidated Annual Performance and Evaluation Report (CAPER) for PY2013-2014

**Submitted For:** Libby Woodruff, Grant Writer, Urban Redevelopment

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**SUBJECT:**

Public and City Commission review and comment on the 2013-2014 CDBG Consolidated Annual Performance and Evaluation Report (CAPER) containing a summary of programmatic activities. First of Two Public Hearings.

**SUMMARY:**

The City is required by the U.S. Department of Housing and Urban Development (HUD) to annually submit a CAPER. This report provides an assessment of expenditures and accomplishments of the City's progress in carrying out its Consolidated Plan 2011-2015, and its one-year Annual Action Plan (2013-2014) for the Community Development Block Grant Program (CDBG). The report covers community development objectives undertaken during the period of October 1, 2013 through September 30, 2014. The report does not establish any new policy.

**RECOMMENDATION:**

Provide time for a public hearing on the Program Year 2013-2014 CAPER, as required by the U.S. Department of HUD.

**ALTERNATIVES:**

Do not provide a public hearing.

**RESPONSIBLE STAFF:**

Libby Woodruff, Grants Administrator

**COORDINATED WITH:**

Nicholas Mimms, Deputy City Manager

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**Fiscal Impact**

**Budgeted Y/N:**

**Fiscal Year:**

**Account:**

**Amount:**

**OTHER INFORMATION:**

N/A - no fiscal impact.

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## Attachments

2013-2014 CAPER

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**~ DRAFT ~**  
**Third Program Year**  
**CAPER**  
**2013-2014**



**SECTION I: GENERAL CAPER NARRATIVES**

This performance report is for the second year of the City of Fort Pierce, Florida’s Consolidated Plan for the 2011-2015 period and includes activities from October 1, 2013 through September 30, 2014.

The City’s 2011-2015 Five-Year Consolidated Plan and 2013-2014 Action Plan include support for programs, projects and organizations that promote revitalization and stabilization, economic viability and small business expansion and job creation that is primarily focused on lower income residents and neighborhoods. Additionally, the City continues to emphasize the development of a viable urban community and conform to the primary objectives of the Department of Housing and Community Development Act of 1974, as amended.

The City of Fort Pierce’s 2011-2015 5-Year Consolidated Plan addresses the following goals:

- Provide Decent Housing
- Establish and Maintain a Suitable Living Environment
- Promote Neighborhood Stabilization
- Stabilize and Expand Small Existing Businesses

**Assessment of Annual Goals and Objectives**

During the program year 2013, the City of Fort Pierce’s continued to strive for efficiency and effectiveness.

**CDBG ANNUAL ENTITLEMENT FUNDS**

The City of Fort Pierce received \$501,323 in Program Year 2013-2014 (PY13) from the U.S. Department of Housing and Urban Development’s Community Development Block Grant (CDBG) program. Program income for PY13 totaled approximately \$\_\_\_\_\_, which included \$\_\_\_\_\_ from the housing program and \$\_\_\_\_\_ from the Section 108 Loan program, increasing the PY13 budget to approximately \$\_\_\_\_\_. The City does not receive HOME, HOPWA or ESG grant funding.

The City exceeded the minimum 70% requirement of CDBG funds for activities that benefit low to moderate income persons.

**A. Assessment of progress toward one-year goals and objectives.**

**1. Describe the accomplishments in attaining the goals and objectives for the reporting period.**

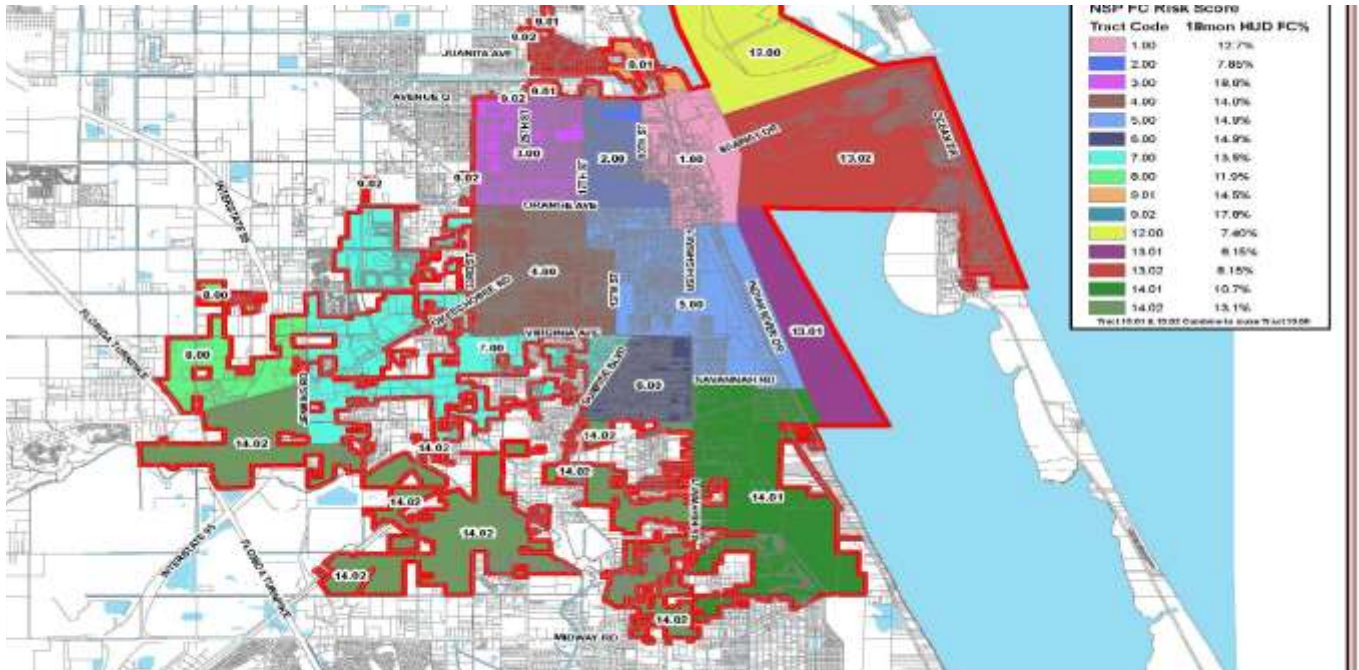
The City’s primary objectives for PY13 were:

1. Provide decent, affordable rental and owner-occupied housing for low-to-moderate income persons throughout the City;
2. Provide Neighborhood Revitalization by upgrading public infrastructure and facilities in areas that are primarily inhabited by persons with low and moderate incomes;
3. Provide support for public services for low and moderate income citizens; and
4. Stabilize and expand small existing businesses.

Following is a breakout of the City's accomplishments toward its PY13 goals and objectives.

PY13 Goals and Objectives	Projected PY13 Accomplishments	Actual PY13 Accomplishments
Housing Rehabilitation – Assist very low income families with home repairs / rehabilitation.		SHIP Housing Units – 2 World Changers Housing Units - 12
Address Spot Slum and Blight – Demolish, clear, and remove derelict structures including housing, public and commercial; secure abandoned structures; abate potential spot slum and blight conditions.	Number of Buildings Addressed - 5	Number of Buildings Addressed - 17
Infrastructure – Improve/repair infrastructure in lower-income neighborhoods.	Number of Infrastructure Projects - 1	Number of Infrastructure Projects - 0
Senior Citizen Housing Assistance – Provide funding to use as 'cash match' for Fort Pierce Housing Authority's Tax Credit grant application to rehabilitate former hospital into apartments for very low income senior citizens.	Number of Senior Citizen Housing Projects - 1	Number of Senior Citizen Housing Projects - 0
Weatherization Assistance – Fund weatherization assistance for lower-income homeowners.	Homeowners Assisted – 5	Homeowners Assisted - 6
Code Enforcement – Fund salaries for up to 3 Code Enforcement Officers who will inspect more than 200 structures to help alleviate spot slum and blight conditions in lower income neighborhoods.	Homes Inspected - 200	Homes Inspected - 1,280
Public Service Projects - Fund public service activities that serve lower-income citizens.	Citizens Served – 500	Citizens Served – 4,350
Neighborhood Revitalization - Fund Lincoln Park and Fort Pierce Main Street Community-Based Development Organizations to assist businesses located in low to moderate income areas by providing neighborhood revitalization, economic development, heritage tourism and historic preservation projects/ services.	Organizations Assisted - 2	Organizations Assisted - 2
Provide grants for Commercial Façade improvements in low to moderate income areas.	Number of Commercial Facades Improved - 5	Number of Commercial Facades Improved - 7
Micro-Enterprise – Provide marketing/ development campaign for small tourism-related businesses.	Businesses Assisted - 25	Businesses Assisted - 29
Promote local art and cultural heritage in lower-income neighborhoods.	Projects - 2	Projects - 2
Improve Community Focal Points in lower-income neighborhoods (Community Garden).	Projects - 1	Projects - 1

**CDBG TARGET AREA BOUNDARY** - The target area and boundaries for infrastructure/development and capital improvement projects include areas where no less than 51% of the population is low to moderate income, according to the U.S. Census. CDBG housing and economic development activities occurred within the corporate limits of the City of Fort Pierce. Following is a Census Tract map of the City of Fort Pierce:



**2. Provide a breakdown of the CPD/CDBG formula grant funds in attaining the goals and objectives.**

Address Spot Slum and Blight	\$ 51,551
Weatherization Assistance (drawn-PY13)	\$ 1,669
Drawn Beginning of PY14	\$ 13,991
Code Enforcement	\$ 140,000
Public Service Projects (drawn-PY13)	\$ 47,180
Drawn Beginning of PY14	\$ 14,691
Neighborhood Revitalization – CBDO’s	\$ 99,500
Commercial Façade Improvements	\$ 42,948
Micro-Enterprise	\$ 6,248
Promotion of Local Art and Cultural Heritage	\$ 1,666
Community Focal Points	\$ 14,355
<u>Program Administration</u>	<u>\$ 57,915</u>
<b>TOTAL CPD/CDBG GRANT FUNDS EXPENDED</b>	<b>\$ 491,714</b>

**3. If applicable, explain why progress was not made towards meeting the goals and objectives.**

Progress was made towards meeting the goals and objectives of the PY13 Action Plan.

## B. Affirmatively Furthering Fair Housing

1. **Summary of impediments to fair housing choice.** An Analysis of Impediments to Fair Housing Choice was prepared in September 2007. The following impediments were identified through the study:

- Discrimination in housing against classes of persons protected under fair housing laws
- Lack of awareness of rights and responsibilities under fair housing laws
- A strongly segregated housing market
- A severe shortage of affordable housing (*see Note below*)
- Racial disparities in fair and equal lending

The City is in the process of preparing an updated Analysis of Impediments that will be completed during Program Year 2014.

2. **Identify actions taken to overcome effects of impediments identified.** An Action Plan was created to address and correct the impediments in October 2009. The following goals were listed in the Action Plan:

Goal 1: Increase knowledge of fair housing rights and responsibilities to reduce the incidence of discrimination in housing

Goal 2: Increase affordable housing activities

Goal 3: Eliminate disparities in lending practices

The City provided the following actions in PY13 toward overcoming the identified impediments:

Goal	Activity	Action	Measurable Results
Goal 1	Provide fair housing information to elected officials, City employees, and the general public and housing providers	- Provide workshops, seminars, media campaigns and other outreach activities - Promote fair housing on City website.	Fair Housing brochures and signage are prominently displayed and available in City Hall lobby. Fair housing information is posted on City website.
Goal 2	Increase number of affordable homes in higher-income areas.	Working with Habitat for Humanity to identify and rehabilitate foreclosed and abandoned homes in higher-income areas.	Have identified three (3) homes for potential rehabilitation by Habitat for Humanity.
Goal 3	Support pre-purchase counseling programs	Support monthly 1 <sup>st</sup> Time Homebuyer Workshops which distribute HUD-generated information on fair housing	Six (6) First-Time Homebuyer Workshops were held during PY2013. 123 citizens attended. Three (3) Lending Consortium meetings were held during PY2013. Referred numerous citizens to the Treasure Coast Homeless Services Council, Inc., (TCHSC) who provided Housing Counseling services for 195 households.
	Provide predatory lending information to citizens.	Provide "Don't Be a Victim of Loan Fraud" brochures published by the US Department of HUD.	Disseminated approximately 200 brochures to encourage citizens to protect themselves from predatory lenders.

**Note:** With regard to the Impediment finding regarding "A severe shortage of affordable housing", staff comments that the local housing market conditions were vastly different in 2013 than in 2007, when the study was commissioned. We now find that there is an adequate supply of affordable housing to purchase, with numerous homes now coming out of foreclosure and available to first

time homebuyers through the Fannie Mae and Freddie Mac programs. Additionally, the banking industry is becoming easier to work with as far as securing home loans.

**C. AFFORDABLE HOUSING**

PART I. PRIORITY HOUSING NEEDS		Priority Level (H, M, L)	
Renter	Small Related	0-30%	H
		31-50%	H
		51-80%	H
	Large Related	0-30%	H
		31-50%	H
		51-80%	H
	Elderly	0-30%	H
		31-50%	H
		51-80%	H
	All Other	0-30%	H
		31-50%	H
		51-80%	H
Owner	0-30%	H	
	31-50%	H	
	51-80%	H	
PART II. PRIORITY SPECIAL NEEDS		Priority Level (H, M, L)	
Elderly		H	
Frail Elderly		H	
Severe Mental Illness		H	
Developmentally Disabled		H	
Physically Disabled		H	
Persons w/Alcohol/Other Drug Addictions		H	
Persons w/HIV/AIDS		H	
Victims of Domestic Violence		H	
Other		H	

**Table 2A –  
Priority Housing  
/ Special Needs**

**Table 2A – Priority Housing Activities / Investment Plan**

<b>Priority Need</b>	<b>5-Yr. Goal Plan/Act</b>	<b>Yr. 1 Goal Plan/Act</b>	<b>Yr. 2 Goal Plan/Act</b>	<b>Yr. 3 Goal Plan/Act</b>	<b>Yr. 4 Goal Plan/Act</b>	<b>Yr. 5 Goal Plan/Act</b>	<b>Yr. 6 Goal Plan/Act</b>
<b>CDBG</b>							
Acquisition of existing rental units							
Production of new rental units							
Rehabilitation of existing rental units							
Rental assistance							
Acquisition of existing owner units							
Production of new owner units							
Rehabilitation of existing owner units	20 / __	4 / 2	4 / 1	4 / 2	4 / 0		
Homeownership assistance							
<b>HOME</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
Acquisition of existing rental units							
Production of new rental units							
Rehabilitation of existing rental units							
Rental assistance							
Acquisition of existing owner units							
Production of new owner units							
Rehabilitation of existing owner units							
Homeownership assistance							
<b>HOPWA</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
Rental assistance							
Short term rent/mortgage utility payments							
Facility based housing development							
Facility based housing operations							
Supportive services							
<b>Other – SHIP &amp; WORLD CHANGERS</b>							
Rehabilitation of existing owner units					14		

**Table 3B – Annual Housing Completion Goals - CDBG**

<b>Grantee Name:</b> City of Fort Pierce	<b>Expected Annual Number of Units To Be Completed</b>	<b>Actual Annual Number of Units Completed</b>	<b>Resources used during the period</b>			
			<b>CDBG</b>	<b>HOME</b>	<b>ESG</b>	<b>HOPWA</b>
<b>Program Year: 2011</b>						
<b>BENEFICIARY GOALS (Sec. 215 Only)</b>	N/A	N/A				
Homeless households			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Non-homeless households			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Special needs households			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Total Sec. 215 Beneficiaries*</b>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>RENTAL GOALS (Sec. 215 Only)</b>	N/A	N/A				
Acquisition of existing units			<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Production of new units			<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Rehabilitation of existing units			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rental Assistance			<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
<b>Total Sec. 215 Affordable Rental</b>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>HOME OWNER GOALS (Sec. 215 Only)</b>	N/A	N/A				
Acquisition of existing units			<input type="checkbox"/>	<input type="checkbox"/>		
Production of new units			<input type="checkbox"/>	<input type="checkbox"/>		
Rehabilitation of existing units	4	14	<input type="checkbox"/>	<input type="checkbox"/>		
Homebuyer Assistance			<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
<b>Total Sec. 215 Affordable Owner</b>	4	14	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>COMBINED RENTAL AND OWNER GOALS (Sec. 215 Only)</b>	N/A	N/A				
Acquisition of existing units			<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Production of new units			<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Rehabilitation of existing units			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rental Assistance			<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Homebuyer Assistance			<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
<b>Combined Total Sec. 215 Goals*</b>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>OVERALL HOUSING GOALS (Sec. 215 + Other Affordable Housing)</b>						
Annual Rental Housing Goal			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Annual Owner Housing Goal	4	14	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Total Overall Housing Goal</b>	4	14	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The 2008 housing market crash led to drastically decreased property values which has increased the amount of affordable housing opportunities for low to moderate income residents, with literally thousands of foreclosed properties continually coming out of foreclosure and becoming available through the Fannie Mae and Freddie Mac programs. On the other hand, the economic downturn resulted in soaring unemployment and Fort Pierce still has not recovered. Fort Pierce's unemployment rate in August, 2014 was 14.0%. Unemployment and "underemployment" remain on the forefront for the City of Fort Pierce, St. Lucie County, the State of Florida and the entire country.

The City has not detected that we are causing a negative impact on the development of affordable housing. Compared to surrounding communities, the City's fees and policies are reasonable. Nevertheless, the City will continue to periodically reassess development and impact fees, regulations and program policies and procedures and if we ascertain that a revision to these would enhance affordable housing opportunities for lower income residents of the City, we will certainly execute policy revisions, as needed, and as quickly as possible.

**1. Comparison of proposed numeric goals (from the Consolidated Plan and Annual Action Plan) with the actual number of extremely low income, low income, and moderate income renter and owner households assisted during the reporting period.**

Households Assisted by Income Level (CDBG funding)	Proposed	Ext Low	Low	Moderate Renter	Moderate Owner
<b>Strategy/Activity</b>					
Housing Rehabilitation					
Senior Citizen Housing Security Program					
<b>Total</b>	0	0	0	0	0

Households Assisted by Income Level (State Housing Initial Partnerships – SHIP and World Changers Organization)	Ext Low	Low	Moderate Renter	Moderate Owner
<b>Strategy/Activity</b>				
Down payment				
Rehabilitation	14			
Emergency Repair				
Disaster Mitigation				
<b>TOTAL</b>	14			

**2. Report the number of households served meeting the Section 215 requirements of affordable housing.** The City did not serve any households that entailed Section 215 requirements.

**3. Description of efforts to address worst case needs.** Worst case affordable housing needs are defined as housing needs by low-income renters with severe cost burden, in substandard housing, or involuntarily displaced. The Fort Pierce Housing Authority administers a Section 8 Rental Housing Choice Voucher System, which provides rental assistance to very low income individuals and their families in Fort Pierce. The City also works to address these worst case needs using SHIP funds and by partnering with organizations like World Changers and Habitat for Humanity to provide home repairs for very low-income home owners. In Fiscal Year 2013, the City:

- Provided rehabilitation to two (2) homes of citizens meeting this "worst case need" definition through various programs and strategies detailed in the tables above during PY2013, using SHIP funds.
- Provided funding and coordination to World Changers organization who painted and refurbished homes belonging to twelve (12) citizens meeting the "worst case need" definition during PY2013.

- Began accepting and processing applications during PY13 to rehabilitate homes of fifteen (15) very low income homeowners that meet the ‘worst case need’ definition using SHIP funds. These homes will be completed during PY2014.
- Currently collaborating with Habitat for Humanity to rehabilitate between 21-27 homes that belong to very low income citizens that meet the ‘worst case need’ definition during PY2014.

**4. Description of efforts to address accessibility needs of persons with disabilities.** During Program Year 2013, the City provided funding and coordination to the World Changers organization who assisted twelve (12) senior and/or handicapped households, which are included in the ‘worst case needs’ paragraph description in #3, above. Additionally, two (2) homes were rehabilitated with SHIP funds belonging to disabled citizens (also listed in #3, above).

#### **D. CONTINUUM OF CARE**

**1. Identify actions taken to address the needs of homeless persons and persons with special needs that are not homeless but require supportive housing.** The Treasure Coast Homeless Services Council, Inc. (TCHCS) serves as the official Continuum of Care for St. Lucie, Martin and Indian River Counties. It is the official qualified applicant for State and Federal homeless prevention and direct services funding on the Treasure Coast and the Lead Agency for the State Office on Homelessness. The City of Fort Pierce does not directly receive funding for homeless prevention.

**2. Identify actions taken to prevent homelessness and to help homeless persons make the transition to permanent housing and independent living.** TCHCS operates a Homeless Resource Center for Indian River, St. Lucie and Martin Counties, which provides approximately \$300,000 per year in direct assistance to homeless and near-homeless families and \$800,000 per year in rental housing payments on behalf of the disabled. TCHCS also provides approximately \$300,000 annually in direct funding to the homeless family shelter on the Treasure Coast, serving Indian River, St. Lucie and Martin Counties. Approximately thirty percent (30%) of the Homeless Family Center’s clients were from the City of Fort Pierce during PY13.

During PY13, the TCHCS provided more than \$2,886,000 in services to 6,319 individuals.

The City met with the TCHCS during PY13, several local nonprofit community supportive service organizations, local law enforcement and other concerned citizens in Fort Pierce to discuss coordination of services for our homeless population. We expect these meetings will result in the creation of a ‘one stop shop’ of sorts that provides easy access to various services that will help decrease homelessness by providing everything from food, clothing, medical care, job training, transportation, housing, etc. in a friendly, helpful environment.

**3. Identify Federal resources obtained from the Homeless Super NOFA.**

The TCHCS coordinates all grant funding applications through the State Office on Homelessness and HUD. Following is an overview of PY12 and previous funding accomplishments for the TCHCS:

- The TCHSC has received more than \$20 million in grants for homeless services since it began.
- In PY13, the TCHSC provided \$46,864 in Emergency Shelter Grant funds for rental assistance, utility payments, security and utility deposits to 356 people.
- In PY13, the TCHSC provided \$74,433 in FEMA Phase 30 Grant funds for rental assistance, utility payments, security and utility deposits to 618 people.
- In PY13, the TCHSC provided 1,332,016 in rental assistance to 250 clients.
- In December, 2012, the TCHSC received a “Emergency Solutions” grant from the Department of Children and Families for \$104,500.
- The TCHSC receives at least \$950,000 per year from McKinney Vento under the Homeless Continuum of Care Competition.

- For 2010, the TCHSC received \$985,804 for Transitional Housing Supportive Services (SHP) and Homeless Management Information Systems (HMIS).
- In May, 2010, the TCHSC received \$344,160 from the Shelter Plus Care (S+C), program, which provides subsidized housing for disabled individuals and families in St. Lucie, Martin and Indian River Counties.
- The TCHSC also received \$60,000 from the State of Florida's Emergency Shelter Grant program during PY10. This funding was used to provide rent and mortgage payment assistance.
- The TCHSC also received \$100,000 from the State of Florida's Challenge Grant opportunity in PY10 to provide daycare and employment services for homeless living in TCHSC housing, and also case management and financial assistance for utilities and housing for disabled homeless individuals. The program will serve up to 145 individuals.
- During PY10, the TCHSC also secured \$2,101,264 in State of Florida Neighborhood Stabilization Program (NSP) funds to provide affordable rental housing to families who are at or below 50% of area median income and \$2,105,537 in Homeless Prevention and Rapid Rehousing Funding, of which \$1,236,207 was targeted to St. Lucie County residents. To date, more than 4,300 unduplicated individuals have been assisted since this program was implemented in 2009.
- The TCHSC also operates a mortgage modification program which has successfully assisted many families avoid foreclosure. Through the TCHSC Homeless Prevention and Rapid Rehousing Program, persons who are homeless or are subject to become homeless may receive down payment and closing cost assistance toward the purchase of a home, once they have obtained steady employment and have established an acceptable credit rating.
- Since 1999, the TCHSC has received more than \$20 million in federal and state funding to assist the homeless in St. Lucie, Martin and Indian River Counties.
- Financial and credit counseling are provided by Consumer Credit Counseling Services, now rebranded under the name of CreditAbility, and is paid for by banks in the St. Lucie County Lending Consortium.
- Staff from the City attend TCHSC board meetings and also meet one-on-one periodically with the TCHSC director and staff to offer assistance in grant application development.
- As stated earlier in this report, the City of Fort Pierce is currently meeting with the TCHSC, several local nonprofit community supportive service organizations, local law enforcement and other concerned citizens in Fort Pierce to discuss coordination of services for our homeless population. We expect these meetings will result in the creation of a 'one stop shop' of sorts that provides easy access to various services that will help decrease homelessness by providing everything from food, clothing, medical care, job training, transportation, housing, etc. in a friendly, helpful environment.

## **E. OTHER ACTIONS**

Other actions described in the Consolidated Plan and annual Action Plan are described below:

- 1. Address obstacles to meeting underserved needs.** The City amended its 2011-2015 Consolidated and 2013-2014 Action Plans to better address underserved needs, including support for the Fort Pierce Housing Authority's (FPHA) recent application for tax credits to rehabilitate a former hospital into apartments for lower-income senior and/or disabled citizens, slum and blight and infrastructure improvements in lower-income neighborhoods, and assistance with weatherization improvements for our lower-income citizens. The FPHA is awaiting news of that grant request.
- 2. Foster and maintain affordable housing.** Two affordable housing concerns were made evident in the 2013 Action Plan Community Survey – weatherization assistance and housing services for seniors.

To help address these concerns, the City partnered with the Fort Pierce Utilities Authority (FPUA) and provided funding for six (6) very low income citizens to receive Weatherization Assistance, including new HVAC systems, doors, windows, weather stripping, and insulation. These funds were drawn down from IDIS at the beginning of PY14. The City also provided extensive advertising for FPUA's weatherization program in hopes that more needy citizens will apply for assistance.

As stated earlier in this report, the City allocated funding in its 2013 Action Plan for 'cash match' toward the Fort Pierce Housing Authority's (FPHA's) grant application for tax credits to transform a vacant hospital into apartments for lower-income senior and/or disabled citizens. The FPHA is awaiting news of the application.

Additionally, as detailed earlier, the City provided funding and project coordination for the World Changers Organization who painted and provided some rehabilitation to twelve (12) homes that belong to very low income seniors and/or handicapped citizens.

The City also used State Housing Initiative Partnership (SHIP) funds to rehabilitate two homes belonging to our very low income disabled senior citizens.

- 3. Eliminate barriers to affordable housing.** The economic downturn and decreased property values have somewhat closed the gap between the cost of housing and the incomes of low to moderate income residents. However, there is a huge need for eviction and foreclosure assistance due to the economic crisis and the increasing numbers of unemployed and under employed.

Due to staff shortfalls, the City relinquished its Hardest Hit program, a foreclosure prevention program, in 2012, to the City of Port St. Lucie, which is about 12 miles from Fort Pierce. The City of Port St. Lucie now takes applications for foreclosure prevention assistance over the telephone, and applications can also be filled out online. City staff continues to refer citizens to the City of Port St. Lucie for this program.

- 4. Overcome gaps in institutional structure and enhance coordination.** The City of Fort Pierce works with the City of Port St. Lucie and St. Lucie County to coordinate three Housing Assistance Programs (CDBG, SHIP, and Hardest Hit). Quarterly lending consortium meetings are held to keep the groups connected and focused on affordable housing issues.

The City has been successful in engaging the Fort Pierce Housing Authority (FPHA), local non-profits, financial institutions, and the private sector in the provision of low and moderate-income housing. No gaps have been identified in the institutional structure.

- 5. Improve public housing and resident initiatives.** The delivery of public housing requires the coordination of a number of agencies, both public and private. These agencies will continue to work together to eliminate potential gaps within the delivery systems in Fort Pierce. A vital agency in this initiative is the Fort Pierce Housing Authority (FPHA).

For PY13, FPHA activities included:

- Up to \$5,000 in educational scholarships were available to outstanding students in FPHA's Public Housing, Section 8 Housing Choice Voucher Program, or its Affordable Housing Program to start or continue secondary education. Scholarships were available for Associate Degrees, Bachelor Degrees, Master's Degree or Vocational Training.
  - The FPHA allocated 834 Section 8 vouchers and provided 827 Public Housing leases in PY13.
  - Out of the 834, 39% of the households were elderly and/or disabled and 11% were elderly (not disabled).
  - The FPHA completed the installation of 80 ADA accessible ramps; altering 229 gable vents, prohibiting bat/rodent intrusion and installation of 70 additional HVAC systems.
- The FPHA has completed construction of a 12,000 square foot community center with 2

covered basketball courts; community services leasing this space include Boys and Girls Club of St. Lucie County for both Club or Kids and Administrative Offices and the City of Fort Pierce for the Police Department's area substation.

- The City finalized the contractual agreements and donated two (2) recently renovated 20-unit apartment buildings to the Fort Pierce Housing Authority in November, 2013. The Housing Authority will provide them to lower-income residents, on a case-by-case basis. The City used Neighborhood Stabilization Program (NSP) funds to purchase and restore the historic structures. Through the City of Fort Pierce's NSP Program, FPHA received two (2) recently renovated 18-unit apartment buildings as affordable housing. The units are offered to families whose incomes are less than 50% Area Median Income.
  - Future FPHA improvements include installation of Impact Rated Windows and Doors to 80 units; and Crime Reduction Initiatives – increase site lighting and one site's parking/pedestrian area redesign.
  - Each fiscal year, FPHA applies for and has received funds to administer a Family Self – Sufficiency Program for both its Section 8 Housing Choice Voucher and Public Housing Programs. This program is designed to mentor families and link them to services, training, education and child care to help them eliminate the need for welfare. Currently, there are fifty-two (52) participating families.
  - FPHA has applied for and received 25 additional HUD-Veterans Affairs Supportive Housing (HUD-VASH) program vouchers in conjunction with the Section 8 Housing Choice Voucher program. This is an available 50 vouchers available to veterans and their families who participate in the West Palm Beach VA's veteran's services programs.
  - FPHA received a \$500,000 Tenant Based Rental Assistance Grant from the State of Florida to be offered to families awaiting housing assistance through the Section 8 Housing Choice Voucher Program for a term no longer than two (2) years. Families receiving rental assistance under this program are required to enroll in FPHA's Self-Sufficiency Program and receive mentoring and job training to reduce the dependence on welfare.
  - FPHA's policies now allocate Section 8 Housing Choice Vouchers to local area witnesses of violent crime who agree to testify in court. The use of these vouchers is to relocate witnesses and protect against potential retaliation.
  - FPHA requires all Public Housing families and their members who are 18 years and older to participate in obtaining at least eight (8) hours of Community Services and volunteer work unless they are disabled, attending post-secondary schooling or gainfully employed.
- 6. Evaluate and reduce lead-based paint hazards.** During the 2013-2014 Fiscal Year, the City continued to encourage residents and property owners to test for and reduce lead paint. All homes assisted with CDBG or SHIP funding that were built prior to 1978 are tested for lead-based paint, and safe practices and abatement/reduction procedures are followed on projects where lead based paint is identified.
- 7. Ensure compliance with program and comprehensive planning requirements.** The City of Fort Pierce initiated a major reorganization to its housing program in February, 2010 and again in July, 2013. Trained, experienced staff is now responsible for ensuring compliance with all comprehensive planning requirements.
- 8. Reduce the number of persons living below the poverty level.** The U.S. Census Bureau's State and County Quick Facts (<http://quickfacts.census.gov/qfd/states/12/1224300.html>) lists Fort Pierce with 32.5% of its population below the poverty level, compared to 15.6% of Florida and 14.9% in the United States, as a whole. The per capita income in Fort Pierce in November 2013 was \$16,521, which is low-income, compared to the State of Florida (\$26,451) and the Nation (\$28,051). The 2014 Program Year Public Service grant opportunity is open to

organizations that provide job training and job placement activities. We are hopeful this will initiate opportunities for local organizations to provide these much needed services within our lower-income neighborhoods.

Additionally, the City is collaborating with Workforce Solutions that provides job training, job placement and oftentimes stipends for childcare for the newly employed.

- 9. Address Crime Prevention within the City of Fort Pierce.** The Florida Department of Law Enforcement website shows a decrease in crimes in St. Lucie County from 2012 through 2013. Please see the table below.

St. Lucie County			
Crime Data Summary			
County	2012	2013	% Change
Population	280,355	281,151	0.3
Total Arrests	13,549	13,839	2.1
Total Index Offenses	8,077	7,666	-5.1
Violent Rate	403.1	424.0	5.2
Non-Violent Rate	2,477.9	2,302.7	-7.1
Index Rate	2,881.0	2,726.6	-5.4

Specific Fort Pierce Crime Statistics for 2012-2013, provided by the City of Fort Pierce Police Department:

UCR Part 1 Crime	2012	2013	% Change
Homicide	3	7	133.33
Forcible Rape	31	29	-6.45
Robbery	137	113	-17.5
Aggravated Assault	301	439	45.8
Burglary	705	624	-11.4
Larceny/Theft	1,528	1,560	2.09
Auto Theft	114	92	-19.2

If a community fails to look after its physical fabric — overgrown vacant lots, junk vehicles and buildings with broken windows or unkempt appearance — sooner or later crime will follow, and it's likely to get worse as the surroundings deteriorate.

So, it's no surprise that the areas of Fort Pierce with the highest crime statistics are those with the largest slum and blight areas. The City, along with neighborhood residents, are stepping up and taking charge, clearing overgrowth on unused lots, and cleaning up trash and debris.

The amount of trash removed from some northwest neighborhoods during a recent community cleanup was staggering. The cleanup organized by the Fort Pierce Public Works Department on May 17, 2014, resulted in tons of debris collected in just four hours.

There are many vacant lots in our depressed neighborhoods, and left unattended, undergrowth can easily reach head-high, which allows bad guys to stash weapons or drugs or to even use the overgrown plants as cover to hide themselves from law enforcement officers. Criminals also use dilapidated buildings for the same reasons. Lots can become so overgrown that buildings on them are completely hidden.

The recent amendment to the City's 2011-2015 Consolidated Plan and the new 2014-2015 Action Plan allocates funding for the City to address potential spot slum and blight conditions and deteriorating, abandoned structures. Additionally, we are currently working to complete 'The Lincoln Park Improvement Project' that will improve infrastructure in one of our targeted lower-income

neighborhoods. We believe these priorities will have a significant positive impact on crime and economic development.

The City continues to promote the following programs, as detailed in earlier Action Plans as its “Anti-Poverty Strategy”:

### **(1) Anti-Poverty Strategy**

- a) **The “Where to Turn” - 211 System.** The City of Fort Pierce is too small to be the lead agency for major social welfare programs such as Family Self-Sufficiency, Head Start, State and local Programs, Section 3, Welfare to Work or Workforce Development initiatives. Instead, the City partners with other Counties on the Treasure Coast to sponsor the “Where to Turn” - 211 Network which provides an annual written update as well as computer and telephone information and referral for all social service needs.

The 211 system provides all special needs groups with a single point of contact for finding solutions to their problems and is available in English, Spanish and Creole. The 211 system links all social service providers into a multi-county network seeking solutions to individual and family needs.

- b) **St. Lucie County Social Services Department.** Beyond the 211 network, the St. Lucie County Social Services Department serves as the lead agency for the three-County Treasure Coast Community Action Agency assisting low income citizens with Community Services Block Grant funding. These services include: rent/mortgage assistance, emergency car repairs, prescriptions, utility deposits and billings, and camperships for children. Additional services include: assistance for indigent burials, administration of a program which provides emergency medicine needs and manages the State-mandated share of county Medicaid Hospital and Nursing Home funding, as well as the Health Care Responsibility Act. County staff serves on state-wide advisory committees that relates to social services that serve the area.

The County ADA coordinator participates on the Emergency Disaster Team and in the staffing of a Special Needs shelter. This Department also serves as a First Stop Center for referral services, enabling clients to access assistance that is not budgeted by the City but is available by other agencies within our County. In addition, the Department distributes Thanksgiving and Christmas food baskets, coordinates the “Adopt A Family” program for the holidays, maintains a food pantry, participates with non-profit agencies to provide toys at Christmas for less fortunate children within St. Lucie County and miscellaneous assistance throughout the entire year. Funds from the Community Services Block Grant targets low income persons which is commensurate with the Community Development Department’s Anti-Poverty strategy on behalf of the very low-income households with incomes under 30% of median annual income.

- c) **Economic Development and Anti-Poverty.** It is important to recognize that the Anti-Poverty Strategy is not a housing plan; it is an economic development plan to increase incomes, and create and sustain jobs for low to moderate-income citizens. As noted earlier, the economic crisis in St. Lucie County, the State of Florida, and all across the United States has led to a significant decrease in employment opportunities and increased housing foreclosures for all sectors. The City believes housing must be a major component of any anti-poverty strategy, since a secure and affordable residence allows household members to pursue jobs, education and training without having to worry about the threat of homelessness.

Economic development is listed as one of the top three highest priorities in the City’s Consolidated Plan, along with affordable housing and a suitable living environment.

The City supports its two Main Street organizations (Community Based Development Organizations-CBDOs), with CDBG funds. These CBDOs are tasked with providing specific business development assistance in lower income areas.

We believe that economic opportunity refers not just to economic opportunity for individuals in the form of jobs, but also to economic opportunities for local businesses who provide goods and services. As populations and commercial activity increases, the ability of a community to be

economically competitive and the success of the community in sustaining and growing existing, local businesses and employers and attracting new ones, also increases.

Jobs are often the result of projects such as downtown revitalization that inject new life and energy into town centers, enabling them to generate more traffic for local businesses, which in turn can attract residential development, support new business startups and help existing businesses grow, expand and create jobs.

Implementation of anti-poverty efforts is a cooperative effort between County agencies, the City of Fort Pierce, the Fort Pierce Redevelopment Agency, local organizations, including the Fort Pierce and Lincoln Park Main Street Programs, and the Fort Pierce Housing Authority.

**d) Key Players** - The economic and housing programs that are instrumental in the Anti-Poverty Strategy include:

- **Community Development Block Grants (CDBG)** - CDBG funds will be used to update infrastructure, rehabilitate commercial facades and address spot slum and blight in lower income areas. Additionally, these funds will be used to promote tourism and encourage visitors to come to Fort Pierce, which will create and sustains jobs for low- and moderate-income persons and invigorate community-based organizations that provide positive activities for youth development and services for our senior citizens, and the un- and underemployed, such as educational opportunities and job training.
- **Florida State Housing Initiatives Partnership (SHIP) Program:** The City uses SHIP monies to assist very low income homeowners with repairs to their property.

When the City disbanded the Department of Urban Redevelopment in 2012 due to budget shortfalls, the City of Port St. Lucie, Florida took over our Hardest Hit program, including providing oversight for all of our active clients. Port St. Lucie is about 12 miles from Fort Pierce. We now refer all calls for Hardest Hit assistance to the City of Port St. Lucie. To date, the City of Fort Pierce has processed 165 applications for foreclosure assistance, and qualified 45 citizens who have actually benefitted from the program.

- **Fort Pierce Housing Authority:** Very low-income households, particularly renters, are rated as priority numbers 2 and 3 in the City's Consolidated Plan. Persons who are represented in this category are eligible to receive assistance from the Fort Pierce Housing Authority. The City of Fort Pierce obligated \$37,500 in its PY2013-2014 Action Plan as a cash match for the Fort Pierce Housing Authority's grant application to rehabilitate a local abandoned hospital into apartments for lower-income senior citizens.

## **F. LEVERAGING RESOURCES**

### **1. Identify progress in obtaining "other" public and private resources to address needs.**

**SHIP Funding** - The City is currently preparing to rehabilitate the exteriors (roofs, gutters, siding/paint, exterior doors, hurricane shutters, ac/heat systems, etc.) for fifteen (15) homes belonging to very low income citizens using its SHIP funds.

Local banks that are members of the St. Lucie County Lending Consortium contribute to the provision of affordable housing by helping to defray the cost of the homeownership workshops. The local banks pay a fee to be a member of the consortium, which in turn is used to procure the services of Consumer Credit Counseling Services to provide the training. Participating in the affordable housing program also aids in promoting the local banks' Community Reinvestment Act federal compliance. Six (6) workshops for new homebuyers were held during PY2013-2014. 200 Fort Pierce residents attended the workshops.

**State of Florida Hardest Hit Program Funding** – The City's Hardest Hit Program was transferred to the City of Port St. Lucie in August, 2013, due to staffing shortages. As mentioned earlier in this report, the City of Port St. Lucie is approximately 12 miles from Fort Pierce.

**Section 8 Program** - The mission of the Section 8 Housing Choice Voucher (HCV) Program is to provide housing assistance to eligible low-income families, enabling them to rent decent, safe and affordable housing of their choice within the private rental market. The Fort Pierce Housing Authority's (FPHA) Five-Year Agency Plan's Strategic Goal is to encourage homeownership by providing HCV participants with the tools to effectively acquire homes by participation in a Self Sufficiency Program.

The HCV program provides assistance to eligible households leasing existing privately owned housing. Participants pay no more than 30 percent of their adjusted gross income for housing. The Section 8 moderate rehabilitation program provided property owners with low interest loans to rehabilitate their properties. The properties were rented for a specified period of years to low income tenants.

The FPHA managed an allocation of 834 vouchers, with 827 leases. The program's family make-up included 39% elderly and/or disabled; 11% elderly (not disabled).

**World Changers** – The City of Fort Pierce used CDBG funds to purchase supplies and materials for the World Changers, an energetic group of volunteers from across the United States, who traveled to the City and transformed 12 dilapidated structures belonging to some of our poorest citizens into attractive, livable homes.

**Habitat for Humanity** – The City continues to corroborate with Habitat for Humanity and will donate abandoned homes and provide materials to the organization, who will rehabilitate between 21-27 homes for lower-income Fort Pierce citizens in PY14.

## 2. How Federal resources from HUD leveraged other public and private resources.

**Commercial Façade Grants** – The City expended \$50,000 in CDBG funds for commercial façade grants, which leveraged over \$350,000 in commercial property improvements.

**World Changers** – The City of Fort Pierce used CDBG funds to purchase supplies and materials for the World Changers, an energetic group of volunteers from across the United States, who traveled to the City and transformed 12 dilapidated structures belonging to some of our poorest citizens into attractive, livable homes. The World Changers plan to return to Fort Pierce during the PY14 program year to provide home rehabilitation assistance to more needy citizens.

## G. CITIZEN COMMENTS

Citizen comments on the PY13 CAPER were solicited through a "Public Notice" request that was placed on the City's website (cityoffortpierce.com) and in the local newspaper, and on the Public Information Board at City Hall. The public was provided an opportunity to review the CAPER online via the City's website, at the Fort Pierce Public Library and at City Hall between November 7 and December 1 (15+ days). Public Hearings were held on November 17 and again on December 1, 2014, at regularly-scheduled City Commission meetings at Fort Pierce City Hall. *Please see the enclosed transcribed minutes from the City Commission meetings relating to the Public.* Also enclosed is a copy of the advertisement that ran in a local newspaper and a news story that was published in a local newspaper relating to the Fort Pierce City Commission approving the PY 2013-2014 CAPER.

Comments received during Public Hearings and Review Process will go here:

## H. SELF EVALUATION

**Are activities and strategies having an impact on identified needs? What indicators would best describe overall results? Are major goals on target?**

We believe the PY13 activities are having an impact on identified needs. Please see overview of indicators for each activity below. All major goals are on target, except for our 'Infrastructure' project which has been held up due to inclement weather. We are working hard to get back on schedule and expect to complete the project within the next few months.

**Housing Rehabilitation** - Provided rehabilitation assistance for 14 homes through the SHIP program and the World Changers outreach project.

**Address Spot Slum and blight** – Demolished, cleared and removed or secured 17 structures.

**Infrastructure** – Currently implementing infrastructure improvements, including new street lighting and street resurfacing, sidewalks, repair/replace curbs and gutters, adding new signage and landscaping in the Lincoln Park neighborhood. This project is still underway and should be completed within the next few months.

**Senior Citizen Housing Assistance** – Allocated \$37,500 in the 2013-2014 Action Plan for the Fort Pierce Housing Authority (FPHA) to use as ‘cash match’ in their tax credit grant application to rehabilitate former hospital into apartments for very low income and disabled senior citizens. The FPHA is awaiting word on the application.

**Weatherization Assistance** – Provided funding to complete weatherization improvements for six (6) very low income Fort Pierce citizens. Improvements included windows, insulation, roofs, HVAC systems, etc.

**Code Enforcement** – Provided salaries for up to 3 Code Enforcement officers who inspected 1,280 buildings to help alleviate slum and blight conditions in lower income neighborhoods.

**Public Service Projects** – Provided grants to public service organizations who directly served more than 4,350 citizens.

**Community Based Development Organizations** - Provided grants to Lincoln Park and Fort Pierce Main Street Organizations conduct neighborhood revitalization, economic development, heritage tourism and historic preservation projects/services for businesses located in lower income areas.

**Commercial Façade Grants** – Provided grants to upgrade the facades on seven (7) commercial structures in low to moderate income areas.

**Micro Enterprise** – Provided marketing/development campaign for 29 small tourism-related businesses.

**Promoted local art and cultural heritage projects** which are serving as catalysts for neighborhood revitalization in lower-income neighborhoods.

**Constructed a large, beautiful community garden** in the Lincoln Park Neighborhood which is serving as a catalyst for neighborhood revitalization.

- 1. What barriers may have a negative impact on fulfilling strategies and achieving the overall vision?** Inclement weather played a significant role in the City’s ability to meet our Timeliness Requirements for PY13. We are in the process of completing a large infrastructure project in our target area, the Lincoln Park Neighborhood. The project should be completed within the next few months and all of the CDBG funds allocated to that project will be expended at that time.

**Based on this evaluation, what adjustments or improvements to strategies and activities might help meet the identified needs more effectively?**

Creating an environment conducive to economic growth is a complex process, requiring planning, community leadership and involvement, and innovative thinking. Jobs alone will not necessarily generate sustainable economic opportunity. What worked twenty years ago will not necessarily create a solid economic base today, particularly in smaller urban settings.

The City of Fort Pierce recognizes that our tourism industry is an integral and important part of the future economic development and employment growth within the area. Support for the continued competitiveness of our local tourism industry and the creation of an environment where businesses can succeed, in all commercial areas of the City, are central to our objectives.

Many factors contribute to whether or not a community can generate and sustain economic opportunity, including community quality of life, the appearance and vitality of the downtown area, business centers and surrounding residential neighborhoods, infrastructure availability and capacity, availability and capacity of essential services such as health and public safety, education and skill level of the workforce, ability of the community to provide for current and future workforce needs, transportation providing access to markets and linking employers, customer and employees, and so forth.

At the same time, the existence and obstacles to development, such as abandoned and dilapidated buildings that dominate decaying town centers, can impede economic growth if they are not identified and eliminated.

The City's strategy is reflected in its recently amended 2011-2015 Consolidated and new 2014-2015 Action Plans and involves addressing code violations, spot slum and blight, improving infrastructure and helping to rebuild a sense of 'community' in our lower-income neighborhoods, revitalizing and invigorating commercial areas, stabilizing and improving sustainability of local businesses, addressing brownfields and environmental concerns by clearing sites and demolishing obsolete buildings and expanding overall essential business and residential services.

The City will also continue to pursue other forms of public and private assistance that will directly result in new or retained jobs, particularly for low and moderate income residents and for projects and activities that enrich communities, revitalize neighborhoods and holistically address elements that impact the City's attractiveness to business and industry, its ability to grow local businesses and industry and its overall ability to support economic activity and growth.

**Future Plans** – In the future, additional adjustments may be required to CDBG funding priorities and activities, as needs continue to change, funding levels are reduced or increased, new funding sources are obtained, or shifts occur in strategies for housing, community or economic development.

Some of our future plans which we have listed in our 2014-2015 Action Plan include targeting commercial façade grants to HUD's Qualifying Census Tracts to hopefully improve and entice developers to invest in all of our commercial corridors; providing public service grants for organizations delivering job training and career counseling as well as youth and senior activities; and improving infrastructure (sidewalks, curbs, gutters, signage, landscaping, etc.) in our lower-income commercial corridors.

The City collaborated with the Fort Pierce Utilities Authority in 2013 and secured a \$700,000 loan, and most recently, is working on an additional \$250,000 'Revolving Loan' from the Fort Pierce Regional Planning Council to continue to address the brownfield dilemma at the site of the former King Power Plant in downtown Fort Pierce. Once the abatement of this site along our beautiful downtown waterfront is complete, the property will provide an excellent opportunity for investors and developers to spur job creation which will enhance our overall economic viability.

Florida has just recorded another record-breaking year in tourism. Promoting our small tourism-based businesses will also spur economic growth and create jobs.

The City is working hard to capitalize on our local assets, which include the world-renown Highwaymen Artists, many who still live and paint in Fort Pierce. The Highwaymen, also referred to as the Florida Highwaymen, are a group of 26 African American Florida Hall of Fame landscape artists. Self-taught and self-mentoring, they created a body of work of over 200,000 paintings, despite living in Jim-Crow era Florida and facing many racial and cultural barriers.

The Highwaymen painted landscapes and made a living selling them door-to-door to businesses and individuals throughout Florida from the mid-1950s through the 1980s. They also peddled their work from the trunks of their cars along the eastern coastal roads, thus earning them the "Highwaymen" name.

The City is very close to completing the final phase of The Highwaymen Heritage Trail project, an interactive website and self-guided commemorative trail which has been partially funded through

two (2) grants from the Florida Humanities Council (FHC) and our CDBG “Art in Public Places” activity.

The ribbon cutting for the project will be held during the first quarter of 2015. When complete, trail stops will be located throughout our lower-income Lincoln Park neighborhood. The project’s complimentary website will feature Lincoln Park restaurants and retail. We expect this project to instill civic pride, increase tourism, expand economic opportunities and create jobs.

## I. MONITORING

1. **Describe how and the frequency with which you monitored your activities.** In compliance with Section 91.230 of the Final Rule, the following is a description of the standards and procedures the City of Fort Pierce uses to monitor project and program activities authorized under federal programs. The City of Fort Pierce is committed to using federal funds appropriately and in such a manner that maximizes public benefit to low and moderate income households. The City utilizes a variety of administrative mechanisms to ensure the success of their endeavors through both project and program monitoring:

a) **Project Monitoring.** The goal of project monitoring is to ensure that HUD-funded projects and activities are implemented in a timely manner in accordance with federal regulations and other statutory or regulatory requirements. As a means to achieve this goal, the City’s monitoring efforts focus on identifying deficiencies, promoting corrections, and providing technical assistance in order to improve the performance of the City and all its partners. This process involves effective communication and cooperative, problem-solving relationships between the City, contractors, and subrecipients.

Project monitoring activities are comprised of desk reviews and/or on-site visits during which management procedures, goal establishment and achievement, record keeping, organizational financial status, construction and labor standards (if applicable), procurement procedures, and other areas relevant to the project are reviewed. The information to be reviewed is outlined in checklists that are developed for each type of activity. These checklists are created using HUD’s Monitoring Handbook, regulations, and other requirements from each funding source

b) **Desk Review.** Desk review is a monthly, ongoing process in which the City Grants Administrator uses monthly reports submitted by recipients to review the subrecipient or business performance in carrying out the approved project or activity. This review process enables the City to identify problems requiring immediate attention and to prepare for more in-depth on-site monitoring, as needed. Materials used for this review include, but are not limited to, the executed subrecipient/business agreement, requests for reimbursement, monthly, quarterly, and annual reports, audits, Certificate(s) of Liability Insurance, participant eligibility information, documentation from previous monitoring visits, and the original funding application.

c) **On-site Monitoring.** On-site monitoring is a structured review at the location(s) where project activities are being carried out or where project records are maintained. In preparation of an on-site monitoring visit, the assigned staff contacts the subrecipient/business to explain the purpose of the visit, schedules a time and date, sends a confirmation letter, and performs a desk review.

Once on-site, staff reviews the subrecipient/business files, including source documentation, to ensure compliance with all regulations governing their administrative, financial, and programmatic operations. Staff also verifies that performance objectives are on target and that the activity or project is projected to be completed within budget and schedule. This information is utilized to complete the appropriate checklist(s) and exit interview prior to site departure. During the exit interview, staff provides the subrecipient/business with an explanation or overview of the tentative conclusions reached during the monitoring visit.

Once the on-site visit is concluded, a formal written report describing the results of the visit, including a list of any findings or concerns is provided. This report also recommends corrective

actions to address and rectify any issues, as needed. Once the corrective actions are addressed, the City closes out the monitoring review.

The City's Grants Administrator monitors all project activities, including housing, infrastructure, public service agencies, economic development programs, and Section 108 projects. Staff works independently to monitor all respective projects and activities.

- d) CDBG Public Service and Economic Development Activities.** City staff performs monthly desk reviews and, when necessary, on-site monitoring visits for each public service activity to ensure that subrecipients are in compliance with federal regulations, statutory requirements, and the terms of their subrecipient agreement with the City. Additional monitoring is conducted, as needed. Prior to approval, staff verifies eligibility with regard to the criteria outlined in the individual agreements, services provided, and other relevant criteria, as appropriate. These periodic reviews enable staff to measure performance and ensure the timely expenditure of funds.
- e) All Other Projects and Activities.** The City Grants Administrator and Federal Projects Administrator are responsible for monitoring all projects and activities funded by CDBG, SHIP and NSP. At the beginning of each project, staff develops an Annual Monitoring Plan/Schedule for all projects and activities. This plan is derived by conducting an assessment of all projects and activities included in the Action Plan. Additionally, the Monitoring Plan considers HUD's requirements for post-completion monitoring such as minimum-use period, affordability, income eligibility, and housing quality standards requirements.
- All projects administered by the City undergo monthly and annual desk reviews as well as periodic reviews similar to those discussed above when reimbursements are requested. When it's a housing and/or infrastructure activity, staff members perform a physical inspection of the work that has been completed and reviews the recipient's Davis Bacon documentation, as necessary, prior to any payment, if applicable. On-site monitoring visits are conducted in accordance with the Annual Monitoring Plan/Schedule.
- f) Program Monitoring.** The City understands the importance of performing a periodic self-evaluation with respect to the goals and objectives outlined in the Consolidated Plan as well as the activities included in each Action Plan. The purpose of this review is to ensure long term compliance with program and comprehensive planning requirements. The core component of the City's structure for Program Monitoring is the Integrated Disbursement and Information System (IDIS). In this system, all CDBG and Section 108 funded projects are reviewed in report format to track the timely expenditure of funds as well as overall program performance.
- g) Timeliness.** The CDBG 1.5 drawdown requirement for PY13 was not met due to inclement weather issues. We expect to complete this large infrastructure project that leverages the City's stormwater funds and CDBG funds within the next few months.
- h) Program Performance.** The primary means of assessing program performance is through the development of the Consolidated Annual Performance and Evaluation Report (CAPER) at the end of each program year. The information that is provided in this report allows the City and HUD to review the overall program's performance. The performance measurement system clearly demonstrates whether the City has met the annual goals and objectives and is on target to meet its projected goals and objectives.
- The final layer of program performance is provided through an annual audit by external independent auditors. Information obtained from these audits is evaluated and incorporated, as appropriate, as revisions to the City's policies and procedures.
- **Contract Agreements.** The City enters into binding contractual agreements with parties participating in federal programs. Such agreements are useful tools for insuring compliance with program provisions by the City and these parties. Additionally, these agreements provide a basis for enforcing program requirements and for identifying remedies in the event of a breach of the provisions by these parties. Elements contained in these agreements are

inclusive of, but not limited to: type of activity, specific "boiler plate" provisions, other terms and conditions, special program requirements, budget, scope of services, reporting requirements, and other special provisions.

**2. What is the status of your grant programs?**

- **Are any activities or strategies falling behind schedule?** Yes, due to inclement weather, we fell behind schedule on a large CDBG-partially funded infrastructure project in our target area. We expect for this project to be complete within the next few months.
- **Are grant disbursements timely?** Yes
- **Do actual expenditures differ from letter of credit disbursements?** No

**SECTION III: CDBG PROGRAM**

**J. Assessment of Relationship of CDBG funds to Goals and Objectives.** During FY 2013, the City of Fort Pierce expended \$433,799 of CDBG funds to address spot slum and blight, provide weatherization assistance, code enforcement, public service projects, neighborhood revitalization, commercial façade improvements, micro-enterprise assistance, to promote local art and cultural heritage, community focal points and Grant Administration.

**1. Assess the use of CDBG funds in relation to the priorities, needs, goals and specific objectives of the Consolidated Plan, particularly the highest priority activities. (breakout)**

The Goals and Priorities of the Consolidated Plan are:

- Provide Decent Housing
- Establish and Maintain a Suitable Living Environment
- Promote Neighborhood Stabilization
- Stabilize and Expand Small Existing Businesses

PY13 Goals and Objectives	Projected PY13 Accomplishments	Actual PY13 Accomplishments
Housing Rehabilitation – Assist very low income families with home repairs / rehabilitation.		SHIP Housing Units – 2 World Changers Units - 12
Address Spot Slum and Blight – Demolish, clear, and remove derelict structures including housing, public and commercial; secure abandoned structures; abate potential spot slum and blight conditions.	Number of Buildings Addressed - 5	Number of Buildings Addressed - 17
Infrastructure – Improve/repair infrastructure in lower-income neighborhoods.	Number of Infrastructure Projects - 1	Number of Infrastructure Projects - 0
Senior Citizen Housing Assistance – Provide funding to use as ‘cash match’ for Fort Pierce Housing Authority’s Tax Credit grant application to rehabilitate former hospital into apartments for very low income senior and/or handicapped citizens.	Number of Senior Citizen Housing Projects - 1	Number of Senior Citizen Housing Projects - 0
Weatherization Assistance – Fund weatherization assistance for lower-income homeowners.	Homeowners Assisted – 5	Homeowners Assisted - 6
Code Enforcement – Fund salaries for up to 3 Code Enforcement Officers who will inspect more than 200 structures to help alleviate spot slum and blight conditions in lower income neighborhoods.	Homes Inspected - 200	Homes Inspected - 1,280

PY13 Goals and Objectives	Projected PY13 Accomplishments	Actual PY13 Accomplishments
Public Service Projects - Fund public service activities that serve lower-income citizens.	Citizens Served – 500	Citizens Served – 4,350
Neighborhood Revitalization - Fund Lincoln Park and Fort Pierce Main Street Community-Based Development Organizations to assist businesses located in low to moderate income areas by providing neighborhood revitalization, economic development, heritage tourism and historic preservation projects/ services.	Organizations Assisted - 2	Organizations Assisted - 2
Provide grants for Commercial Façade improvements in low to moderate income areas.	Number of Commercial Facades Improved - 5	Number of Commercial Facades Improved - 7
Micro-Enterprise – Provide marketing/ development campaign for small tourism-related businesses.	Businesses Assisted - 25	Businesses Assisted - 29
Promote local art and cultural heritage in lower-income neighborhoods.	Projects - 2	Projects - 2
Improve Community Focal Points in lower-income neighborhoods (Community Garden).	Projects - 1	Projects - 1

**2. Evaluate progress toward meeting the goals of providing affordable housing using CDBG funds, including the number and types of households served.**

The City of Fort Pierce will use State Housing Initiative Partnership (SHIP) funds to provide housing rehabilitation for our citizens.

**3. Indicate the extent to which CDBG funds were used for activities that benefited extremely low-income, low income and low to moderate income persons.**

Extremely Low Income & Low Income - Address Spot Slum and Blight	\$ 51,551
Extremely Low Income - Weatherization Assistance	\$ 15,660
Extremely Low Income & Low Income - Code Enforcement	\$ 140,000
Extremely Low Income & Low Income - Public Service Projects	\$ 61,871
Extremely Low Income, Low Income & Low to Moderate Income	
Neighborhood Revitalization - CBDOs	\$ 99,500
Commercial Façade Improvements	\$ 42,948
Micro-Enterprise	\$ 6,248
Extremely Low Income & Low Income	
Promotion of Local Art and Cultural Heritage	\$ 1,666
Community Focal Points	\$ 14,355
<b>TOTAL</b>	<b>\$ 433,799</b>

**4. Low/Moderate Income Benefit.** In accordance with the HUD-approved Consolidated Plan, the City of Fort Pierce allocated CDBG funds to meet HUD’s National Objectives.

**5. Amendments and Other Changes to the Programs.** The City pursued the resources identified in the Consolidated Action Plan and certified consistency for local applicants for HUD funds.

**6. National Objective Failures.** The City did not experience National Objective Failures in FY2013-2014.

**7. Actions Taken to Avoid Displacement.** The City did not have any activities taking place during the program year which had the potential to cause displacement.

8. **Compliance with URA.** In cases where the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) applies, the City reviews files and monitors the following areas: all activities subject to adding to the workload (relocation/acquisition management), persons displaced and not displaced, temporary moves, the adequacy of replacement housing, benefits calculation, advisory (supportive) services and complaints and/or appeals that may be provided.
9. **Jobs filled with Lower Income People.** There were no jobs created in Fiscal Year 2013-2014 as a result of CDBG Entitlement funding support.
10. **For Limited Clientele Activities.** In FY 2013-2014 the City of Fort Pierce conducted Limited Clientele Activities utilizing CDBG funding in the Public Services Strategy, which provided CDBG funding for a total of 10 community non-profit organizations. All of these organizations were of such nature and/or in such location that it was reasonably concluded that their clientele were primarily low-income.
11. **Rehabilitation Accomplishments and Costs.** The City rehabilitated two (2) homes for a total cost of \$57,080 using SHIP funds. Additionally, the homes of twelve lower-income citizens were rehabilitated by the World Changers organization. The City contributed approximately \$10,000 toward the repairs. World Changers provided volunteer labor, donated supplies and materials and also contributed money for the rehabs.
12. **Changes in Program Objectives.** Identify the nature and reasons for any changes in program objectives and indications of how the jurisdiction would change its programs as a result of its experiences (24CFR81.520(c)).  
Economic shifts, high unemployment, increased crime and uncertainties relating to funding are propelling the City to continuously explore new strategies.
13. **Neighborhood Revitalization Strategies.** The City of Fort Pierce does not have an approved Neighborhood Revitalization Strategy Area

## Section 108 Loan Guarantee

Grantee Name	ST	Section 108 Project #	Project Name	108 Loan Amount	108 Amt Advanced	Total CDBG Assist	FTE Jobs Est. in 108 Appl.	Total Actual FTE Jobs Created or Retained	# of FTE Jobs Held by/ Made Avail. to Low/ Mod	Total Housing Units Assisted	# of Units Occ. by Low/ Mod Househlds	Slum/ Blight Area Y=Yes
Coral Square Shops of Florida LLC	FL	B-08-MS-12-0031	Coral Square Shoppes Redevelop Project	\$3,395,000	\$3,395,000	0.00	115	35	30	N/A	N/A	Y

### SECTION IV: HOME PROGRAM

The City of Fort Pierce does not receive funding under the HOPWA Program.

### SECTION V: HOPWA PROGRAM

The City of Fort Pierce does not receive funding under the HOPWA Program.

### SECTION VI: EMERGENCY SHELTER GRANTS PROGRAM

The City of Fort Pierce does not receive funding under the Emergency Shelter Grant Program.

## IDIS REPORTS

Summary of Accomplishments Report (C04PR23)

Summary of Consolidated Plan Projects for Report Year XXXX (C04PR06)

CDBG Financial Summary Report (C04PR26)

CDBG Summary of Activities (C04PR03)

CDBG Performance Measures Report (C04PR83)

CDBG Strategy Area, CDFI, and Local Target Area (C04PR84)

HOME Housing Performance Report (Grantee/PJ) (C04PR85) – Not Applicable

ESG Performance Measures Report (C04PR81) – Not Applicable

HOPWA Measuring Housing Stability Outcomes (C04PR80) – Not Applicable

HOPWA Units/Households and Funds Expended (C04PR82) – Not Applicable

DRAFT

**City Commission Regular Meeting**

**Agenda Item # 12. a.**

**Meeting Date:** 11/17/2014

**Re:** Elections Returns Resolution

**Submitted For:** Linda Cox, City Clerk, City Clerk

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**SUBJECT:**

Resolution No. 14-R36 Accepting the Returns of the General Election held on November 4, 2014.

**SUMMARY:**

The Supervisor of Elections will provide the Certification of Election on Monday, November 17, 2014 upon final canvassing by the County Canvassing Board. Section 67(1) of the City Charter requires that the City Commission adopt a Resolution accepting the returns.

**RECOMMENDATION:**

Approve Resolution.

**ALTERNATIVES:**

n/a

**RESPONSIBLE STAFF:**

Linda W. Cox, City Clerk

**COORDINATED WITH:**

Gertrude Walker, Supervisor of Elections

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**Fiscal Impact**

**Budgeted Y/N:**

**Fiscal Year:**

**Account:**

**Amount:**

**OTHER INFORMATION:**

No fiscal impact.

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**Attachments**

14-R36

Election Results

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**RESOLUTION NO. 14-R36**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, ACCEPTING THE **RETURNS OF THE GENERAL ELECTION** HELD ON NOVEMBER 4, 2014, AS PROVIDED BY THE COUNTY SUPERVISOR OF ELECTIONS.

**WHEREAS**, Section 67(1) of the City Charter provides that at the first regular meeting of the City Commission after the primary election and the general election, the City Commission shall adopt a Resolution accepting the returns as provided by the County Supervisor of Elections to the City Clerk, such returns having been canvassed by the County Canvassing Board, and declaring the outcome of the election.

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of the City of Fort Pierce Florida, as follows:

**SECTION 1.** The City Commission of the City of Fort Pierce does hereby accept the returns of the General Election held on November 4, 2014, as provided by the County Supervisor of Elections, a copy of which is attached and made a part of this Resolution, such returns having been canvassed by the County Canvassing Board, declaring the outcome of the election.

**SECTION 2.** This resolution shall become effective upon adoption.

**IN WITNESS WHEREOF**, this Resolution has been duly adopted this 17<sup>th</sup> day of November, 2014.

\_\_\_\_\_  
LINDA HUDSON, MAYOR COMMISSIONER

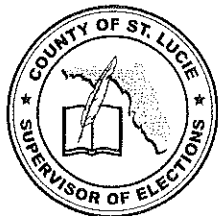
ATTEST:

\_\_\_\_\_  
LINDA W. COX, CITY CLERK

(CITY SEAL)

APPROVED AS TO FORM  
AND CORRECTNESS:

\_\_\_\_\_  
Robert V. Schwerer, City Attorney



*Gertrude Walker*  
Supervisor of Elections  
St. Lucie County

4132 Okeechobee Road • Fort Pierce, FL 34947-5412 • (772) 462-1500 • Fax (772) 462-1439



To: Linda Cox, City Clerk  
100 N U.S. #1  
P.O. Box 1480  
Ft. Pierce, FL 34954

From: Gertrude Walker, Supervisor of Elections  
4132 Okeechobee Road  
Ft. Pierce, FL 34947

Date: November 17, 2014

Re: Official Results, General Election 2014

Enclosed are the Official Results for the General Election, held  
on November 4, 2014, in St Lucie County.

\*\*\* Official \*\*\*  
**CERTIFICATE OF COUNTY CANVASSING BOARD**  
**ST. LUCIE COUNTY**

For Commissioner of Agriculture, the whole number of votes cast was 85,476 of which

Adam Putnam (REP)	received	45,663 votes
Thaddeus Thad Hamilton (DEM)	received	39,813 votes
Jeffrey M. Obos (WRI)	received	0 votes

For State Senator, District 32, the whole number of votes cast was 62,435 of which

Joe Negron (REP)	received	36,189 votes
Bruno Moore (DEM)	received	26,233 votes
Matthew Joshua Loew (WRI)	received	13 votes

For State Representative, District 54, the whole number of votes cast was 6,422 of which

Debbie Mayfield (REP)	received	3,853 votes
Jorge Lugo (DEM)	received	2,569 votes

For State Representative, District 84, the whole number of votes cast was 49,521 of which

Rob Siedlecki (REP)	received	21,629 votes
Larry Lee, Jr. (DEM)	received	27,892 votes

For County Commissioner, District 2, the whole number of votes cast was 85,236 of which

Tod Mowery (REP)	received	44,942 votes
Patrick Campion (DEM)	received	40,294 votes

For County Commissioner, District 4, the whole number of votes cast was 85,258 of which


Frances "Frannie" Hutchinson (REP)	received	45,672 votes
Charles Grande (DEM)	received	39,586 votes

\*\*\* Official \*\*\*  
CERTIFICATE OF COUNTY CANVASSING BOARD  
ST. LUCIE COUNTY

We Certify that pursuant to Section 102.112, Florida Statutes, the canvassing board has compared the number of persons who voted with the number of ballots counted and that the certification includes all valid votes cast in the election.

  
\_\_\_\_\_  
COUNTY JUDGE

  
\_\_\_\_\_  
SUPERVISOR OF ELECTIONS

  
\_\_\_\_\_  
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

\*\*\* Official \*\*\*  
CERTIFICATE OF COUNTY CANVASSING BOARD  
ST. LUCIE COUNTY

We, the undersigned, PHILIP J. YACUCCI, JR., County Judge, GERTRUDE WALKER, Supervisor of Elections, CHRIS DZADOSKY, Chairman, Board of County Commissioners, constituting the Board of County Canvassers in and for said County, do hereby certify that we met on the Fourteenth day of November, 2014 A.D., and proceeded publicly to canvass the votes given for the several offices and persons herein specified at the **Nonpartisan** held on the Fourth day of November, 2014 A.D., as shown by the returns on file in the office of the Supervisor of Elections. We do hereby certify from said returns as follows:

Retention of Judge Alan O. Forst of the Fourth District Court of Appeal

Yes 54,486 votes  
No 22,554 votes

Retention of Judge Mark W. Klingensmith of the Fourth District Court of Appeal

Yes 54,121 votes  
No 22,986 votes

Retention of Judge W. Matthew Stevenson of the Fourth District Court of Appeal

Yes 54,640 votes  
No 22,067 votes

Retention of Judge Martha C. Warner of the Fourth District Court of Appeal

Yes 55,339 votes  
No 21,269 votes

For County Court Judge, Group 4, the whole number of votes cast was 77,827 of which

Al Moore	received	32,895 votes
Kathryn Nelson	received	44,932 votes

For Mayor for City of Port St. Lucie, the whole number of votes cast was 50,778 of which

JoAnn M. Faiella	received	19,874 votes
Gregory J. Oravec	received	30,904 votes

\*\*\* Official \*\*\*  
**CERTIFICATE OF COUNTY CANVASSING BOARD**  
**ST. LUCIE COUNTY**

For City Council, District 3 for City of Port St. Lucie, the whole number of votes cast was 46,995 of which

Shannon M. Martin	received	24,257 votes
James Taylor	received	22,738 votes

For City Commissioner for Ft Pierce, District 2, the whole number of votes cast was 6,001 of which

Tom Perona	received	4,321 votes
Mazella D. Smith	received	1,680 votes

For Portofino Isles Community Development District, Seat 4, the whole number of votes cast was 320 of which

Juan Azcona	received	157 votes
Walter G. Neuman III	received	163 votes

For River Place on the St. Lucie Community Development District, Seat 3, the whole number of votes cast was 256 of which

Robert Dadiomoff	received	105 votes
William L. Weber	received	151 votes

For Saint Lucie West Service District, Seat 1, the whole number of votes cast was 5,183 of which

Viorel "Mr. Vio" Mocuta	received	1,261 votes
Gregg Ney	received	3,922 votes

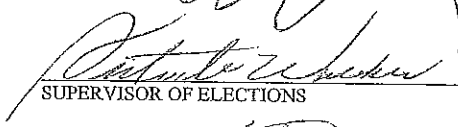
For Saint Lucie West Service District, Seat 2, the whole number of votes cast was 5,117 of which


Harvey L. Cutler	received	3,147 votes
Tony Stachewicz	received	1,970 votes

\*\*\* Official \*\*\*  
CERTIFICATE OF COUNTY CANVASSING BOARD  
ST. LUCIE COUNTY

We Certify that pursuant to Section 102.112, Florida Statutes, the canvassing board has compared the number of persons who voted with the number of ballots counted and that the certification includes all valid votes cast in the election.

  
COUNTY JUDGE

  
SUPERVISOR OF ELECTIONS

  
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

\*\*\* Official \*\*\*  
**CERTIFICATE OF COUNTY CANVASSING BOARD  
ST. LUCIE COUNTY**

We, the undersigned, PHILIP J. YACUCCI, JR., County Judge, GERTRUDE WALKER, Supervisor of Elections, CHRIS DZADOSKY, Chairman, Board of County Commissioners, constituting the Board of County Canvassers in and for said County, do hereby certify that we met on the Fourteenth day of November, 2014 A.D., and proceeded publicly to canvass the votes given for referendums on the Fourth day of November, 2014 A.D. as shown by the returns on file in the office of the Supervisor of Elections. We do hereby certify from said returns as follows:

**NO. 1  
CONSTITUTIONAL AMENDMENT  
ARTICLE X, SECTION 28  
WATER AND LAND CONSERVATION - DEDICATES FUNDS TO  
ACQUIRE AND RESTORE FLORIDA CONSERVATION AND  
RECREATION LANDS**

Funds the Land Acquisition Trust Fund to acquire, restore, improve, and manage conservation lands including wetlands and forests; fish and wildlife habitat; lands protecting water resources and drinking water sources, including the Everglades, and the water quality of rivers, lakes, and streams; beaches and shores; outdoor recreational lands; working farms and ranches; and historic or geologic sites, by dedicating 33 percent of net revenues from the existing excise tax on documents for 20 years.

Yes for Approval	69,746	votes
No for Rejection	16,456	votes

**NO. 2  
CONSTITUTIONAL AMENDMENT  
ARTICLE X, SECTION 29  
USE OF MARIJUANA FOR CERTAIN MEDICAL CONDITIONS**

Allows the medical use of marijuana for individuals with debilitating diseases as determined by a licensed Florida physician. Allows caregivers to assist patients' medical use of marijuana. The Department of Health shall register and regulate centers that produce and distribute marijuana for medical purposes and shall issue identification cards to patients and caregivers. Applies only to Florida law. Does not authorize violations of federal law or any non-medical use, possession or production of marijuana.

Yes for Approval	50,953	votes
No for Rejection	36,949	votes

**NO. 3  
CONSTITUTIONAL AMENDMENT  
ARTICLE V, SECTIONS 10, 11  
PROSPECTIVE APPOINTMENT OF CERTAIN JUDICIAL  
VACANCIES**

Proposing an amendment to the State Constitution requiring the Governor to prospectively fill vacancies in a judicial office to which election for retention applies resulting from the justice's or judge's reaching the mandatory retirement age or failure to qualify for a retention election; and allowing prospective appointments if a justice or judge is not retained at an election. Currently, the Governor may not fill an expected vacancy until the current justice's or judge's term expires.

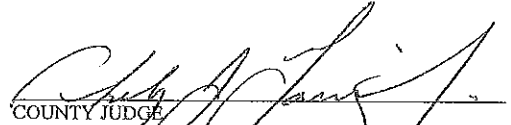
Yes for Approval	41,841	votes
No for Rejection	41,043	votes

\*\*\* Official \*\*\*  
CERTIFICATE OF COUNTY CANVASSING BOARD  
ST. LUCIE COUNTY

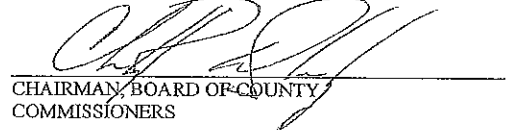
CHILDREN SERVICE COUNCIL REFERENDUM NO. 4

Yes for Approval	73,721	votes
No for Rejection	12,363	votes

We Certify that pursuant to Section 102.112, Florida Statutes, the canvassing board has compared the number of persons who voted with the number of ballots counted and that the certification includes all valid votes cast in the election.

  
COUNTY JUDGE

  
SUPERVISOR OF ELECTIONS

  
CHAIRMAN, BOARD OF COUNTY  
COMMISSIONERS

\*\*\* Official \*\*\*  
**CERTIFICATE OF COUNTY CANVASSING BOARD**  
**ST. LUCIE COUNTY**

We, the undersigned, PHILIP J. YACUCCI, JR., County Judge, GERTRUDE WALKER, Supervisor of Elections, CHRIS DZADOSKY, Chairman, Board of County Commissioners, constituting the Board of County Canvassers in and for said County, do hereby certify that we met on the Fourteenth day of November, 2014 A.D., and proceeded publicly to canvass the votes given for the several offices and persons herein specified at the **General** held on the Fourth day of November, 2014 A.D., as shown by the returns on file in the office of the Supervisor of Elections. We do hereby certify from said returns as follows:

For Representative in Congress, District 18, the whole number of votes cast was 89,219 of which

Carl J. Domino (REP)	received	31,530 votes
Patrick Murphy (DEM)	received	57,689 votes

For Governor and Lieutenant Governor, the whole number of votes cast was 88,997 of which

Rick Scott and Carlos Lopez-Cantera (REP)	received	38,006 votes
Charlie Crist and Annette Taddeo (DEM)	received	46,422 votes
Adrian Wyllie and Greg Roe (LPF)	received	3,456 votes
Farid Khavari and Lateresa A. Jones (NPA)	received	346 votes
Glenn Burkett and Jose Augusto Matos (NPA)	received	766 votes
Piotr Blass and Bob Wirengard (WRI)	received	0 votes
Timothy Michael Devine and Diane Smith (WRI)	received	0 votes
Emelia Sandra Harris and Georgianna G. Harris (WRI)	received	0 votes
Monroe Lee and Juanita Lockett (WRI)	received	0 votes
Charles Frederick Tolbert and Christine Timmon (WRI)	received	1 votes

For Attorney General, the whole number of votes cast was 87,896 of which

Pam Bondi (REP)	received	45,969 votes
George Sheldon (DEM)	received	39,284 votes
Bill Wohlsifer (LPF)	received	2,643 votes

For Chief Financial Officer, the whole number of votes cast was 85,673 of which

Jeff Atwater (REP)	received	46,591 votes
William "Will" Rankin (DEM)	received	39,082 votes

**City Commission Regular Meeting**

**Agenda Item # 13. a.**

**Meeting Date:** 11/17/2014

**Re:** City Manager's Departmental Activity Report

**Submitted For:** Robert Bradshaw, City Manager

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**SUBJECT:**

City Manager's Departmental Activity Report

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**Attachments**


City Manager's Activity Report

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# INTEROFFICE MEMORANDUM

FROM THE OFFICE OF THE  
CITY MANAGER

**TO:** The Honorable Mayor and Members of the City Commission  
**FROM:** Robert J. Bradshaw, City Manager   
**RE:** Department Activity Report  
**DATE:** November 7, 2014

*The information that follows is intended to keep the Commission abreast of the on-going activities, issues, programs and services within the City.*

## City Manager's Office

### City Manager

- The City Manager met with Senator Joe Negron on October 27, 2014.
- The Deputy City Manager met with the City Engineer to discuss departmental issues.
- The Deputy City Manager met with a downtown business owner to discuss downtown issues.
- The Deputy City Manager met with the Code Compliance Manager regarding a proposal from the Humane Society.
- The Deputy City Manager met with the Project Administrator, Federal Programs to discuss the SHIP program.
- The Deputy City Manager participated in a SHIP inspection of a home with the Project Administrator.
- The Deputy City Manager attended a meeting at St. Lucie County regarding a marine academy.
- The City Manager and Deputy City Manager held a follow-up meeting with the Sunrise Theatre Director regarding the operations of the theatre.
- The City Manager attended the Farm City Barbeque on October 29, 2014.
- The Deputy City Manager met with the City Clerk regarding the storage of files at the Public Works compound.
- The City Manager, Deputy City Manager and Code Compliance Manager met with Commissioner Alexander regarding a code enforcement issue.
- The Deputy City Manager and City Attorney met with staff regarding the creation and implementation of an electronic communications policy.
- The City Manager and Deputy City Manager met with individual members of the City Commission to discuss negotiations with a bargaining unit.

**City Clerk's Office**

- **Business Tax Receipts –**  
New: 13    Renewals: 64    Transfer: 3
- **Vendor Permits Issued –**  
New: 0    Renewals: 0
- **Contractor Licensing –**  
New: 13    Renewals: 30
- **Public Records Requests (not including Building Department) –**  
New Requests: 3
- **Animal Registrations –**  
New/Renewals/Impound Fees: 4
- **Enterprise Zone Applications –**  
Sales Tax Refund Applications: 1
- **Agenda Preparation and Meeting Minutes –**
  1. City Commission – 11/3/2014
- **Special Projects**
  1. Investigating BTR renewals returned by Post Office
  2. Investigating Contractor Competency Card renewals returned by Post Office
  3. On-going records retention/destruction project
  4. Conducting research on impact fee mitigation program
- **Meetings/Special Events Attended**
  1. City Clerk and Licensing/Permit Clerk went to Port St Lucie for a Records Management site visit.
  2. City Clerk attended Farm City BBQ.
  3. City Clerk attended Election Day Canvassing.
  4. City Clerk attended Lawnwood Breakfast Meeting.
  5. City Clerk toured Suncoast Metal Health Facility

**Administrative Services Department**

- **Procurement –**
  1. Processed Current Cardholder Information for Vendor Visa Pay Program
  2. Processed purchase orders/Fiscal Year 2015 blanket purchase orders
  3. Processing and/or completion of awards to vendors/contractors approved by Commission.
  4. Meetings:
    - a) Director of Administrative Services held a meeting with the Union Representative, Deputy City Manager, Human Resources Manager regarding Union Contract Negotiations.
    - b) Director of Administrative Services held a meeting the Public Works Manager, Deputy City Manager, Human Resources Manager and the Risk Manager, regarding a Human Resources issue.
- **Human Resources –**
  1. Accepted and reviewed applications for open positions
  2. Created personnel action forms
  3. Verify Sick leave conversation payroll
  4. Processed November 2014 employee probation annual evaluations.
  5. Advertised job opening for Sunrise Theatre and Public Works Department
- **Risk Management –**
  1. Collaborated with Florida Blue regarding the City Employees Annual Health Fair.
  2. Begin New Wellness Program: Stairwell & Hydration Challenge
  3. Accident Investigation
  4. Audited, Closed, and Processed WC Claims.
  5. Processed Insurance Subrogation.
  6. Consulted with the City Carrier Regarding Liability Claims.
  7. Processed day to day Risk Management Duties.

**Finance Department**

- Completing Final 4<sup>th</sup> Quarter 2014 Financial Report.
- Day to Day Operations

**MIS Department**

- Meeting with Deputy City Manager, City Attorney, City Clerk, Chief of Police and other staff concerning citywide IT Policies and Procedures to include cell phones, desk phones voice and text messages archiving.
- Updating the MIS Strategic Plan for Commission Conference Agenda.
- Revamping of Blade Center servers and main console.
- Working with Diebold on upgrading hardware and software for Security System for City Hall.
- Installation of Marina new additional hardware almost complete.
- Staff working with several departments and CivicPlus on City's website upgrade.
- Converting all sites to City Hall with a true WAN with Marina, Indian Hills/Police Department and Public Works completed.
- Working with Finance on several staff relocations due office renovations.
- Working with testing PetData software for Animal Control Officers in the field.
- Searching for options for Commissioners to be able to engage in audio or video conferencing when not physically able to attend meetings.
- Training has begun for Building staff with SmartGov.
- Working with Comcast to WiFi entire City Hall.
- Received quote from Selectron IVR reps for information on sending this function to the cloud or purchasing a new server and keeping the process in house.
- Transferring data to new file servers for several departments.
- Upgrading out of lease copiers for several departments.
- Working on new servers, racks and Intune software citywide.
- Exploring cloud based options for different applications.
- Processing new computer equipment for various departments.
- Working on a WorkOptiFlow pilot program with Indian Hills Department.
- Working on Rights issue with NAS (on-going).
- Processing VOIP spread sheet for remaining remote site (Sunrise Theatre) and gathering all information required including old numbers to be ported.
- Major problems with email due to virus attacks to our system (on-going).
- Servers for Sunrise Theatre are being processed for distribution.
- Software integrations citywide (on-going).
- Working with AT&T and State of Florida on the fiber optic installation preparation for Public Works/Solid Waste (ongoing).
- Lotus Notes IQsuite e-mail spam, and archiving (ongoing).
- Updating MIS documentation and procedural policies (on-going).
- Received eighty eight (88) new work orders and completed one hundred thirty seven (137) work orders.

**Building Division**

- **1 Ave A – Fort Pierce Marina** – Permit for installation of windows has been issued.
- **2 New Mobile Homes – 345 Weatherbee Rd. Tanglewood Mobile Home Park** – Permits issued for placement in park.
- **600 So. Indian River Dr. – Fort Pierce Riverwalk** – Certificate of Occupancy was issued for new restrooms.
- **3211 S. US Hwy 1 – Tropical Smoothie** – Permit for commercial remodel has been submitted.
- **3302 Orange Ave. – Dunkin Donuts** – Permit for commercial remodel has been submitted.
- **1918 Seaway Dr - Square Grouper – FEMA Map Revision** – Met with representative on several occasions regarding flood development requirements.
- **City of Fort Pierce Dock** – Pre-construction meeting was held with the construction crew.

**Planning Department**

- **Administrative/Meetings –**
  1. All Staff members conducted ‘Planner of the Day’ duties on a rotating basis
  2. Walk-ins/Call-ins
  3. All aboard Florida report
  4. Historic Preservation Board Meeting
  5. Technical Review Committee Meeting
  6. Section 22-40, Planned Development Zoning District Draft rewrite – Public/Citizen Input meeting
  
- **Development Review –**
  1. 1913 Surfside Dr.- Conditional Use- Deck in Coastal Construction Line - TRC meeting & Planning Board Report
  2. 1918 Seaway Drive - Square Grouper Site Plan - Planning Board Report
  3. 510 Orange Avenue -Peacock Restaurant Waiver of Distance - Planning Board Report
  4. 1121 Digiorgio Rd - Tent Logix Minor Amendment to Site Plan - City Commission Report
  5. Family Dollar – Orange Avenue & 17th Street
  6. Orkin Site – Development Project
  
- **Comprehensive Planning, Long Range Planning –**
  1. 22 Parcels Annexation
  2. Annexation of Village at Midway
  3. Seaway Drive Future Land Use Change
  4. Seaway Drive Rezone
  
- **Historic Preservation –**
  1. 301 S US Highway 1 - Historic Preservation Rehabilitation - Tax Exemption Application - Historic Preservation Board Approval
  2. 702 Atlantic Ave & 715 Orange Ave - Demolition - Historic Preservation Board Conditional Approval
  3. 1023 Citrus Ave - Preliminary Designation - Historic Preservation Board Approval
  
- **Economic Development –**
  1. Indian Hills Golf Course Management - RFP Committee Review
  
- **GIS/Mapping –**
  1. Zoning and Land Use GIS updates
  2. Annexations GIS updating
  3. Map production for Zoning and Land Use
  4. Ordinance Exhibits
  
- **System Maintenance –**
  1. Working with MIS to monitor GIS and Vantage Point systems

**Code Enforcement Division**

- **Hearing –**
  1. Special Magistrate Blandino
    - a) 22 regular violation hearings
      - 5 complied prior to hearing
      - 1 continued by staff
      - 16 found in violation
    - b) 3 lien reduction request hearings
      - Horvath (EST), Dennis – The Special Magistrate recommended to City Commission to reduce the lien of \$27,200 to 10% of fine.
      - Oneschuk, Jayson – At the request of the applicant, the matter will be postponed until January 2015.
      - Beausejour, Pegue / O’Connell, Cindy – The Special Magistrate recommended to the City Commission to reduce lien to \$1000 as the new owner has made the necessary repairs to comply the violations.
- **Code Enforcement –**
  1. Received 29 complaints
  2. Issued 1 written warnings
  3. Issued 6 citations
  4. Initiated 36 new cases: 16 general violations, 8 lot clearing violations, 27 slum & blight remediation notices (CDBG grant)
  5. Conducted 338 follow-up inspections
  6. Closed 79 cases
- **Animal Control –**
  1. All Animal Control Officers are now utilizing the Shelter Pro database to input calls.
  2. Database not complete yet. Reporting not accurate.
  3. During the first 4 months of utilizing PetData to process our animal registrations, we grossed over \$3500.00. After costs, the City netted over \$2400.00.
- **Revenue –** Processed 23 lien / title searches
- **Miscellaneous –**
  1. Code Manager attended the 2nd TRC Meeting in October.
  2. Code Manager provided the City Attorney with estimated administration costs for a large commercial property facing possible foreclosure. Also met with Assistant City Attorney Steve McCain to discuss same.
  3. Code Manager met with Assistant City Manager Mimms to discuss the Humane Society’s buy-out proposal and other code issues.
  4. Code Manager met with Dr. J of Tri-County Animal Hospital to discuss pending code violations.
  5. Two Code Officers and the Code Manager attended a seminar on Sovereign Citizens.
  6. Code Officer Singer attended a seminar on dealing with angry people.
  7. Code Manager drafted Request for Bid packets for implementing the CDBG clean-up.
  8. Code Manager met with Planning & Zoning Manager and Kori Benton to discuss the short term rental code and determine needed corrections.
  9. Code Manager, Code Officers Avery & Coss met with Commissioner Alexander, City Manager Bradshaw and Deputy City Manager Mimms to discuss an overgrown lot that was the recent site of a shooting incident. Public Works will assist with clearing the lot.
  10. Code Manager, Code Officers Avery & Coss met with the new manager of Madison Cay to discuss their overgrowth problems. The new manager is in the process of getting bids to do the work.

**Engineering Department**

- **Development Reviews** – Intake of eight (8) Building Permit, Site Plan, or Certificate of Occupancy reviews.
- **Stormwater Division** – Inputting location and elevation information of existing drainage structures into GIS mapping system.
- **Traffic Control** – City continues maintenance of all signals. Staff is continuing a refurbishment program on City maintained signals to rewiring the existing signal mast arms. Staff is working with FDOT on the development of the new Phase 2 Signal Maintenance JPA requirements for FY 2015/16 which will look at increased performance requirements and adjusted reimbursement increase.
- **City Marina Reconstruction – Phase II – Docks** – Bellingham Marine continues the submittal process for approval of construction elements also continues float construction. Bellingham Marine staff has completed assembly and installation for L, M and N Docks. Bellingham staff has started on the utility installations for the completed docks. The Pile driving crew is working on the first of 2 observation decks on the south side of the marina and the main walkways to B and C Docks. The fourth barge load of floats is due to arrive November 13th.
- **S. 21st Street / Havana Ave. Sidewalk Project** – Awaiting issuance of the Notice to Proceed from FDOT and then we will begin the construction bidding process.
- **31st Street Sidewalks from Okeechobee Road to Tennessee Avenue** – Project close-out underway.
- **Indian Hills Recreation Area - Stormwater Improvements** – Repair of 20” water main currently taking place. All vegetative floating maps have been planted and deployed. Pedestrian bridge No. 1 is nearing completion. Work on Alum Treatment plant has begun; piping and concrete slab. Overall project completion is at 75%.
- **Veterans Memorial Park** – Construction completion for Phase I scheduled for November 2014. Phase II has been reviewed and comments provided to the consultant. This phase will go out to bid once we are in receipt of the FDEP 319 Grant which is expected November 2014.
- **Melody Lane Fishing Pier** – Awaiting revised plans from the consultant.
- **H.D. King Power Plant Clean-up** – Remaining work being split between 2015 and 2016 to take full advantage of the Voluntary Cleanup Tax Credit (VCTC). Cardno has presented a proposal for the remaining work that we are currently evaluating. Documents being prepared for RLF loan funding with Treasure Coast Regional Planning Council.
- **Park Trail Subdivision** – Contractor is addressing punch list items.
- **Georgia Avenue Drainage Basin Outfall** – Restoration is underway.

**Police Department**

- **Staffing** – The police department has six (6) vacancies as of this report: five sworn officer positions and one civilian position (the Projector Coordinator that is funded by OJJDP: Restoring the Village Youth Initiative). However, we are hiring two females; their swearing in ceremony is December 4, 2014.
- **Entertainment District** – The police department, code enforcement and the planning department continue to work on developing a long term comprehensive plan for the proposed entertainment district.
- **Restoring the Village Youth Initiative** – The police department and Roundtable of St. Lucie County have completed the job description for the Projector Coordinator. We are waiting to hear back from OJJDP on our budget modification request in order to post the position. We should hear something back by November 17th. Our next step will be hiring the Outreach Workers, which will be a contracted with the St. Lucie County Health Department.
- **EEOC Training** – The police department will be providing EEOC training to our staff in December 2014 over 4 sessions. Each session will be 1.5 hours in length. All staff will attend the first hour on EEOC and then supervisors will remain for the last .5 hour for supervisor specific training.
- **Law Enforcement Informational Forum** – Sheriff Ken Mascara and I attended the Law Enforcement Informational Forum hosted by the Lincoln Park Council Of Ministers, Inc. on October 30, 2014. The event was well attended by community leaders. Unfortunately, the target audience, our youth was not well represented. Therefore, we will be looking at hosting another event in the coming months specifically for our youth.
- **Ebola Virus** – The police department continues to meet with our Public Safety partners on the Treasure Coast to monitor, coordinate, and plan should the virus make its way to the Treasure Coast. I have issued a new update and new protocols to all City of Fort Pierce employees on November 5, 2014.
- **Domestic Violence Training** – The police department will be hosting a domestic training seminar on December 2, 2014. The training is part of the Domestic Violence Fatality Review Initiative. Dr. Neil Websdale, who is the director of National Domestic Violence Fatality Review Initiative in Flagstaff, AZ along with several others, will be presenting the training.

**Public Works Department**

- **Energy Efficiency & Conservation** – The interior lighting retrofit is progressing rapidly with only City Hall remaining to do. Installation of the LED street lights has begun (2489 installed so far) and both chillers at City Hall and the PD have been replaced. The plumbing retrofits have been completed at City Hall and the HVAC controls are currently being replaced.
- **Phase II Window Retrofit Project** – The City Marina building has been added to the project, applications have been submitted to the Building Department and widow replacement will begin soon. The generator installation at the Police Department is completed and the generator for City Hall is installed with start-up scheduled within the next two weeks.
- **HDRC Recreation** – Open gym nights are still being held during the week. Staff is still working on adding to our programming with quality activities for the youth and young adults of our community. There are some amazing talents playing basketball in the gym and in an effort to accommodate more competition a second score board and shot clocks have been ordered.

**Urban Redevelopment Department**

- **Grants Administrator –**
  1. Completed and published draft of Program Year 2013-2014 Consolidated Annual Performance and Evaluation Report (CAPER)-
  2. Completed and published Guidance and Applications for 2014-2015 Commercial Facade and Public Service Grant Opportunities
  3. Closed out Florida Inland Navigation District grant award for Moore's Creek Dredge project
  4. Completed and submitted HUD SF-425 Report for July 1 through September 30, 2014
  5. Created, printed and installed numerous posters in parking garage retail space windows
  6. Researched, collected info for marketing opportunities for FortPierceTours.com
  7. Collaborated with Ampersand Graphics to design, print and display paper copies of 6 -draft-Highwaymen Trail signs
  8. Enjoyed 2 vacation days.
  9. Meetings:
    - a) Fort Pierce Authentic Tours monthly meeting
    - b) Amplifund - webinar and sales conference call
    - c) Brian Stone - Commercial Facade grant opportunity
    - d) Marty Sanders, Joe Piper - Dan McCarty Track Resurfacing Project
    - e) Charlotte Bireley - SLC TDC
    - f) Commercial Facade Grant Applicants - 3 meetings
    - g) Public Service Agency Grant Applicants - 2 meetings
  
- **Program Analyst –**
  1. FEMA
    - a) Marina Project
      - Monitoring funding requests
      - Communicating with State to reconcile payment requests
      - Preparing requests for reimbursements
    - b) Windows Expansion Project
      - Preparing pay applications and requests for reimbursements
      - Waiting for response from DEM for request to DEM to add repair of pillars at St. Anastasia to the expansion project
      - Reconciling payments and purchase order
  2. SHIP
    - a) Meeting with applicants to receive documentation for their files
    - b) Performing verifications on applicants information
    - c) Townsend home on Soltman is ready for final walk thru
    - d) Reviewing and organizing files.

**Marina**

- Oversee daily operations for City Marina and Fisherman's Wharf Marina.
- Working with seasonal dockage and events (see weekly email "Marina Happenings" newsletter for updates).
- Consulting on Marina Project.
- Bellingham Marine on site. Assembling new floating docks.
- Web Cam installation on Jetty estimated completion date of November 2014.
- Marina staff working on loading docks and store inventory into new marina program.

**Golf Course**

- Met with Assistant Golf Professionals to discuss golf rates for the upcoming season.
- Met with the Superintendent to discuss progress on various golf course projects.
- Met with various vendors to order merchandise.
- Day-to-day activities.

**River Walk Center**

Park Permits	225.00
Programming	337.00
River Walk Center	624.67
Garden Center	525.00
Special Events	200.00
Maravilla Center	100.00
Youth Activity	200.00
<b>Total</b>	<b>\$2,211.67</b>

**Sunrise Theatre**

- Over the past weeks, the following performances and activities were presented in the Sunrise & Black Box Theatre: Fort Pierce Jazz and Blues Society and the Sunrise Theatre co-presented Tuesday Night Jazz Jam evenings on October 14; Comedy Corner Improv on Saturday, October 25; On October 16 auditions were held for local male boys for an opportunity to perform with the National Touring Company production of Camelot, which will be on December 3 on the main stage. Performances on the Sunrise Theatre main stage; The Pharus Group presentation “Breaking The Chains”, an anti – bullying and domestic violence program on October 15.
- Met with representatives from the Flame radio station to discuss having their 21st Anniversary event at the Sunrise Theatre.
- Assistance continues with future rental events and co-presentations with various community groups including, but not limited to: Muse Entertainment’s Christian Comedian Chonda Pierce on November 1; MusicWorks “Dave Mason” on November 20; South Florida Dance Company’s “A Christmas Carol”, St. Lucie Ballet’s “Nutcracker” on December 11 & 12; Richard Nader Entertainment on March 19, various shows with BlueBird Entertainment.
- On a daily basis offers and contracts are still being negotiated with artists and their representatives to add to the 2014/15 Season. The Membership campaign for the coming season continues; Both new and renewed memberships continue to come in regularly.
- Marketing and show sponsorship packages continue to be put together to solicit for the coming season’s shows. Foundation grant opportunities continue to be researched and grant applications continue to be written and submitted.
- Budget projections and adjustments for this and next year’s fiscal year continue to be reviewed and implemented.