

# CITY OF FORT PIERCE

## CITY COMMISSION AGENDA

Regular Meeting - Monday, December 7, 2015 - 6:30 p.m.

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

1. **CALL TO ORDER**
2. **OPENING PRAYER** - Reverend Eldrew Baldwin, First Bethel Baptist Church
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**
5. **APPROVAL OF MINUTES**
  - a. Approval of Minutes from the November 16, 2015 Out of the Sunshine meeting and the November 16, 2015 Regular Meeting.
6. **PROCLAMATIONS**
7. **LETTERS TO COMMISSION**
  - a. Commendation Letter for Kim West and Mechelle Arbuzow, from Mr. Jerry Curci, Fairview Terrace Mobile Home Park
8. **COMMENTS FROM THE PUBLIC ON AGENDA ITEMS NOT REQUIRING PUBLIC HEARINGS**

Any person who wishes to comment on an agenda item which is not under Public Hearings on the Agenda may be heard at this time and must sign up to speak in advance. 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.

9. **CONSENT AGENDA**

- a. Request to reduce code enforcement fines in the amount of \$108,530.00 against 2014 Delaware Avenue (PID 2409-313-0014-000/3) which was previously owned by Pierina Montano, 15751 SW 139th Street, Miami, FL 33196 and currently owned by Simon P. Castor, 207 Dixieland Drive, Ft. Pierce, FL 34982 to \$1,512.01.
- b. Request to reduce code enforcement fines in the amount of \$2030.00 against 3204 Ohio Avenue (PID 2417-505-0021-000/9) owned by Systec LLC, 1175 NW 17th Avenue, Delray Beach, FL 33445 and occupied by Charles Pitt, 5303 Palmetto Avenue, Ft. Pierce, FL 34982 to \$750.00 payable in 60 days.
- c. Approval of contract award to Playcore Wisconsin DBA Game Time, Longwood, Florida, in the amount of \$25,000 to purchase playground equipment for Maravilla Park.
- d. Approve Site Plan extension for Sunrise Heights Senior Housing Center located at 707 North 7th Street until December 16, 2017.
- e. Approval of Professional Services Agreement with Colin Baenziger & Associates for the purpose of selecting and hiring a professional in-house City Attorney for the City of Fort Pierce for an amount not to exceed \$24,750.
- f. Approval to award RFP No. 2015-051 for Realtor Services to the highest ranked respondent.

10. **PUBLIC HEARINGS**

- a. Approve with conditions a Conditional Use application to allow Harbor Community Bank to operate administrative offices within an I1, Light Industrial Zone, at 600 Edwards Road, Fort Pierce, FL.
- b. Approval with conditions an application for Conditional Use, submitted by Property Owners; Orange Blossom Investment, LLC, and applicant; St. James Christian Academy to expand the operation of a private school located at 4300 Okeechobee Road, Fort Pierce, FL. The property is zoned C-3, General Commercial (Parcel ID 2418-431-0001-000-0).

- c. Ordinance No. 15-049 - Comprehensive Plan Text Amendment to eliminate the 40% total floor area minimum requirement for residential uses, reduce the required number of uses from three (3) to two (2) and modify the open and green space requirements. (Staff recommends postponement of this Second Reading to the January 4, 2016 meeting)
- d. Ordinance No. 15-056 amending section 5-267 "Permit Fee Schedule". SECOND READING (Staff recommends postponement of this Second Reading to the January 4, 2016 meeting.)
- e. Ordinance No. 15- 057 voluntarily annexing property located on Oleander Avenue just north of Kanner Drive (parcel number 2427-601-0010-000-5). FIRST READING

11. **MISCELLANEOUS REPORTS & REQUESTS**

- a. Greenway & Trails Update by St. Lucie County Environmental Resource Team
- b. Monthly Financial Report for the Month Ending October 31, 2015

12. **CITY COMMISSION**

- a. Resolution 15-R34 Appointing Gwendolyn Taylor to the Communitywide Council.
- b. Resolution 15-R35 Appointing Frank Creyaufmiller to the Planning Board as an alternate.
- c. Resolution 15-R36 re-appointing JoAnn Parrish to the Housing Authority Board.
- d. Discussion and consideration of the appointment of Nicholas Mimms as City Manager.
- e. Discussion on city policy regarding the advertising of job descriptions at the request of Commissioner Becht.

13. **COMMENTS FROM THE PUBLIC**

Any person who wishes to comment on any subject may be heard at this time and must sign up to speak in advance. 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

14. **COMMENTS FROM THE CITY MANAGER**

- a. Interim City Manager's Departmental Activity Report

15. **COMMENTS FROM THE COMMISSION**

16. **ADJOURNMENT**

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises you that if you or another person decide to appeal any decision made by the City Commission with respect to any matter considered at its meeting or hearing, that you or said person will need a record of the proceedings, and that for such purpose, affected persons may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (772) 467-3052 at least 48 hours prior to the meeting.

**City Commission Regular Meeting**

**Agenda Item # 5. a.**

**Meeting Date:** 12/07/2015

**Re:**

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**SUBJECT:**

Approval of Minutes from the November 16, 2015 Out of the Sunshine meeting and the November 16, 2015 Regular Meeting.

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**Attachments**

11.16.2015 Shade Minutes

11.16.2015 Minutes

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**Form Review**

Form Started By: Linda Cox

Started On: 11/17/2015 10:34 AM

Final Approval Date: 11/17/2015

MINUTES OF A SPECIAL MEETING OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE THIRD FLOOR CONFERENCE ROOM, CITY HALL, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 3:30 P.M. ON MONDAY, **NOVEMBER 16, 2015.**

**1. CALL TO ORDER**

Mayor Hudson called the meeting to order at 3:35 p.m.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

Present: Mayor Linda Hudson; Commissioner Rufus Alexander; Commissioner Edward Becht; Commissioner Thomas Perona; Commissioner Reginald Sessions (arrived at 4:00)

Staff Present: City Clerk Linda Cox  
City Attorney Robert Schwerer

Attendees: William Cornell, Esq. Co-Counsel via phone

- 4.** Special Closed Meeting (Attorney-Client Session) pursuant to F.S. 286.011(8) at the request of the City Attorney to discuss settlement negotiations or strategy session related to litigation expenditures in connection with K & K, Inc. vs. City of Fort Pierce, Case Number 56-2013-CA-002183(BC).

- 5.** Announcement of estimated length of attorney-client session.

Closed session is anticipated to take approximately 1/2 hour to 45 minutes and will be recorded by a certified court reporter.

- 6.** City Clerk to announce the names of those in attendance. The session shall be recorded by a certified court reporter. (Note: The court reporter will prepare the transcript of the meeting and file it with the City Clerk within a reasonable time; it shall remain sealed until the conclusion of the litigation, at which time the transcript will be made part of the public record.)

Upon confirming those in attendance, City Clerk Linda Cox left the meeting.

- 7.** Meeting reopens at conclusion of attorney-client session.

City Clerk returned to the meeting and Mayor Hudson announced the session was reopened at 4:20 p.m.

**8. ADJOURNMENT**

Meeting was adjourned at 4:20 p.m.

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER

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 16, 2015.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:30 p.m.
2. **OPENING PRAYER** - Reverend John Quarterman of Triumph the Kingdom of God in Christ offered the opening prayer.
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**

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

Staff Present: City Clerk Linda Cox  
City Attorney Robert Schwerer

5. **APPROVAL OF MINUTES**

- a. Approval of Minutes from the November 2, 2015 regular meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve the Minutes from the November 2, 2015 regular meeting.

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

Passed

6. **PROCLAMATIONS**

- a. Mayor Hudson issued a proclamation recognizing the retirement of Liz Roundtree as Fort Pierce Police Department Records Supervisor.

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

- a. Letter from the Government Finance Officers Association awarding the Certificate of Achievement for Excellence in Financial Reporting to the City of Fort Pierce for its Comprehensive Annual Financial Report (CAFR).

8. **COMMENTS FROM THE PUBLIC ON AGENDA ITEMS NOT REQUIRING PUBLIC HEARINGS**

William McNeely - Item 12h  
Reverend John Lee - Item 12h  
Charlie Frank Matthews - Item 12h

9. **CONSENT AGENDA**

- a. Waive interest, penalties, and administrative fees in the amount of \$545.36 for lot clearing lien against 1105 Avenue D, Ft. Pierce, FL previously owned by Randall Reynolds, 2301 Juanita Avenue, Ft. Pierce, FL 34946 and currently owned by Square Foot Holdings Inc., 3880 N A1A, Apt. 605, Ft. Pierce, FL 34949 contingent upon payment of \$332.85.
- b. Waive interest, penalties, and administrative fees in the amount of \$458.12 for lot clearing lien against 508 Douglas Court, Ft. Pierce, FL previously owned by Mayfive Capital LLC, 8902 N Dale Mabry Hwy #200, Tampa, FL 33614 and currently owned by Durant Properties, LLC, P. O. Box 115, Durant, FL 33530. contingent upon payment of \$194.41 within 60 days.
- c. Approval of travel expenses in the amount of \$642.82 for Commissioner Alexander to attend the FLC Legislative Conference being held November 18 - 20, 2015 in Kissimmee, Florida.
- d. Approval of travel expenses in the amount of \$504.52 for Commissioner Sessions to attend the FLC Legislative Conference being held November 18 - 20, 2015 in Kissimmee, Florida.
- e. Approval of Interlocal Agreement (Development of the Port of Fort Pierce) and Fisherman's Wharf Land Acquisition (Phase 1) Project Agreement with St. Lucie County.
- f. Acknowledge staff's approval of a Minor Amendment to Site Plan, to adjust the on-site loading zone, for the Approved Family Dollar Development at 1210 S 25th Street.
- g. Approval to terminate Lease Agreement with the Fort Pierce Housing Authority for the Williams Center, 3014 Avenue J, Fort Pierce, Florida that was utilized as a sub-station by the Fort Pierce Police Department.
- h. Approval to execute a Memorandum of Understanding with the St. Lucie County Sheriff's Office and the Port St. Lucie Police Department as requested by the Fort Pierce Police Department to enter into a mutual aid agreement.

Commissioner Sessions pulled item **9e**.

Commissioner Perona pulled item **9g**.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve the items **9a, 9b, 9c, 9d, 9f, 9h**.

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

Passed

As to item **9e**, Commissioner Sessions wanted to clarify the language in the interlocal agreement that references the City's ability to contribute to the cost of appraisals and land acquisition. Robert Schwerer, City Attorney, confirmed that the agreement allows the City to purchase land and pay appraisal costs.

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

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

Passed

As to item **9g**, Commissioner Perona wanted to more insight into the plan to use the Willie B. Ellis station on Avenue D.

Chief Hopley-Burney stated that she decided to restructure the department as a whole in order to have accountability and efficiency. The Avenue D station has been re-opened and Deputy Chief Norris and Crime Prevention will be housed there. We will continue to work with the Boys and Girls Club. We want the public to know that we are there for them.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve item **9g**.

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

Passed

## **10. PUBLIC HEARINGS**

- a. Public Hearing and approval of the Consolidated Annual Performance Evaluation Report (CAPER) for Program Year 2014-2015.

Libby Woodruff, Grants Administrator, appeared and was available for questions.

Mayor Hudson opened the public hearing.

Seeing no one, Mayor Hudson closed the public hearing.

- b. Review and approval of an application for a Conditional Use, submitted by Property Owners, Greatfield Development (USA) LLC, Applicant, Sailfish Brewery, and Representative, Mills, Short & Associates to operate a Microbrewery and Taproom at 130 North 2nd Street, Fort Pierce, FL. The property is zoned Central Commercial (C-4), (Parcel ID 2410-503-0055-000-9).

Kori Benton, Senior Planner, gave a brief presentation and was available for questions.

Mayor Hudson opened the public hearing.

Paul Schall, citizen, supports the business coming into downtown.

Wesley Mills, applicant representative, addressed the parking and delivery concerns.

Nick Bishoff, Owner, stated he has no plans to abandon the brewery at its current location.

Seeing no one else, Mayor Hudson closed the public hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve the conditional use application with the following staff conditions:

- 1) The applicant establishes a shared dumpster agreement, or authorized refuse collection location, prior to Certificate of Occupancy;
- 2) The applicant integrates compatible fenestration on the northern facade that reveals interior activity and encourages interest in the products or services provided, consistent with City Code Section 22-59(g)(3) & (4) prior to occupancy of the taproom.

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

Passed

- c. Ordinance 15-054 Amending Chapter 22, Article 3, Basic Zoning Districts Providing for Multi-Family Building Use as Permitted Use in R-5 Zoning District. SECOND READING

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

Kori Benton, Senior Planner, appeared and was available for questions.

Mayor Hudson opened the public hearing.

Seeing no one, Mayor Hudson closed the public hearing.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve item **10c**.

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

Passed

- d. Ordinance No. 15-056 amending section 5-267 "Permit Fee Schedule". FIRST READING

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

Marc Meyers, Building Official, appeared, gave a brief presentation, and was available for questions. The need to increase fees is in order to keep up with the cost of doing business. After looking at Indian River and St. Lucie Counties, the new fee schedule would be comparable. Through consultation with staff at the Chamber of Commerce, Treasure Coast Builders' Association, and the Treasure Coast Realtors' Association, it is believed that the members would be comfortable with the increase.

Commission discussion included ensuring that we provide good service for what our consumers are receiving, posting notification of increase in the office and on website, as well as having a comparison chart provided for review at the next meeting.

Mayor Hudson opened the public hearing.

Seeing no one, Mayor Hudson closed the public hearing.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Reginald Sessions to approve item **10d**.

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

Passed

## 11. MISCELLANEOUS REPORTS & REQUESTS

- a. Presentation of the Go2040 Cost Feasible Plan (CFP) Alternatives by Peter Buchwald, Executive Director, St. Lucie Transportation Planning Organization.

Peter Buchwald appeared, gave a brief presentation, and was available for questions. The development of the Go2040 Long Range Transportation Plan (LRTP) includes the development of a Cost Feasible Plan (CFP) based on the Needs Plan that was adopted by the St. Lucie TPO Board at its August 5th meeting. Consistent with input from the public and other stakeholders including the City Managers and County Administrator for the TPO area, the CFP that is being developed is a multi-modal plan which includes the consideration of walking-biking projects, enhanced bus service, and the operations and maintenance of the existing roadway network in addition to the traditional roadway capacity projects.

The Commission consensus was to continue the discussion and review alternative revenues to fund clearly defined road improvements and maintenance, as well as draft a letter of support to go on record.

## 12. CITY COMMISSION

- a. Resolution 15-R31 Appointing an alternate member to the Code Enforcement Board.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve item **12a**.

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

Passed

- b. Resolution 15-R32 Appointing Members to the Historic Preservation Board.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve item **12b**.

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

Passed

- c. Submittal of applications for appointment to the Planning Board (alternate member) for consideration. -

This item will come back at the next meeting in the form of a Resolution.

- d. Submittal of applications for appointment to the Communitywide Council. -

This item will come back at the next meeting in the form of a Resolution.

- e. Consideration and approval of consultant to conduct executive search for a City Attorney for the City of Fort Pierce.

Nick Mimms, Deputy City Manager, gave a brief presentation and was available for questions.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to select Colin Baenzinger to conduct executive search for City Attorney.

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

Passed

- f. Discussion on city policy regarding the advertising of job descriptions at the request of Commissioner Becht.

Commissioner Becht requested to defer the discussion. Commissioner Alexander stated that he does not feel like we should have the applications and contact information available.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to postpone the discussion to the December 7, 2015 meeting.

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

Passed

- g. Acceptance of the City Manager's resignation at the request of the City Commission, or if necessary, discussion on the City Manager's contract and continued employment at the request of Commissioner Becht.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to accept the City Manager's resignation.

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

NAY: Commissioner Rufus Alexander

Passed

- h. Resolution 15-R33 appointing an Interim City Manager.

Mayor Hudson stated that she believes that selecting Nick Mimms as Interim City Manager, as well as making the permanent appointment to City Manager, offers stability and leadership to our citizens and staff.

Commissioner Perona stated that he would like have more information and consider a national search.

Commissioner Becht stated that he believes that Mr. Mimms is ready to take the helm and will not support an outside search.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Thomas Perona to appoint Mr. Nick Mimms as Interim City Manager.

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

Passed

**13. COMMENTS FROM THE PUBLIC -**

Paul Schall  
Clay Lindstrom

**14. COMMENTS FROM THE CITY MANAGER**

a. City Manager's Departmental Activity Report

Nick Mimms, Interim City Manager, thanked the Commission for their support and kind words. The Chamber of Commerce will host the City of Fort Pierce Update discussing the present and future of the City on Wednesday, December 2, 2015. The Annual Sights and Sounds Parade celebrating the holiday season will be held on Sunday, December 6, 2015. The Indian Hills Recreation Area Phase 2 is taking shape. The Melody Lane Fishing Pier is scheduled to be completed in late December.

Robert Schwerer, City Attorney, announced that on November 12, the Court of Appeals has reversed the class action suit involving storm water activity. This is a clear victory for the City of Fort Pierce, saving the city multi-millions of dollars, and dismissing the class action lawsuit.

**15. COMMENTS FROM THE COMMISSION**

Commissioner Becht welcomed Nick Mimms and stated that he plans to sit down frequently to discuss progress and have a midterm exam. He wished a Happy Thanksgiving and encouraged citizens to shop local for the holiday season.

Commissioner Perona stated that he did a survey at his Surfside Association community picnic and no one was interested in vacation rentals under 6 months.

Commissioner Sessions stated that there has been no progress at the Lincoln Park Theatre in the past three to four weeks, he would like someone to look into the project.

Mayor Linda Hudson wished everyone a Happy Thanksgiving. The Sights and Sounds parade is a great way to start the holiday season. Thank you to the Lions Club and Public Works department for their work in restoring the sacred Indian mound at the Old Fort Park.

**16. ADJOURNMENT**

There being no further business, Mayor Hudson declared the meeting adjourned at 9:32 p.m.

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER

**City Commission Regular Meeting**

**Agenda Item # 7. a.**

**Meeting Date:** 12/07/2015

**Re:** Commendation Letter for Kim West and Mechelle Arbuzow

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

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**SUBJECT:**

Commendation Letter for Kim West and Mechelle Arbuzow, from Mr. Jerry Curci, Fairview Terrace Mobile Home Park

**SUMMARY:**

The vast majority of correspondence, whether written or verbal, that the Building Department receives is of a negative nature. Because of the types of issues that Building Department personnel deal with, people are usually complaining, so it is quite refreshing to receive letters and emails like the one attached. This memo and the attached letter of commendation will be inserted into Kim's and Mechelle's Building Department personnel files and I encourage the Human Resources Department to do likewise.

**RECOMMENDATION:**

Please provide Kim West/Kahey and Mechelle Arbuzow with the recognition they deserve, by having notification of this letter of commendation read at the next available commission meeting.

**ALTERNATIVES:**

N/A

**RESPONSIBLE STAFF:**

Marc Meyers, Building Official

**COORDINATED WITH:**

N/A

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**Fiscal Impact**

**Budgeted Y/N:** Y  
**Fiscal Year:** 2016  
**Account:** 0  
**Amount:** 0

**OTHER INFORMATION:**

N/A

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**Attachments**

Letter

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## Form Review

**Inbox**

City Manager

Form Started By: Mechelle Arbuzow

Final Approval Date: 12/02/2015

**Reviewed By**

Nick Mimms

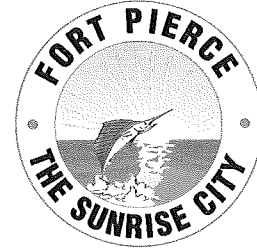
**Date**

12/02/2015 04:41 PM

Started On: 11/24/2015 12:06 PM

***From the Desk of***

**Marc Meyers, CBO, CFM**  
**Building Official**  
**City of Fort Pierce**  
**100 North U.S. 1**  
**Post Office Box 1480**  
**Fort Pierce, Florida 34954**  
**T: 772-467-3187 F: 772-467-3849**  
[mmeyers@city-ftpierce.com](mailto:mmeyers@city-ftpierce.com)



DATE: November 23, 2015

TO: Nick Mimms, Interim City Manager

RE: Commendation Letter for Kim West and Mechelle Arbuzow, from Mr. Jerry Curci, Fairview Terrace Mobile Home Park

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The vast majority of correspondence, whether written or verbal, that the Building Department receives is of a negative nature. Because of the types of issues that Building Department personnel deal with, people are usually complaining, so it is quite refreshing to receive letters and e-mails like the one attached.

Please provide Kim West/Kahey and Mechelle Arbuzow with the recognition they deserve, by having notification of this letter of commendation read at the next available Commission Meeting.

This memo and the attached letter of commendation will be inserted into Kim's and Mechelle's Building Department personnel files and I encourage the Human Resources Department to do likewise.

Thank You,

Marc Meyers, CBO, CFM  
Building Official

Attachment

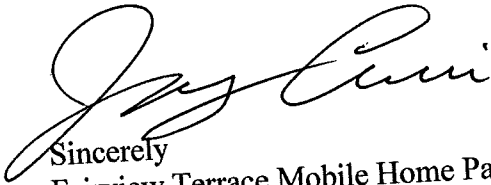
cc: Tony Barnes, Human Resources Director  
Kim West/Kahey, Permit Specialist  
Mechelle Arbuzow, Program Specialist  
Building Department Information Board

November 10, 2015  
STORE #5616  
2210 Orange Av Ft. Pierce, Fl..

Please note that FAIRVIEW TERRACE MOBILE HOME PARK, INC. As owner of said property in Fort Pierce, Florida was notified via title search of "open permits" regarding final financing on said property in October 2015

The City of Fort Pierce workers who we were involved with regarding this matter were excellent in knowledge and customer care.

Kim West and Michele Arbuzow are to be commended for such excellent customer service. In a time of our nation, when City and Federal workers take undo criticism, it was a pleasure to have had such great help in an unknown area of business for our corporation regarding "open permit" issues that were brought to our attention.



Sincerely  
Fairview Terrace Mobile Home Park, Inc.  
President  
Jerry Curci

RECEIVED

NOV 10 2015

Building Department

**City Commission Regular Meeting**

**Agenda Item # 9. a.**

**Meeting Date:** 12/07/2015

**Re:** Lien Reduction - Case 10-1266 - 2014 Delaware Avenue

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

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**SUBJECT:**

Request to reduce code enforcement fines in the amount of \$108,530.00 against 2014 Delaware Avenue (PID 2409-313-0014-000/3) which was previously owned by Pierina Montano, 15751 SW 139th Street, Miami, FL 33196 and currently owned by Simon P. Castor, 207 Dixieland Drive, Ft. Pierce, FL 34982 to \$1,512.01.

**SUMMARY:**

**BACKGROUND:** Simon Castor purchased this property through a tax deed sale. Excess funds from the tax sale were received by the City on September 22, 2015 in the amount of \$512.01. After Mr. Castor learned of the fines and lien he took steps to correct the violations. His plans is to make additional improvements and rent the property.

**RECOMMENDATION:**

The Special Magistrate heard Mr. Castor's request on November 4, 2015 and recommends to the City Commission to reduce the lien to \$1,512.01. Staff has received a check for \$512.01 leaving a balance due of \$1,000.00 payable in 60 days.

Recommendation is based on:

1. When Mr. Castor purchased the property and learned of the code enforcement lien he contacted the office and made arrangements to meet with officer to find out what what to be done to comply.
2. He corrected the violations on the property.
3. The amount recommended will cover the administrative costs of the City for processing the case file.

**ALTERNATIVES:**

1. Deny the request.
2. Make alternative recommendations.

**RESPONSIBLE STAFF:**

Colleen Greer, Executive Secretary.

**COORDINATED WITH:**

Margaret Arraiz, Code Compliance Manager.

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**Fiscal Impact**

**Budgeted Y/N:** 2016

**Fiscal Year:**

**Account:**

**Amount:** 1,512.01

**OTHER INFORMATION:**

\$1,512.01 to the general fund.

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**Attachments**

Request for Reduction

Tax Card

Breakdown

Minutes

Administrative Costs

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**Form Review**

**Inbox**

City Manager

Form Started By: Collen Greer

Final Approval Date: 12/02/2015

**Reviewed By**

Nick Mimms

**Date**

12/02/2015 04:41 PM

Started On: 11/02/2015 10:54 AM



DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

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

Form with fields for Date, Property address, Owner(s) of record, Mailing address, Property tax ID #, Original purchase date, Original purchase price, Other Information, Property is used for, Name of person requesting reduction, Relationship to owner(s), Telephone #, Mobile phone #, E-mail, Preferred contact method, What are owner(s) intentions for property, Amount of Fine, Date Fine Initiated, Are there current code violations?, Is a lien filed against the property?, Is property listed for sale?, Is property under contract for sale?

AMOUNT OF FINE / LIEN

\$ 108,530.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 108,530.00

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.

(Signature of Owner or Representative)

Simon Paul Castor (Printed Name)

100 N. US Hwy 1 P.O. Box 1480 Fort Pierce, FL 34954-1480 772-467-3000

www.cityoffortpierce.com



# CITY OF FORT PIERCE

## DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

### REQUEST FOR REDUCTION OF PENALTY

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

#### INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: 2014 Delaware Ave Fort Pierce FL

Property Owner: Simon Paul Castor

Mailing Address: 207 Dixieland Dr Fort Pierce 34982

Telephone #: 772 5285202 Cell Phone #: \_\_\_\_\_

E-Mail Address: Castors.ac@yahoo.com

Is the property in compliance? yes If no, please explain \_\_\_\_\_

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



# CITY OF FORT PIERCE

## DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, Simon Paul Castor, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

I did buy the property in tax deed I didn't know about the liens. When I received the letter I did comply to the code.

Date: 10/27/15

Signed: [Signature]  
Print Name: Simon Castor

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Simon Paul Castor who acknowledged before me that the information contained herein is true and correct. He She is not personally known to me and has produced FI DR Lic C236-795-68-213-0 as identification.

SWORN TO AND SUBSCRIBED before me this 27th day of October, 2015.



COLLEEN GREER  
MY COMMISSION # EE 216024  
EXPIRES: November 13, 2016  
Bonded Thru Budget Notary Services

Colleen Greer  
Notary Public, State of Florida

**Property Identification**

Site Address: 2014  
 DELAWARE AVE  
 Map ID: 24/09S

Parcel ID: 2409-313-0014-  
 000-3  
 Zoning: R4

Account #: 20944  
 Use Type: 0100

Sec/Town/Range:  
 09/35S/40E  
 Jurisdiction: Fort Pierce

**Ownership**

Simon P Castor  
 207 Dixieland DR  
 Fort Pierce, FL 34982-6705

**Legal Description**

9 35 40 W 1/2 OF W 1 AC OF S 1/2OF SW 1/4 OF NE 1/4 OF SW 1/4-LESS S 30 FT- AND FROM MONU 30FT N AND 25 FT E OF SW COR OF SE 1/4 OF SE 1/4 OF NW 1/4 OF SW 1/4 RUN E 307.28 FT TO POB, TH CONT E 16 FT M/L TO SLY EXT OF ELI MIDTOWN S/D, TH N ALG SD SLY EXT 93.4 FT TO S LI MIDTOWN S/D, TH WLY ALG SD S LI 13.5 FT M/L, TH S 93.4 M/L FT TO POB (OR 3774-1501)

**Current Values**

Just/Market: \$31,400 Assessed: \$31,400  
 Exemptions: \$0 Taxable: \$31,400

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2015	\$31,400	\$31,400	\$0	\$31,400
2014	\$31,000	\$31,000	\$0	\$31,000
2013	\$30,800	\$30,800	\$0	\$30,800

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
08-03-2015	3774 / 1501	0111	TD	Montano Pierina	\$7,100
01-06-2006	2471 / 1332	00	WD	Marante,Felix	\$177,000
03-08-2004	1917 / 0708	00	WD	Gallant,Edith H	\$44,900

**Primary Building Information**

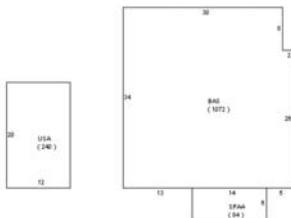
Finished Area of this building: 1,072 SF  
 Gross Area of this building: 1,396 SF

**Exterior Data**

View: Roof Cover: Sheet Metal Roof Structure: Gable Building Type: HD  
 Year Built: 1941 Frame: Grade: D Effective Year: 1977  
 Primary Wall: CB Stucco Story Height: 1 Story No. Units: 1 Secondary Wall:

**Interior Data**

Bedrooms: 2 A/C %: 100% Electric: MAXIMUM Primary Int Wall:  
 Full Baths: 1 Heated %: 100% Heat Type: FredHotAir Avg Hgt/Floor: 0  
 Half Baths: 0 Sprinkled %: 0% Heat Fuel: ELEC Primary Floors: Double Pine



**Total Areas**

Finished/Under Air (SF):	1,072
Gross Area (SF):	1,396
Land Size (acres):	0.52
Land Size (SF):	22,545
Total Building Count:	1

**Special Features and Yard Items**

Type	Qty	Units	Year Blt
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This information is believed to be correct at this time but it is subject to change and is not warranted.  
 © Copyright 2015 Saint Lucie County Property Appraiser. All rights reserved.

# MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Secretary to Code Enforcement

**SUBJECT: CODE ENFORCEMENT LIEN REDUCTION**  
2014 Delaware Avenue, Ft. Pierce, FL

DATE: November 16, 2015

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The following is a breakdown of the above property:

	Costs (General Fund)	Interest & Penalties	Administrative Fees
CASE # 10-1266	\$108,500.00	\$0.00	\$30.00
<b>TOTAL</b>	\$108,500.00	\$0.00	\$30.00

CAN BE WAIVED (ALL COSTS)

\$108,530.00

Motion was made by Frank M. Blandino found that the violations did exist but has been cured as of the date of this hearing. The violators shall be warned that if these violations reoccur, pursuant to FL Statute 162.09, the Code Officer may notify the Special Magistrate and request that a fine be entered.

**5. PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

1.

14-1697	2014 Delaware Avenue	Montano, Pierina	Peggy Arraiz
Case Initiated:	August 15, 2014	Type of Presentation:	Massey Hearing Reduction of Fines
PREVIOUS OWNER: Pierina Montano 15751 SW 139th Street Miami, FL 33196		OCCUPIED BY: Simon P. Castor 207 Dixieland Drive Ft. Pierce, FL 34982	

Section(s): 16-46, 16-47, 16-48 (1) (5) Outside Storage

Margaret Arraiz read the facts of the case and went over the 3 criteria of Rule 16 used in making a decision on whether or not to reduce the fines. She explained that there are no liens recorded on this case; however, there is a lien recorded against the property and it is being presented in the next case. Staff is agreeable to waiving the \$33,630.00 fines.

Motion was made by Frank M. Blandino after reviewing the 3 criteria required by Rule 16 and after considering the facts that the fines of \$33,630.00 be waived leaving a balance due of \$.00.

**6. PUBLIC HEARINGS - LIEN REDUCTION REQUESTS**

1.

10-1266	2014 Delaware Avenue	Montano, Pierina	Peggy Arraiz
Case Initiated:	September 22, 2010	Type of Presentation:	Lien Reduction Request
PREVIOUS OWNER: Pierina Montano 15751 SW 139th Street Miami, FL 33196		CURRENT OWNER: Simon P. Castor 207 Dixieland Drive Ft. Pierce, FL 34982	

Section(s): 5-369 Vacant Buildings

Margaret Arraiz read the facts of the case and went over the 7 criteria of Rule 17 used in making a decision on whether or not to reduce the fines. She stated that Staff had received notice of a tax deed sale where there was excess funds in the amount of \$512.01. The new owner, after he found out about the fines and lien, contacted the office to find out what had to be done to correct the violations. He did this right away and then submitted the request for lien reduction. Staff is asking for an additional \$1,000.00 to cover administrative costs.

Mr. Simon Castor was sworn in for testimony. He stated regarding the lien that he did not know anything about it until after he purchased the property. After he received the letter stating this fact he contacted

the department and corrected the violations as requested. He wanted to make the property ready to rent.

Motion was made by Frank M. Blandino after reviewing the 7 criteria required by Rule 17 and to recommend to the City Commission to reduce the lien to \$1,512.01 payable in 60 days. The City has already received \$512.01 as excess funds of a tax deed sale which leaves a balance of \$1,000.00 payable in 60 days if approved. If the Commission approves the reduction and if it is not satisfied within the 60 days the lien would revert back to its original amount of \$108,530.00.

2.

14-1236	3204 Ohio Avenue	Pitt, Charles	Peggy Arraiz
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Case Initiated:	June 13, 2014	Type of Presentation:	Lien Reduction Request
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<b>OWNER:</b> Systec LLC 1175 NW 17th Avenue Delray Beach, FL 33445	<b>OCCUPIED BY:</b> Charles Pitt 5303 Palmetto Avenue Ft. Pierce, FL 34982
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Section(s): 5-368 (6) Fence Maintenance.  
Section(s): 16-46, 16-47, 16-48 (1) (5) Outside Storage.  
Section(s): 22-187 (13) Landscape Maintenance.

Margaret Arraiz read the facts of the case and went over the 7 Criteria of Rule 17 used in making a recommendation for reduction or rescindment of the lien. She stated that when the case was initiated in 2014 by Officer Coss the Special Magistrate found the owner's Systec LLC was responsible for the violations and gave them 30 days to comply or they would be fined. Mr. Charles Pitt, the tenant-operator was present at this hearing and testified to the violations. Before the 30 days expired Mr. Pitt approached Mr. Coss for additional time and he was granted another 90 days to comply.

During this time the area was transferred to Officer Avery. When he inspected the property on February 10, 2015 the violations were not in compliance so he started the fines. A letter was mailed to Systec LLC advising them that the fines were accruing. On February 18 an inspection was made; the violations were now in compliance so the fines stopped. Another letter was mailed to Systec LLC advising them the fines had accrued to a total of \$2,030.00 and gave them 20 days to appeal before a lien was issued.

Staff did not receive any further communication from Systec LLC nor Mr. Pitt so a lien was recorded on October 15. A letter with a copy of the lien was mailed to Systec LLC. It was after this that Mr. Pitt came into the office wanting to know why a lien was placed on the property. He was under the impression that he was in compliance and did not know anything about the fines until he was notified about this letter. Staff gave him a copy of the file and afterwards he acknowledged that proper notice was sent. He then asked that the fines be waived. Staff explained that he would have to present his case to you and the City Commission for any reduction or to have the fines waived.

A day or so later we received a letter from the attorneys representing Systec LLC appealing the lien, but once they received a copy of the file, they filled out a reduction request form also.

Staff is recommending to the Special Magistrate to reduce the fines to administrative costs of \$1,200.00.

Charles Pitt came forward and was sworn in for testimony. He stated that he thought he was in compliance before the 90 days extension was up and did not know anything about the fines until after he was notified about the lien. He stated that he understands that the proper notice was sent but that they were still asking that the fines be waived. Ms. Arraiz entered the request from Systec LLC into the records for review.

Mr. Pitt asked, "if there is a lien being recorded doesn't the city have to serve them or does a regularly mailed letter suffice?" Assistant City Attorney McCain stated that the Massey letters sent out giving notice of the lien and that they have 20 days to appeal is appropriate.

# Administrative Cost Estimator

11/24/2015

Property Address: 2014 Delaware Ave (10-1266)  
 Date case originated: 9/23/2010  
 Date case complied: 2/12/2014  
 Total time: 40 months

## Number of Hearings

Violation Hearings: 1  
 Massey Hearings: 0  
 Lien Reduction Hearings: 1

## Mailing Expense

Misc. Notes

Regular 1st Class: \$0.44 12 \$5.28  
 Certified Mail: \$5.10 6 \$30.60

Photographs (per page) \$0.50 3 \$1.50

Filing Fees \$10.00 2 \$20.00

Months Open \$50.00 11 \$550.00

Covers code officer's monthly inspections and follow-up, file maintenance, correspondence/communications with property owner / tenant / management and other departments.

Due to new owner, waiving 29 months

## Code Enforcement Secretary

Up to three Hearings \$150.00 1 \$150.00  
 Each additional Hearing \$75.00 0 \$0.00

Covers hearing prep: NOV, postings, notorizations, order preparation, minutes, summary sheets, correspondence, filings with Clerk of Court.

Code Compliance Manager \$75.00 1 \$75.00

Covers review of initial notice, review of case file for recommendation and review with attorney

City Attorney (per hour) \$125.00 1 \$125.00

Covers the cost of case preparation (written & oral communication) for appeals, disputed cases or those with legal representation requiring review above & beyond the norm.

Hearings \$150.00 2 \$300.00

Cover SM/CEB review and hearing time, recording secretary, code staff & management hearing time, attorney hearing time, MIS or SLC set up.

Commision Meeting \$275.00 1 \$275.00

Covers cost to advertise, copies, review time for commissioners/attorney/city manager time at hearing, post hearing correspondence and processing / filing fees.

Total Estimated Cost: \$1,532.38

**City Commission Regular Meeting**

**Agenda Item # 9. b.**

**Meeting Date:** 12/07/2015

**Re:** Lien Reduction - Case 14-1236 - 3204 Ohio Avenue

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

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**SUBJECT:**

Request to reduce code enforcement fines in the amount of \$2030.00 against 3204 Ohio Avenue (PID 2417-505-0021-000/9) owned by Systec LLC, 1175 NW 17th Avenue, Delray Beach, FL 33445 and occupied by Charles Pitt, 5303 Palmetto Avenue, Ft. Pierce, FL 34982 to \$750.00 payable in 60 days.

**SUMMARY:**

BACKGROUND: Systec LLC is the property owner and Mr. Charles Pitt is the tenant. The fines started on February 10, 2015 and ended on February 18, 2015 (8 days) when the violations were complied. All notices were sent to the property owner, Systec, however they failed to take action to resolve the fines or to notify the tenant. Once Mr. Pitt, the tenant, learned of the lien he requested the lien reduction/rescindment hearing.

**RECOMMENDATION:**

The Special Magistrate heard Mr. Pitt's request on November 4, 2015 and recommends to the City Commission to reduce the lien to \$750.00.

Recommendation is based on:

1. The violations were filed against the property owners.
2. The tenant Mr. Pitt made the corrections to the property; however not before the date set for compliance by the Special Magistrate. The fines accrued for only 8 days, which is a minimal time frame and the penalty should be reduced to reflect that.
3. After no response from the owner regarding the fines, the lien was recorded on 10/15/2015. Mr. Pitt claimed he had never received communication from the owner, Systec LLC, regarding the fines.

**ALTERNATIVES:**

1. Deny the request.
2. Make alternative recommendations

**RESPONSIBLE STAFF:**

Colleen Greer, Executive Secretary.

**COORDINATED WITH:**

Margaret Arraiz, Code Compliance Manager.

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**Fiscal Impact**

**Budgeted Y/N:** 2016

**Fiscal Year:**

**Account:**

**Amount:** 750.00

**OTHER INFORMATION:**

\$750.00 to the general fund.

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### **Attachments**

Request for Reduction

Tax Card

Breakdown

Minutes

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### **Form Review**

**Inbox**

City Manager

Form Started By: Collen Greer

Final Approval Date: 12/02/2015

**Reviewed By**

Nick Mimms

**Date**

12/02/2015 04:41 PM

Started On: 11/02/2015 11:31 AM



# CITY OF FORT PIERCE

## DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

Case #  
14-1236

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

Date:		October 20, 2015			
Property address:		3204 OHIO AVE.			
Owner(s) of record:		SYS TEC			
Mailing address:		5303 PALMETTO AVE FT. PIERCE			
Property tax ID #:		34982			
Original purchase date:		Original purchase price:			
Other Information:		<input type="checkbox"/> Inherited Property	<input checked="" 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:		Charles Pitt		Relationship to owner(s): Tenant	
Telephone #:		772-971-1958		Mobile phone #:	
E-mail:		charlespitt2010@yahoo.com		Preferred contact method:	
What are owner(s) intentions for property:		yahoo.com			
Amount of Fine:		\$2,030.00		Date Fine Initiated: Feb 7, 2015	
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 type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	If yes, what is the lien amount? \$2,030.00	
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 \$ 2,030.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED \$ 2,000.00

DOLLAR AMOUNT I AGREE TO PAY \$ 30.00

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.

Charles Pitt  
(Signature of Owner or Representative)

Charles Pitt  
(Printed Name)



# CITY OF FORT PIERCE

## DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

### REQUEST FOR REDUCTION OF PENALTY

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#### INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: 3204 OHIO AVE. Ft. Pierce, FL  
 Property Owner: SYSTEC  
 Mailing Address: 1175 NW 17th AVE Delray Beach, FL  
 Telephone #: 561-884-0470 Cell Phone #: 33445  
 E-Mail Address: ~~pa~~ speachey@thedelraybeachclub.com

Is the property in compliance? YES If no, please explain \_\_\_\_\_  
5303 Palmetto Ave. 34982  
NOV 4

I, Charles Pitt, 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.

Date: October 20<sup>th</sup>, 2015

From: Charles Pitt/ tenant at 3204 Ohio Ave, Ft. Pierce, Fl. 34947 Tel. 772-971-1958 email: charlespitt2001@yahoo.com

**Case # 14-1236**

RE: Request for Fine to be Waived.

I am the tenant at 3204 Ohio Ave. Ft. Pierce, Fl. 34947

In September of last year by Shaun Coss notified me that the property had numerous code violations.

Mr. Avery, who did later follow up, advised both me and my foreman, Marc Rose (telephone 772-205-4470); that there would be no fines if I undertook the expense to comply on all of the violations.

[I received an email from Sandy Rasmeth\(see below copy\) in February confirming that I had complied.](#)

I expended almost \$8,000.00 to accomplish this. Had I known that there would be fines in the amount of \$2,000 I would not have done this work and would have gone to Okeechobee.

Today, October 20<sup>th</sup>, the owner-landlord (SYSTEC) sent me an email which shows that a lien and fines for \$2,030.00 have been placed on the property .

I had absolutely no prior notice of this fine issue.

Today, I met with Peggy Arraiz who showed me documentation which confirmed that the Code Enforcement had, in fact, notified the owner (SYSTEC/ Shane Peachey—tel. 561-884-0470) as of February 12, 2015.

The Owner did not notify me of this issue. Today, October 20, 2015 is my first notice which is 8 months AFTER I thought everything had been settled.

I feel I complied in good faith and due to a lack of communications that I am being hit with a debt will severely impact both me personally and my business (Americast)

I respectfully request a waiver of the fines.

Sincerely,

Charles Pitt



[Sandra Ramseth <SRamseth@City-FtPierce.Com>](mailto:SRamseth@City-FtPierce.Com)

To

[Charles Pitt](#)

CC

Andy Avery Colleen Greer Shaun Coss Shane Alicia Rosenthal

Feb 19 at 6:28 AM

Good Morning Charles,

I received the photos from Andy this morning, and yes indeed, you are now in compliance. Looks good.

So, at your convenience you can pick up your Business Tax Receipt from the Planning Department on the 2nd Floor of City Hall. I will leave it at the front counter for you

Date: October 20, 2015

Signed:

*Charles Pitt*

Print Name:

Charles Pitt

**STATE OF FLORIDA**

**COUNTY OF ST. LUCIE**

PERSONALLY APPEARED before me, the undersigned authority

Charles Pitt

who acknowledged before me that the information contained herein is true and correct. He/~~She~~

is ~~not~~ personally known to me and has produced

FCOL

as identification.

SWORN TO AND SUBSCRIBED before me this 20 day of October, 2015.



*Renee Phillippe*

Notary Public, State of Florida

**Property Identification**

Site Address: 3204 OHIO AVE  
 Map ID: 24/17N  
 Parcel ID: 2417-505-0021-000-9  
 Zoning: C3  
 Account #: 26681  
 Use Type: 1200  
 Sec/Town/Range: 17/35S/40E  
 Jurisdiction: Fort Pierce

**Ownership**

Systec LLC  
 1175 NW 17th Ave  
 Delray Beach, FL 33445

**Legal Description**

PALMETTO PK LOT 20 AND S 1/2 OF LOT 21 (OR 3536-359)

**Current Values**

Just/Market: \$74,600  
 Exemptions: \$0  
 Assessed: \$74,600  
 Taxable: \$74,600

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2015	\$74,600	\$74,600	\$0	\$74,600
2014	\$75,300	\$75,300	\$0	\$75,300
2013	\$76,600	\$76,600	\$0	\$76,600

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
07-08-2013	3536 / 0359	0111	TD	Hamel, Keith	\$40,000
07-12-2007	2855 / 2211	01	SP	St Lucie Real Estate Company,	\$175,000
02-20-2003	1663 / 2870	00	WD	Jupiter, Barbara	\$15,000

**Primary Building Information**

Finished Area of this building: 1,320 SF  
 Gross Area of this building: 1,796 SF

**Exterior Data**

View:	Roof Cover: Dim Shingle	Roof Structure: Gable	Building Type: LROF
Year Built: 1924	Frame:	Grade: Y_D+	Effective Year: 1980
Primary Wall: Wood/Sheath	Story Height: 2 Story	No. Units: 1	Secondary Wall:

**Interior Data**

Bedrooms: 0	A/C %: 100%	Electric: MAXIMUM	Primary Int Wall:
Full Baths: 1	Heated %: 100%	Heat Type: FrcdHotAir	Avg Hgt/Floor: 0
Half Baths: 0	Sprinkled %: 0%	Heat Fuel: ELEC	Primary Floors: Double Pine



**Total Areas**

Finished/Under Air (SF):	3,280
Gross Area (SF):	3,756
Land Size (acres):	0.34
Land Size (SF):	15,000
Total Building Count:	2

**Special Features and Yard Items**

Type	Qty	Units	Year Blt
OHD AVG	1	264	1996

This information is believed to be correct at this time but it is subject to change and is not warranted.  
 © Copyright 2015 Saint Lucie County Property Appraiser. All rights reserved.

# MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Secretary to Code Enforcement

**SUBJECT: CODE ENFORCEMENT LIEN REDUCTION**  
3204 Ohio Avenue, Ft. Pierce, FL

DATE: November 16, 2015

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The following is a breakdown of the above property:

	Costs (General Fund)	Interest & Penalties	Administrative Fees
CASE # 14-1236	\$2000.00	\$0.00	\$30.00
<b>TOTAL</b>	<b>\$2,000.00</b>	<b>\$0.00</b>	<b>\$30.00</b>

CAN BE WAIVED (ALL COSTS)

\$2,000.00

the department and corrected the violations as requested. He wanted to make the property ready to rent.

Motion was made by Frank M. Blandino after reviewing the 7 criteria required by Rule 17 and to recommend to the City Commission to reduce the lien to \$1,512.01 payable in 60 days. The City has already received \$512.01 as excess funds of a tax deed sale which leaves a balance of \$1,000.00 payable in 60 days if approved. If the Commission approves the reduction and if it is not satisfied within the 60 days the lien would revert back to its original amount of \$108,530.00.

2.

14-1236	3204 Ohio Avenue	Pitt, Charles	Peggy Arraiz
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Case Initiated:	June 13, 2014	Type of Presentation:	Lien Reduction Request
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OWNER: Systec LLC 1175 NW 17th Avenue Delray Beach, FL 33445	OCCUPIED BY: Charles Pitt 5303 Palmetto Avenue Ft. Pierce, FL 34982
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Section(s): 5-368 (6) Fence Maintenance.  
Section(s): 16-46, 16-47, 16-48 (1) (5) Outside Storage.  
Section(s): 22-187 (13) Landscape Maintenance.

Margaret Arraiz read the facts of the case and went over the 7 Criteria of Rule 17 used in making a recommendation for reduction or rescindment of the lien. She stated that when the case was initiated in 2014 by Officer Coss the Special Magistrate found the owner's Systec LLC was responsible for the violations and gave them 30 days to comply or they would be fined. Mr. Charles Pitt, the tenant-operator was present at this hearing and testified to the violations. Before the 30 days expired Mr. Pitt approached Mr. Coss for additional time and he was granted another 90 days to comply.

During this time the area was transferred to Officer Avery. When he inspected the property on February 10, 2015 the violations were not in compliance so he started the fines. A letter was mailed to Systec LLC advising them that the fines were accruing. On February 18 an inspection was made; the violations were now in compliance so the fines stopped. Another letter was mailed to Systec LLC advising them the fines had accrued to a total of \$2,030.00 and gave them 20 days to appeal before a lien was issued.

Staff did not receive any further communication from Systec LLC nor Mr. Pitt so a lien was recorded on October 15. A letter with a copy of the lien was mailed to Systec LLC. It was after this that Mr. Pitt came into the office wanting to know why a lien was placed on the property. He was under the impression that he was in compliance and did not know anything about the fines until he was notified about this letter. Staff gave him a copy of the file and afterwards he acknowledged that proper notice was sent. He then asked that the fines be waived. Staff explained that he would have to present his case to you and the City Commission for any reduction or to have the fines waived.

A day or so later we received a letter from the attorneys representing Systec LLC appealing the lien, but once they received a copy of the file, they filled out a reduction request form also.

Staff is recommending to the Special Magistrate to reduce the fines to administrative costs of \$1,200.00.

Charles Pitt came forward and was sworn in for testimony. He stated that he thought he was in compliance before the 90 days extension was up and did not know anything about the fines until after he was notified about the lien. He stated that he understands that the proper notice was sent but that they were still asking that the fines be waived. Ms. Arraiz entered the request from Systec LLC into the records for review.

Mr. Pitt asked, "if there is a lien being recorded doesn't the city have to serve them or does a regularly mailed letter suffice?" Assistant City Attorney McCain stated that the Massey letters sent out giving notice of the lien and that they have 20 days to appeal is appropriate.

Special Magistrate Blandino considered the amount being requested by the City and decided to reduce it to \$750.00. He asked Mr. Pitt if this was reasonable and Mr. Pitt stated that he thought it was an estoppel situation; that if he corrected the violations and spent his own money doing so, he was under the impression that there would be no fines. SM Blandino stated that he could only make a recommendation and it would be the City Commission to make the final decision. Mr. Pitt was advised of the City Commission meeting date and if he wished to address the Board to arrive early and put his name on the list to speak.

▮

▮

Motion was made by Frank M. Blandino Special Magistrate Blandino reviewed the 7 criteria required by Rule 17 and recommended the City Commission reduce the lien to \$750.00 payable in 60 days. If not paid within that time the lien would revert back to its original amount.

▮

▮

7. REQUEST FOR EXTENSION OF TIME

▮

8. NEW BUSINESS

▮

9. OLD BUSINESS

▮

Adjourned at 10:18 AM.

Respectfully submitted:  
Colleen Greer  
Secretary to the Special Magistrate

**City Commission Regular Meeting**

**Agenda Item # 9. c.**

**Meeting Date:** 12/07/2015

**Re:** Recommendation of Contract Award to Purchase Playground Equipment

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

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**SUBJECT:**

Approval of contract award to Playcore Wisconsin DBA Game Time, Longwood, Florida, in the amount of \$25,000 to purchase playground equipment for Maravilla Park.

**SUMMARY:**

Bid #2015-056 was sent to 22 vendors; 9 responded. Playcore Wisconsin DBA Game Time, from Longwood, FL provided the next to the highest discount (10-15%). Miracle Rec. Equip Co., Monet, MO, provided the highest discount (20%); however, they are unable to provide our required insurance coverage.

**RECOMMENDATION:**

Award contract to Playcore Wisconsin DBA Game-Time from Longwood, Florida in the amount of \$25,000 for playground equipment for Maravilla Park.

**ALTERNATIVES:**

Select alternate bidder or issue another bid opportunity.

**RESPONSIBLE STAFF:**

Libby Woodruff, Grants Administrator

**COORDINATED WITH:**

Nicholas Mimms, Interim City Manager; Georgia Montgomery, Purchasing

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**Fiscal Impact**

**Budgeted Y/N:** y  
**Fiscal Year:** 2014  
**Account:** 10390025548340  
**Amount:** 25,000

**FISCAL IMPACT:**

This purchase was approved in the 2014-2015 CDBG Action Plan.

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**Attachments**

Bid 2015-056 Tabulation

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**Form Review**

Inbox	Reviewed By	Date
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Purchasing  
Finance Department  
City Manager  
Form Started By: Libby Woodruff  
Final Approval Date: 12/02/2015

Tony Barnes  
Johnna Morris  
Nick Mimms

11/20/2015 11:41 AM  
11/24/2015 02:55 PM  
12/02/2015 04:41 PM  
Started On: 11/17/2015 01:06 PM



**CITY OF FORT PIERCE  
TABULATION OF BIDS**

**REVISED**

**"Offers from the vendors listed herein are the only offers received timely as of the above opening date and time. All other offers submitted in response to this solicitation, if any, are hereby rejected as late."**

<b>BID ON:</b>	<b>FURNISH/INSTALL PLAYGROUND EQUIPMENT, SURFACING/SHADE STRUCTURES, OUTDOOR FITNESSEQUIPMENT/FITNESS TRAILS</b>
<b>BID NUMBER:</b>	<b>2015-056</b>
<b>DATE:</b>	10/15/2015 @ 3:00 PM
<b>RECOMMENDED AWARD:</b>	Pending

<b>RESPONSE</b>
9 of 22 = 40.9 %
0 "No Bids"
Total = 40.9 %

**FURNISH PLAYGROUND EQUIPMENT**

VENDOR	FIXED % DISCOUNT OFF LIST PRICE
Advanced Recreational Concepts, LLC/ Play Space Services Melbourne, FL	3 %
Bliss Products & Services Lithia Springs, GA	5-10 % (Discount varies as per manufactures)
Florida Playstructures & Water Features, Inc. Plant City, FL	5 %
Lead Ex Corporation Miami, FL	7 %
Miracle Recreation Equipment Co. Monett, MO	20 %
Playcore Wisconsin DBA Game-time Longwood, FL	10-15 % (Discount varies as per cost of equipment)
Playmore West, Inc. Ft Meyers, FL	5 %
Playpower L.T. Farmington, Inc./Playwork LLC/ Lake Mary, FL	13 %
REP Services, Inc. Lake Mary, FL	3 %

**PLEASE NOTE: COMMISSION MEETINGS ARE HELD THE FIRST AND THIRD MONDAY OF EVERY MONTH. CALL THE PURCHASING DEPARTMENT WEDNESDAY PRIOR TO THE MEETINGS FOR RECOMMENDATION OF AWARD.**



## CITY OF FORT PIERCE TABULATION OF BIDS

**"Offers from the vendors listed herein are the only offers received timely as of the above opening date and time. All other offers submitted in response to this solicitation, if any, are hereby rejected as late."**

<b>BID ON:</b>	<b>FURNISH/INSTALL PLAYGROUND EQUIPMENT, SURFACING/SHADE STRUCTURES, OUTDOOR FITNESS EQUIPMENT/FITNESS TRAILS</b>
<b>BID NUMBER:</b>	<b>2015-056</b>
<b>DATE:</b>	<b>10/15/2015 @ 3:00 PM</b>
<b>RECOMMENDED AWARD:</b>	<b>Pending</b>

<b>RESPONSE</b>
10 of 22 = 45.45 %
0 "No Bids"
Total = 45.45 %

### INSTALLATION

VENDOR
Advanced Recreational Concepts, LLC/ Play Space Services Melbourne, FL
Bliss Products & Services, Inc. Lithia Springs, GA
D.W Recreation Services, Inc. Doral, FL
Florida Playstructures & Water Features, Inc. Plant City, FL
Leadex Corporation Miami, FL
Miracle Recreation Equipment Co. Monett, MO
Playcore Wisconsin DBA Game Time Longwood, FL
Playmore West, Inc. Ft. Myers, FL
Playpower L.T. Farmington Inc./ Playwork LLC & Playground Guys Lake Mary, FL
REP Services Lake Mary, FL

**PLEASE NOTE: COMMISSION MEETINGS ARE HELD THE FIRST AND THIRD MONDAY OF EVERY MONTH. CALL THE PURCHASING DEPARTMENT WEDNESDAY PRIOR TO THE MEETINGS FOR RECOMMENDATION OF AWARD.**



## CITY OF FORT PIERCE TABULATION OF BIDS

**"Offers from the vendors listed herein are the only offers received timely as of the above opening date and time. All other offers submitted in response to this solicitation, if any, are hereby rejected as late."**

<b>BID ON:</b>	<b>FURNISH/INSTALL PLAYGROUND EQUIPMENT, SURFACING/SHADE STRUCTURES, OUTDOOR FITNESS EQUIPMENT/FITNESS TRAILS</b>
<b>BID NUMBER:</b>	<b>2015-056</b>
<b>DATE:</b>	10/15/2015 @ 3:00 PM
<b>RECOMMENDED AWARD:</b>	Pending

<b>RESPONSE</b>
10 of 22 = 45.45 %
0 "No Bids"
Total = 45.45 %

### SHADE STRUCTURES

VENDOR
Advanced Recreational Concepts, LLC/ Play Space Services Melbourne, FL
Bliss Products & Services Lithia Springs, GA
Florida Playstructures & Water Features, Inc. Plant City, FL
Lead Ex Corporation. Miami, FL
Miracle Recreation Equipment Co. Monett, MO
PlayCore Wisconsin DBA Game Time Longwood, FL
Playmore West, Inc Ft Myers, FL .
Playpower L.T. Farmington, Inc./ Playwork LLC. Lake Mary, FL
Rep Services, Inc Lake Mary, FL.
Shade America, Inc. St Augustine, FL

**PLEASE NOTE: COMMISSION MEETINGS ARE HELD THE FIRST AND THIRD MONDAY OF EVERY MONTH. CALL THE PURCHASING DEPARTMENT WEDNESDAY PRIOR TO THE MEETINGS FOR RECOMMENDATION OF AWARD.**

**City Commission Regular Meeting**

**Agenda Item # 9. d.**

**Meeting Date:** 12/07/2015

**Re:** Application for Site Plan Extension - Sunrise Heights Senior Housing Center - 707 North 7th Street

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

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**SUBJECT:**

Approve Site Plan extension for Sunrise Heights Senior Housing Center located at 707 North 7th Street until December 16, 2017.

**SUMMARY:**

- On December 17, 2012, the City Commission approved a phased Site Plan proposed by the Fort Pierce Housing Authority to construct a 193-unit Senior Housing Center, with three conditions.
- On December 16, 2013, the City Commission approved a two-year Site Plan extension for the project.
- The applicant is requesting an additional two-year extension to support continued efforts to secure federal funding to construct the project. Staff supports that request.
- Per Section 22-58(j) of the City Code, extensions “of time” may be granted by the City Commission prior to the expiration of a Site Plan upon a showing of good cause and when such extension will promote public health, safety and general welfare.

**RECOMMENDATION:**

- Approval of the extension request for two years, with a new expiration date of December 16, 2017

**ALTERNATIVES:**

- Approval of the an alternative extension period
- Denial of the extension request

**RESPONSIBLE STAFF:**

Kori Benton, Senior Planner

**COORDINATED WITH:**

None

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**Fiscal Impact**

**Budgeted Y/N:**

**Fiscal Year:**

**Account:**

**Amount:**

**OTHER INFORMATION:**

No fiscal impact is presented with this request.

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### **Attachments**

Application & Traffic Statement Update

Project Overview

Approved Site Plan

City Commission Minutes from December 17th, 2012 - Approval of the Project

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### **Form Review**

<b>Inbox</b>	<b>Reviewed By</b>	<b>Date</b>
City Manager	Nick Mimms	12/02/2015 04:41 PM
Form Started By: Kori Benton		Started On: 11/24/2015 04:20 PM
Final Approval Date: 12/02/2015		



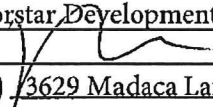
# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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

### APPLICATION FOR SITE PLAN EXTENSION

Project Name: Sunrise Heights Senior Housing

1. Date of original City Commission Approval: December 17, 2012  
Date and length of subsequent extensions: 2 Years
  
2. Reason for requested extension: Pending Federal Funding
  
3. Property Tax I.D. # 2403-705-0056-00-4
  
4. Property address: 707 North 7th Street, Ft. Pierce, Florida
  
5. Zoning district: R-4                      6. Future Land Use: RME
  
7. Name of Owner(s): The Housing Authority of the City of Ft. Pierce  
Signature of Owner(s): \_\_\_\_\_  
Mailing Address: (Street) 511 Orange Avenue  
(City) Ft. Pierce (State) Florida (zip) 34950  
Phone # (772) 461-7281
  
8. Name of Applicant: Norstar Development USA, LP  
Signature of Applicant:   
Mailing Address: (Street) 3629 Madaca Lane  
(City) Tampa (State) Florida (zip) 33618  
Phone # (813) 933-0629
  
9. Name of Representative: Culpepper & Terpening, Inc., Stefan K. Matthes, PE  
Signature of Representative: \_\_\_\_\_  
Mailing Address: (Street) 2980 South 25th Street  
(City) Ft. Pierce (State) Florida (zip) 34981  
Phone # (772) 464-3537 Fax # \_\_\_\_\_  
E-mail: smatthes@ct-eng.com

APPLICATION FOR SITE PLAN EXTENSION

PAGE 2

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 site plan extension as described herein.

The Housing Authority of the City of Ft. Pierce (772) 461-7281  
 Property Owner's Name (Please Print) Phone

511 Orange Avenue, Ft. Pierce Florida 34950  
 Address State Zip

[Signature] 11-13-15  
 Property Owner's Signature Date

STATE OF FLORIDA)  
ST LUCIE COUNTY)

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of Nov., 2015, by Richard L. Higgins who is personally known to me or has produced \_\_\_\_\_ as identification.

[Signature]  
Signature of Notary

(seal)



JESSICA FETKENHER  
NY COMMISSION # EE 827246  
EXPIRES: August 16, 2016  
Bonded Thru Budget Notary Services

**APPLICATION REQUIREMENTS:**

- a. **Application fee**
- b. **Application submission shall include the following:**
  - 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, and
    3. Approved Site Plan.

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

For City Use Only	
Date Received: _____	By: _____
Fee Paid: _____	Receipt Number: _____

Per Section 22-59(j) of the City of Fort Pierce Code of Ordinances: Site plan approval shall terminate twelve (12) months after approval by the city commission if construction of buildings or structures has not been started. If, subsequent to this initial twelve-month period, a valid construction permit is not maintained, the site plan shall be deemed invalid or terminated. Site plan extensions of time may be granted by the city commission prior to the expiration of a site plan upon a showing of good cause and when such extension will promote public health, safety and general welfare. Any request for an extension to a site plan must be submitted in writing to the director of planning for review no later than thirty (30) days prior to expiration of the site plan.

# CITY OF FORT PIERCE *Florida*



December 18, 2013

OFFICE OF CITY CLERK  
CITY HALL, 100 NORTH U.S. 1  
P. O. BOX 1480  
FORT PIERCE, FLORIDA 34954-1480  
TEL. (772) 460-2200  
[www.cityoffortpierce.com](http://www.cityoffortpierce.com)

Stefan Matthes, P.E.  
Culpepper & Terpening, Inc.  
2980 S 25<sup>th</sup> Street  
Fort Pierce, FL 34981

Dear Mr. <sup>Stefan</sup>Matthes:

At their meeting on December 16, 2013, the City Commission of the City of Fort Pierce considered your request for a two (2) year extension to the approved Site Plan for the Sunrise Heights Senior Housing Center to be located at 707 N. 7<sup>th</sup> Street in Fort Pierce, Florida. The City Commission approved the two year extension.

Any further requests for an extension must be in writing to the Planning Manager no later than thirty (30) days prior to expiration date of December 17, 2015.

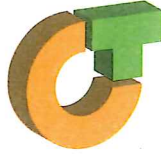
Very truly yours,

Linda W. Cox  
City Clerk

cc: Rebecca Grohall, Planning Manager

RECEIVED  
DEC 23 2013

Culpepper & Terpening, Inc.



**CULPEPPER & TERPENING, INC.**  
CONSULTING ENGINEERS | LAND SURVEYORS

Project No. 11-186.006  
Correspondence

Sender's Email: [smatthes@ct-eng.com](mailto:smatthes@ct-eng.com)

October 30, 2015

**VIA: HAND DELIVERY**

Ms. Rebecca Grohall, AICP  
Planner Manager  
City of Ft. Pierce  
100 North U.S. Highway 1  
Ft. Pierce, FL 34954

**RE: Sunrise Heights Senior Housing Center  
Traffic Impact Statement Update**

**TRAFFIC STATEMENT:**

The Sunrise Heights Senior Housing Center's impact on the local roadway network has not changed since the original approval in December 2012 and is still negligible.

The Traffic Report prepared for the approval of the Site Plan provided an analysis for the 2017 horizon year and is based upon traffic data collected in the 2012 peak season and grown at the current level experienced within the City of 1% per year.

The actual traffic within the project area has decreased slightly over the past 2 years as demonstrated by the St. Lucie Transportation Planning Organization Traffic Counts and Level of Services Report from 2012 through 2014. An excerpt from the report highlighting the decrease in traffic on both Orange Avenue and 7<sup>th</sup> Street is provided as an attachment to this submittal and is summarized as follows:

<u>Roadway</u>	<u>Link</u>	<u>2012 AADT</u>	<u>2014 AADT</u>
7 <sup>th</sup> Street	Ave D to Ave H	2,500 vpd	1,700 vpd
Orange Avenue	7 <sup>th</sup> Street to US 1	7,005 vpd	6,904 vpd

The anticipated project trips have not changed and will result in the generation of an additional 120 average daily trips, 4 AM peak hour trips, and 5 PM peak hour trips as referenced in the Traffic Impact Study dated October 2012.

As always, should you have any questions regarding this submittal, please do not hesitate to contact me.

Sincerely,

**CULPEPPER & TERPENING, INC.**

  
Stefan K. Matthes, P.E.  
Senior Vice President  
Florida Reg. No. 38723

C:\Users\smatthes\AppData\Local\Temp\11-186.006, Sunrise Heights, CFP Planning, 001, Grohall, Updated Traffic s\_916323\11-186.006, Sunrise Heights, CFP Planning, 001, Grohall, Updated T.doc

A LEGACY OF EXPERTISE AND EXCELLENCE

2980 SOUTH 25TH STREET | FT. PIERCE, FL 34981 | (772) 464-3537 | FAX: (772) 464-9497

### Traffic Counts and Level of Service Report Fall 2012

Roadway Name	Location	AADT	Pk Hr Service Capacity	AM Pk Hr Pk Dir		PM Pk Hr Pk Dir	
				Volume	V/C	Volume	V/C
2ND STREET	CITRUS AVE to ORANGE AVE	2,400	460	161	0.350	161	0.350
2ND STREET	ORANGE AVE to AVENUE A	1,800	460	108	0.235	106	0.230
7TH STREET	SUNRISE BLVD to GEORGIA AVE	763	450	54	0.120	54	0.120
7TH STREET	GEORGIA AVE to DELAWARE AVE	1,428	770	85	0.110	100	0.130
7TH STREET	DELAWARE AVE to CITRUS AVE	2,563	830	139	0.167	138	0.166
7TH STREET	CITRUS AVE to ORANGE AVE	2,563	570	139	0.244	138	0.242
7TH STREET	ORANGE AVE to C AVE	3,400	570	188	0.330	209	0.367
7TH STREET	C AVE to A E BACKUS AVE	3,400	630	188	0.298	209	0.332
7TH STREET	A E BACKUS AVE to D AVE	3,400	570	188	0.330	209	0.367
7TH STREET	D AVENUE to H AVENUE	2,500	790	147	0.186	141	0.178
10TH STREET	DELAWARE AVE to ORANGE AVE	1,100	420	67	0.160	67	0.160
10TH STREET	ORANGE AVE to C AVENUE	1,100	460	67	0.146	67	0.146
10TH STREET	C AVENUE to D AVENUE	1,100	460	67	0.146	67	0.146
13TH STREET	VIRGINIA AVE to NEBRASKA AVE	7,149	730	389	0.533	438	0.600
13TH STREET	NEBRASKA AVE to GEORGIA AVE	7,149	830	389	0.469	438	0.528
13TH STREET	GEORGIA AVE to DELAWARE AVE	5,788	730	304	0.416	303	0.415
13TH STREET	DELAWARE AVE to ORANGE AVE	5,123	730	288	0.395	275	0.377
13TH STREET	ORANGE AVE to AVENUE B	3,871	790	217	0.275	218	0.276
13TH STREET	AVENUE B to AVENUE D	3,871	570	217	0.381	218	0.382
13TH STREET	AVENUE D to AVENUE H	3,562	790	204	0.258	186	0.235
13TH STREET	AVENUE H to AVENUE I	3,562	630	204	0.324	186	0.295
13TH STREET	AVENUE I to AVENUE O	3,562	630	204	0.324	186	0.295
13TH STREET	AVENUE O to AVENUE Q	3,562	630	204	0.324	186	0.295
17TH STREET	GEORGIA AVE to DELAWARE AVE	2,400	420	162	0.386	149	0.355
17TH STREET	DELAWARE AVE to ORANGE AVE	6,100	550	330	0.600	311	0.565
17TH STREET	ORANGE AVE to AVENUE D	3,900	530	213	0.402	204	0.385
17TH STREET	AVENUE D to Q AVENUE	3,900	570	213	0.374	204	0.358
25TH STREET	MIDWAY RD to BELL AVE	16,027	2,060	1,148	0.557	1,071	0.520

\* Volumes shown were adjusted using FDOT Seasonal Factors

\* AADT = Annual Average Daily Traffic

### Traffic Counts and Level of Service Report Fall 2014

Roadway Name	Location	AADT	Pk Hr Service Capacity	AM Pk Hr Pk Dir			PM Pk Hr Pk Dir		
				Volume	LOS	V/C	Volume	LOS	V/C
2ND ST	CITRUS AVE to ORANGE AVE	2,400	510	211	C	0.844	173	C	0.692
2ND ST	ORANGE AVE to AVENUE A	2,000	510	122	C	0.488	123	C	0.492
7TH ST	SUNRISE BLVD to GEORGIA AVE	584	560	41	C	0.146	41	C	0.146
7TH ST	GEORGIA AVE to DELAWARE AVE	1,209	790	72	C	0.185	85	C	0.218
7TH ST	DELAWARE AVE to CITRUS AVE	2,168	790	118	C	0.303	116	C	0.297
7TH ST	CITRUS AVE to ORANGE AVE	2,168	710	118	C	0.337	116	C	0.331
7TH ST	ORANGE AVE to AVENUE C	3,700	710	194	C	0.554	202	C	0.577
7TH ST	AVENUE C to AE BACKUS AVE	3,700	510	194	C	0.776	202	C	0.808
7TH ST	AE BACKUS AVE to AVENUE D	3,700	710	194	C	0.554	202	C	0.577
7TH ST	AVENUE D to AVENUE H	1,700	710	108	C	0.309	107	C	0.306
10TH ST	DELAWARE AVE to ORANGE AVE	150	560	11	C	0.039	14	C	0.050
10TH ST	ORANGE AVE to AVENUE C	150	560	11	C	0.039	14	C	0.050
10TH ST	AVENUE C to AVENUE D	150	510	11	C	0.044	14	C	0.056
13TH ST	VIRGINIA AVE to NEBRASKA AVE	6,937	710	405	D	0.570	367	D	0.517
13TH ST	NEBRASKA AVE to GEORGIA AVE	6,937	790	405	D	0.513	367	C	0.941
13TH ST	GEORGIA AVE to DELAWARE AVE	5,100	710	269	C	0.769	269	C	0.769
13TH ST	DELAWARE AVE to ORANGE AVE	4,400	710	315	C	0.900	308	C	0.880
13TH ST	ORANGE AVE to AVENUE B	3,400	710	190	C	0.543	191	C	0.546
13TH ST	AVENUE B to AVENUE D	3,400	710	190	C	0.543	191	C	0.546
13TH ST	AVENUE D to AVENUE H	3,600	710	204	C	0.583	194	C	0.554
13TH ST	AVENUE H to AVENUE I	3,600	510	204	C	0.816	194	C	0.776
13TH ST	AVENUE I to AVENUE O	3,600	510	204	C	0.816	194	C	0.776
13TH ST	AVENUE O to AVENUE Q	3,600	510	204	C	0.816	194	C	0.776
17TH ST	GEORGIA AVE to DELAWARE AVE	2,533	560	139	C	0.496	133	C	0.475
17TH ST	DELAWARE AVE to ORANGE AVE	6,500	790	305	C	0.782	297	C	0.762
17TH ST	ORANGE AVE to AVENUE D	3,367	710	168	C	0.480	166	C	0.474
17TH ST	AVENUE D to AVENUE Q	3,367	710	168	C	0.480	166	C	0.474
25TH ST	MIDWAY RD to BELL AVE	16,311	2,100	1,169	C	0.582	1,090	C	0.542

\* Volumes shown were adjusted using FDOT Seasonal Factors

\* AADT = Annual Average Daily Traffic

### Traffic Counts and Level of Service Report Fall 2012

Roadway Name	Location	AADT	Pk Hr Service Capacity	AM Pk Hr Pk Dir			PM Pk Hr Pk Dir		
				Volume	LOS	V/C	Volume	LOS	V/C
OKEECHOBEE RD	35TH ST to 33RD ST	15,000	1,500	760	D	0.507	794	D	0.529
OKEECHOBEE RD	33RD ST to 25TH ST	15,000	1,960	760	B	0.388	794	B	0.405
OKEECHOBEE RD	25TH ST to GEORGIA AVE	13,000	1,770	730	C	0.412	703	C	0.397
OKEECHOBEE RD	GEORGIA AVE to DELAWARE AVE	13,000	1,850	730	C	0.392	703	C	0.378
OLD DIXIE HWY	US 1 to SR A1A NORTH	4,600	830	328	B	0.395	316	B	0.381
OLD DIXIE HWY	ST LUCIE BLVD to HARBOR BRANCH	730	830	57	B	0.069	44	B	0.053
OLEANDER AVE	BEACH AVE to KITTERMAN RD	2,700	630	141	B	0.224	150	B	0.238
OLEANDER AVE	KITTERMAN RD to MIDWAY RD	7,181	790	522	C	0.661	478	C	0.605
OLEANDER AVE	MIDWAY RD to WEATHERBEE RD	8,595	790	532	C	0.673	576	C	0.729
OLEANDER AVE	WEATHERBEE RD to BELL AVE	8,595	630	532	C	0.844	576	C	0.914
OLEANDER AVE	BELL AVE to FARMER'S MARKET RD	2,480	630	135	B	0.214	125	B	0.198
OLEANDER AVE	FARMER'S MARKET RD to EDWARDS RD	2,480	790	135	B	0.171	125	B	0.158
OLEANDER AVE	EDWARDS RD to WISTERIA AVE	9,676	790	545	C	0.690	493	C	0.624
OLEANDER AVE	WISTERIA AVE to GARDENIA AVE	9,676	630	545	C	0.865	493	C	0.783
OLEANDER AVE	GARDENIA AVE to VIRGINIA AVE	9,676	830	545	C	0.657	493	C	0.594
OLEANDER AVE	VIRGINIA AVE to SUNRISE BLVD	4,021	630	224	B	0.356	227	B	0.360
ORANGE AVE	OKEECHOBEE COUNTY LINE to SNEED RD	4,216	430	254	C	0.591	242	C	0.563
ORANGE AVE	SNEED RD to HEADER CANAL RD	4,216	430	254	C	0.591	242	C	0.563
ORANGE AVE	HEADER CANAL RD to SHINN RD	4,216	430	254	C	0.591	242	C	0.563
ORANGE AVE	KINGS HWY to INTERSTATE 95	20,931	1,640	901	B	0.549	909	B	0.554
ORANGE AVE	INTERSTATE 95 to JENKINS RD	13,444	1,640	924	B	0.563	868	B	0.529
ORANGE AVE	JENKINS RD to HARTMAN RD	11,954	1,640	643	B	0.392	598	B	0.365
ORANGE AVE	HARTMAN RD to ANGLE RD	11,954	1,400	643	C	0.459	598	C	0.427
ORANGE AVE	ANGLE RD to 25TH ST	7,317	1,850	576	C	0.310	670	C	0.360
ORANGE AVE	25TH ST to 17TH ST	13,694	1,960	716	B	0.365	785	B	0.401
ORANGE AVE	17TH ST to 13TH ST	13,694	1,850	716	C	0.385	785	C	0.422
ORANGE AVE	13TH ST to 10TH ST	13,694	560	716	D	1.279	785	D	1.402
ORANGE AVE	10TH ST to 7TH ST	9,104	450	460	D	1.022	529	D	1.176
ORANGE AVE	7TH ST to US 1	7,005	220	447	D	2.032	397	D	1.805

\* Volumes shown were adjusted using FDOT Seasonal Factors

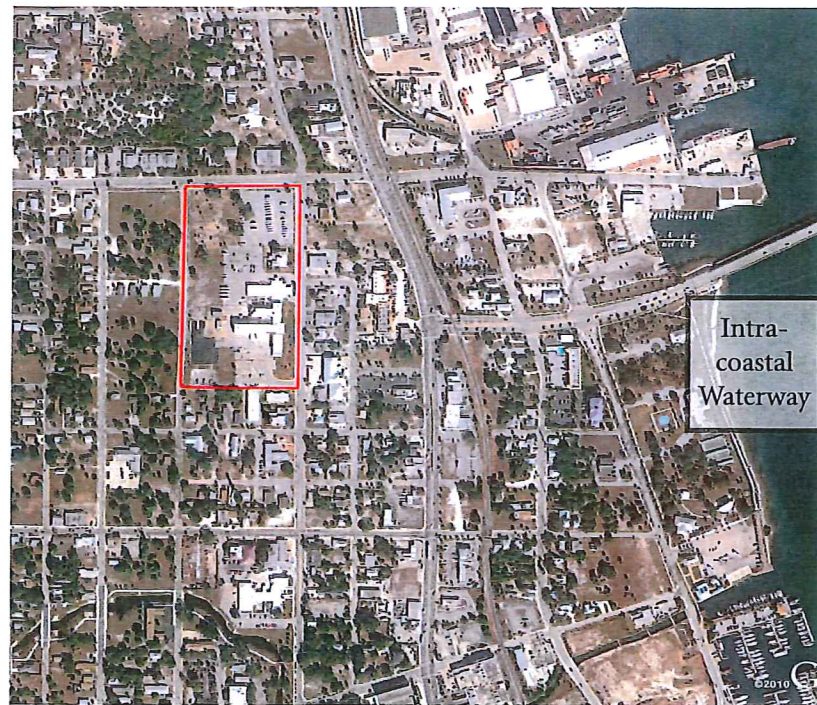
\* AADT = Annual Average Daily Traffic

### Traffic Counts and Level of Service Report Fall 2014

Roadway Name	Location	AADT	Pk Hr Service Capacity	AM Pk Hr Pk Dir			PM Pk Hr Pk Dir		
				Volume	LOS	V/C	Volume	LOS	V/C
ORANGE AVE	KINGS HWY to I-95	18,209	0	784	C	0.390	790	C	0.393
ORANGE AVE	I-95 to JENKINS RD	13,335	0	916	C	0.456	861	C	0.428
ORANGE AVE	JENKINS RD to HARTMAN RD	12,597	0	678	C	0.337	631	C	0.314
ORANGE AVE	HARTMAN RD to ANGLE RD	12,597	0	678	C	0.337	631	C	0.314
ORANGE AVE	ANGLE RD to 25TH ST	12,251	1,710	965	D	0.564	1,123	D	0.657
ORANGE AVE	25TH ST to 17TH ST	13,066	1,630	683	C	0.936	749	D	0.460
ORANGE AVE	17TH ST to 13TH ST	13,066	1,710	683	C	0.887	749	C	0.973
ORANGE AVE	13TH ST to 10TH ST	13,066	350	683	D	0.962	749	E	0.986
ORANGE AVE	10TH ST to 7TH ST	7,816	280	395	D	0.705	454	D	0.811
ORANGE AVE	7TH ST to US 1	6,904	280	440	D	0.786	391	D	0.698
ORANGE AVE	US 1 to 2ND ST	3,109	280	198	C	0.707	193	C	0.689
ORANGE AVE	2ND ST to INDIAN RIVER DR	3,109	350	198	C	0.566	193	C	0.551
PARR DR	PORT ST LUCIE BLVD to DARWIN BLVD	927	660	69	C	0.111	66	C	0.106
PARR DR	DARWIN BLVD to TULIP BLVD	1,800	510	121	C	0.484	110	C	0.440
PARR DR	SAVONA BLVD to PORT ST LUCIE BLVD	927	660	69	C	0.111	66	C	0.106
PARR DR	ROSSER BLVD to SAVONA BLVD	927	590	69	C	0.123	66	C	0.118
PEACOCK BLVD	CALIFORNIA BLVD to CASHMERE BLVD	3,300	590	280	C	0.500	236	C	0.421
PEACOCK BLVD	UNIVERSITY BLVD to CALIFORNIA BLVD	7,867	920	609	C	0.700	502	C	0.577
PEACOCK BLVD	ST LUCIE WEST BLVD to UNIVERSITY BLVD	18,400	2,100	0	B	0.000	0	B	0.000
PETERSON RD	BENT CREEK DR to HARTMAN RD	1,400	510	102	C	0.408	132	C	0.528
PICOS RD	CAMPBELL RD to KINGS HWY	1,400	510	99	C	0.396	93	C	0.372
PORT ST LUCIE BLVD	MARTIN C.L. to BECKER RD	9,300	920	0	B	0.000	0	B	0.000
PORT ST LUCIE BLVD	BECKER RD to PAAR DR	9,300	920	0	B	0.000	0	B	0.000
PORT ST LUCIE BLVD	PAAR DR to TULIP BLVD	9,300	660	0	B	0.000	0	B	0.000
PORT ST LUCIE BLVD	TULIP BLVD to DARWIN BLVD	9,300	920	0	B	0.000	0	B	0.000
PORT ST LUCIE BLVD	DARWIN BLVD to GATLIN BLVD	29,000	3,020	1,703	C	0.579	1,507	C	0.513
PORT ST LUCIE BLVD	GATLIN BLVD to DEL RIO BLVD	38,500	3,170	2,395	C	0.775	2,128	C	0.689
PORT ST LUCIE BLVD	DEL RIO BLVD to CAMEO BLVD	48,065	3,170	3,214	F	1.014	2,917	C	0.944
PORT ST LUCIE BLVD	CAMEO BLVD to FLORIDA'S TURNPIKE	48,065	3,020	3,214	F	1.064	2,917	C	0.992

\* Volumes shown were adjusted using FDOT Seasonal Factors

\* AADT = Annual Average Daily Traffic



Existing Site



Proposed Site Plan: Revised per Culpepper & Turpening, INC Site Plan

**PROJECT NARRATIVE**

The Sunrise Heights site is a 11.113 acre site located just over a half mile from Downtown Fort Pierce. The existing site includes the old Ft.Pierce Municipal Hospital that was converted to senior living facility managed by the Ft.Pierce Housing Authority in the 1970s. Norstar Development USA, LP. (Norstar) and Fort Pierce Housing Authority (FPHA) plan to redevelop this site with new senior housing and a mixed-income program that will revitalize the site and complement the surrounding residential neighborhoods. The overall development program for the site includes two senior apartment buildings (ranging from 70 to 80 units each, depending on final building designs) and 22 attached, two-family housing units (total of 44 units). The apartment buildings will be 3 stories tall with a corner tower that is 44'6" from grade to mid point of roof. To the west of each of these multi-story buildings will be the attached two-family housing units (bungalows) that will provide for a tapering in scale as the project transitions to the west along North 8th Street. The total number of units in this community will be 193.

The master plan vision for the site extends Avenue F and G through the project, from the site's eastern boundary (North 7th Street) to the site's western boundary (North 8th Street). These extensions will serve to improve east-west connectivity across the center of the site and continue the existing street grid in this part of the City. These streets will be privately maintained, but open for general public use. At the corner of North 7th Street and Avenue G, a new community park will be located. The overall site plan for the property takes advantage of the significant grade change found across the site and building placement has been done in order to maximize views of the Intercoastal Waterway while also avoiding extensive grading. The extension of the existing street grid through this project site allows the community to be strategically phased. Phase 1 will be the northern portion of the site (those lands lying north of Avenue G) and will consist of 89 units, based upon the current phasing schedules). The remaining 104 units will be part of the second phase of the project. Final phase totals may change as a result of the level of project funding available, but the overall unit total for the project will remain at 193 units.

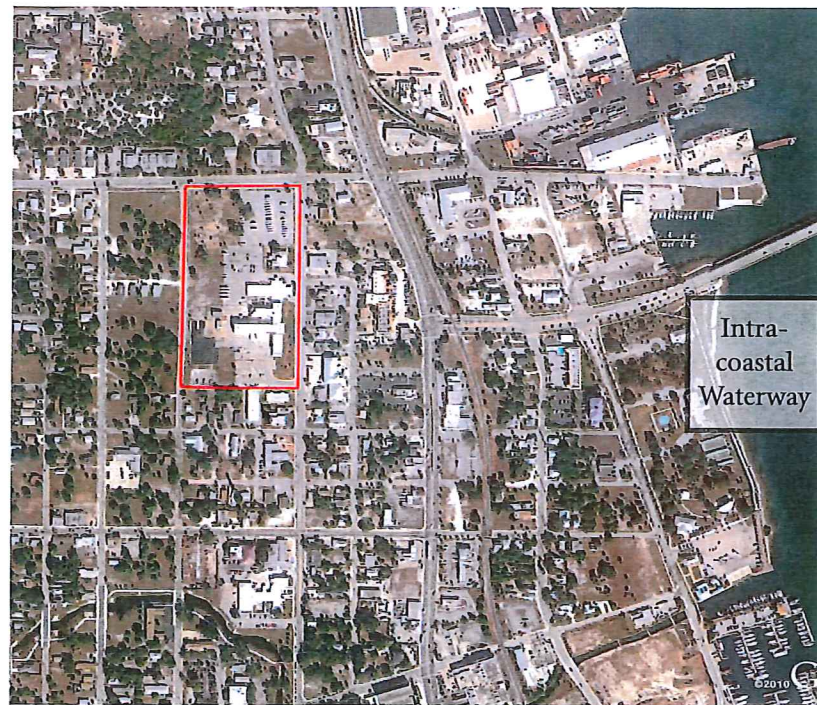
In addition to the housing opportunities in this community, there is also a large proposed community services component in this project including a Fitness Center, Community room, management office, food co-op, library, clinic, laundry rooms, theater rooms, sitting lounges, picnic tables, grill, and community garden. In addition to the off-street parking, the plan incorporates on-street parking as a method for traffic calming. Finally, there are several existing trees on site that have been incorporated into the plan as part of a tree protection/ preservation effort.

The architectural style at the Sunrise Heights Senior Housing community will emulate Mediterranean Revival and Coastal style, echoing the proportions and architectural elements of the region, while utilizing modern construction techniques and materials. This style was seen "as fitting and refreshing" in Fort Pierce by the local City Officials during the initial concept discussions. The buildings in the plan will meet the Florida Building Codes, as the site is located within the 160 MPH wind zone. Sustainable building techniques and practices will also play a role in the design.

October 09, 2012  
 Revised October 30, 2012  
 November 27, 2012

**SITE PLAN & PROJECT NARRATIVE**

©2012 Torti Gallas and Partners, Inc. | 1300 Spring Street, 4th floor, Silver Spring, Maryland 20910 | 301.588.4800



Existing Site



Proposed Site Plan: Revised per Culpepper & Turpening, INC Site Plan

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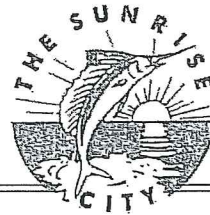
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October 09, 2012  
 Revised October 30, 2012  
 November 27, 2012

**SITE PLAN & PROJECT NARRATIVE**

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# CITY OF FORT PIERCE *Florida*



December 18, 2012

Housing Authority of the  
City of Fort Pierce  
Attn: David Nisivoccia  
511 Orange Avenue  
Fort Pierce, FL 34950

OFFICE OF CITY CLERK  
CITY HALL, 100 NORTH U.S. 1  
P. O. BOX 1480  
FORT PIERCE, FLORIDA 34954-1480  
TEL. (772) 460-2200  
[www.cityoffortpierces.com](http://www.cityoffortpierces.com)

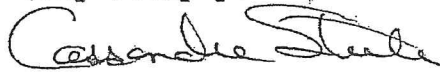
Dear Property Owner:

At their meeting on December 17, 2012, the City Commission of the City of Fort Pierce held a Public Hearing on the Application for Site Plan Review which you submitted for construction of Sunrise Heights Senior Housing Center, a 193 unit residential development to be located at 707 North 7th Street in Fort Pierce, Florida.

After discussion, the City Commission passed a motion to approve the Site Plan with the following conditions: (1) The applicant shall record and provide a recorded copy of a Unity of Title combining the five parcels into one, prior to the issuance of a Building Permit; (2) The applicant shall provide sketch and legal descriptions and the applicable Owner and Encumbrances title search for each of the requested rights-of-way or right-of-way easement dedications, prior to the issuance of a Building Permit; and (3) The applicant shall record the requested dedications prior to the issuance of a Certificate of Occupancy.

A certified copy of the Site Plan is enclosed for your file.

Very truly yours,

  
Cassandra Steele, CMC  
City Clerk

/cs  
Enclosure

cc: Planning Director  
City Engineer  
Utilities Authority - Planning & Engineering  
Fire Marshal  
Culpepper & Terpening (Representative)  
St. Lucie County Property Appraiser (Letter Only)

RECEIVED  
DEC 20 2012

Culpepper & Terpening, P.A.

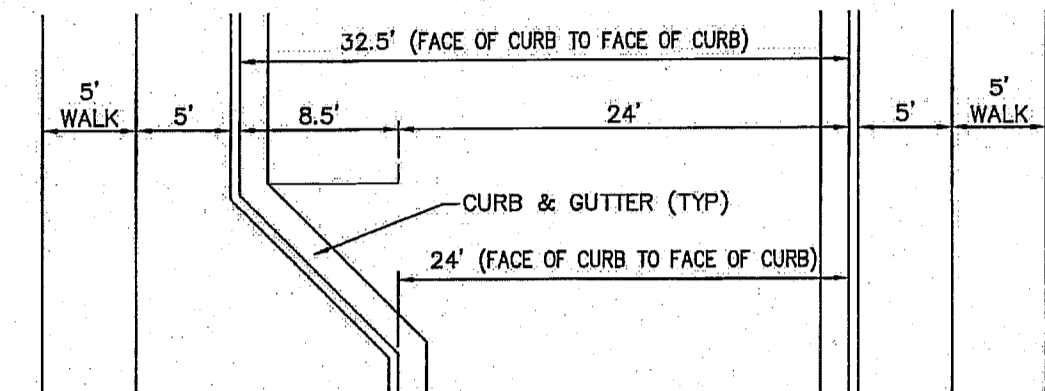
**LEGAL DESCRIPTION**

**PARCEL ONE**  
A parcel of land lying in Glidden Terrace, Dutton Terrace, and Assessor's Map of North Ft. Pierce, being more particularly described as follows, to wit:  
Beginning at the Northeast corner of Block 2 of Glidden Terrace, as per plot thereof recorded in Plot Book 7, Page 47, Public Records, St. Lucie County, Florida, run South 01°4' East, 146.02 feet, then run North 89°54' East, 2.82 feet, then run South 01°30' East 785.68 feet, then run North 89°55'30" West, 137.0 feet, then run North 01°30' West, 41.0 feet, then run North 89°55'30" West, 136.15 feet, then run South 01°30' East, 68 feet, then run North 89°55'30" West, 199.78 feet, then run North 01°30' West, 811.08 feet, then run North 0°34' West, 140.1 feet, to the Northwest corner of Block 2, Glidden Terrace, then run North 88°52' East, 470.0 feet to the Point of Beginning.

**PARCEL TWO**  
A parcel of land lying in Assessor's Map of North Ft. Pierce, being more particularly described as follows:  
Beginning at the Northeast corner of Block 2 of Glidden Terrace, as recorded in Plot Book 7, Page 47, Public Records of St. Lucie County, Florida, run South 01°4' East, 146.02 feet, then run North 89°54' East, 2.82 feet, then run North 01°30' East 785.68 feet to the Point of Beginning, then run North 89°55'30" West, 137 feet, then run North 01°30' West, 41.0 feet, then run North 89°55'30" West, 136.15 feet, then run East along the North line of Block 4 of Fee and May's Resubdivision, as per plot thereof recorded in Plot Book 3, Page 48, Public Records of St. Lucie County, Florida, 273.15 feet to the West line of North 7th Street, then run North 01°30' W, 47 feet to the Point of Beginning.

AND  
The North 69.5 feet of the West 22 feet of Lot 1, and the North 69.5 feet of Lots 2 and 3, all in Block "J", Fee and May's Resubdivision, as per plot thereof recorded in Plot Book 3, Page 48, Public Records of St. Lucie County, Florida.

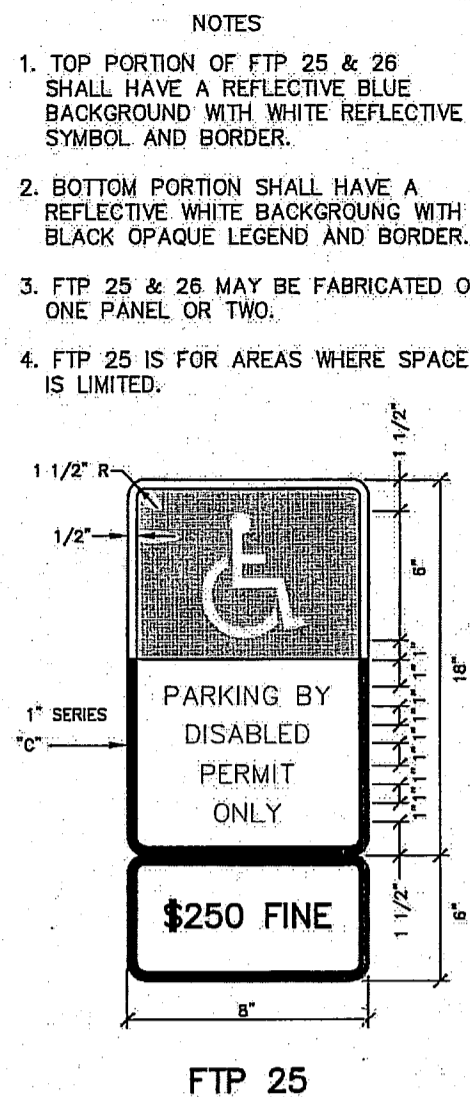
AND  
Lots 4 and 5, Block "J", Fee and May's Resubdivision as per plot thereof recorded in Plot Book 3, Page 48, Public Records of St. Lucie County, Florida.



**AVENUE G DETAIL**

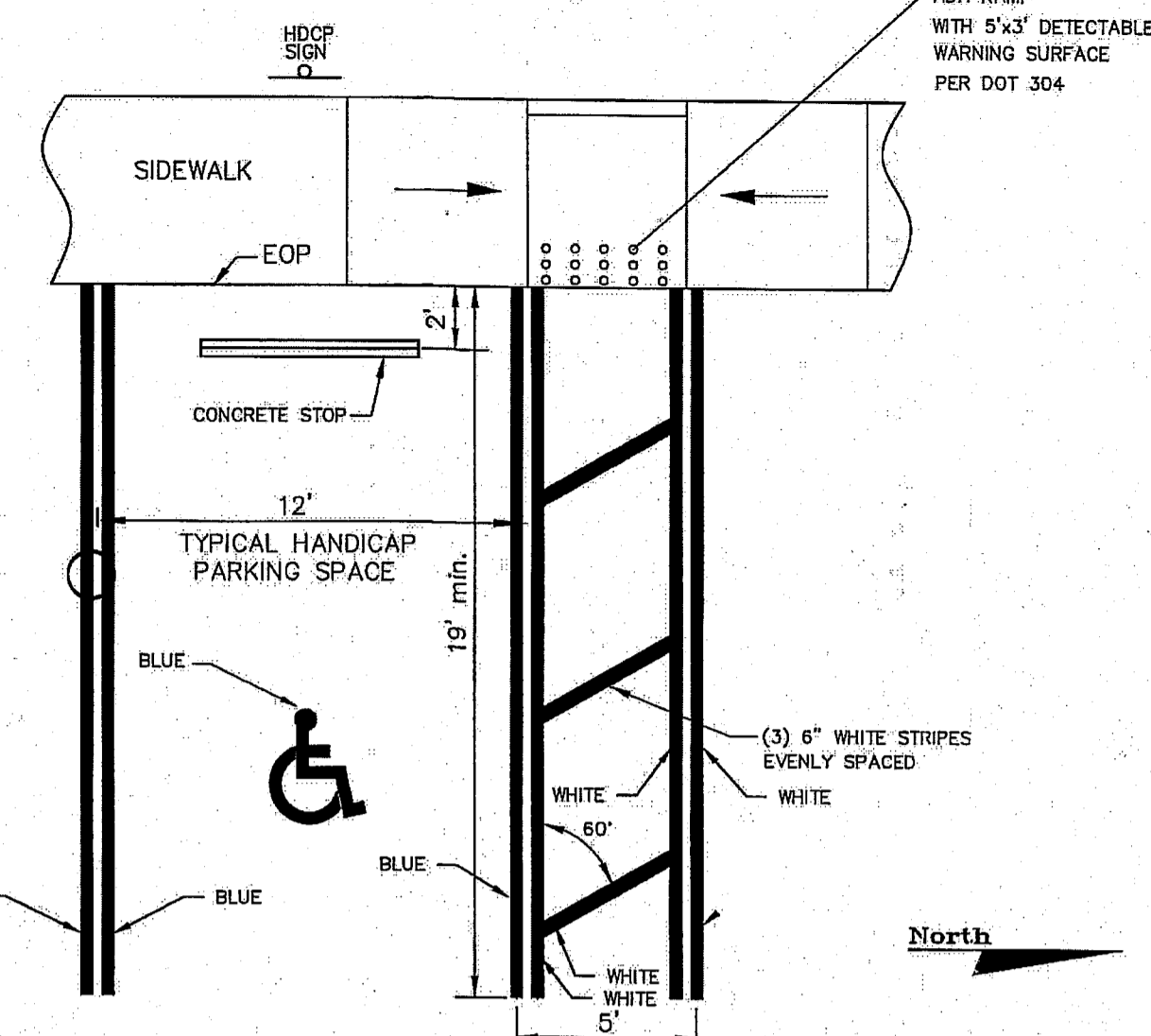
SCALE: 1"=10'

NOTE: AVENUE F HAS SIMILAR LAYOUT EXCEPT MIRRORED.

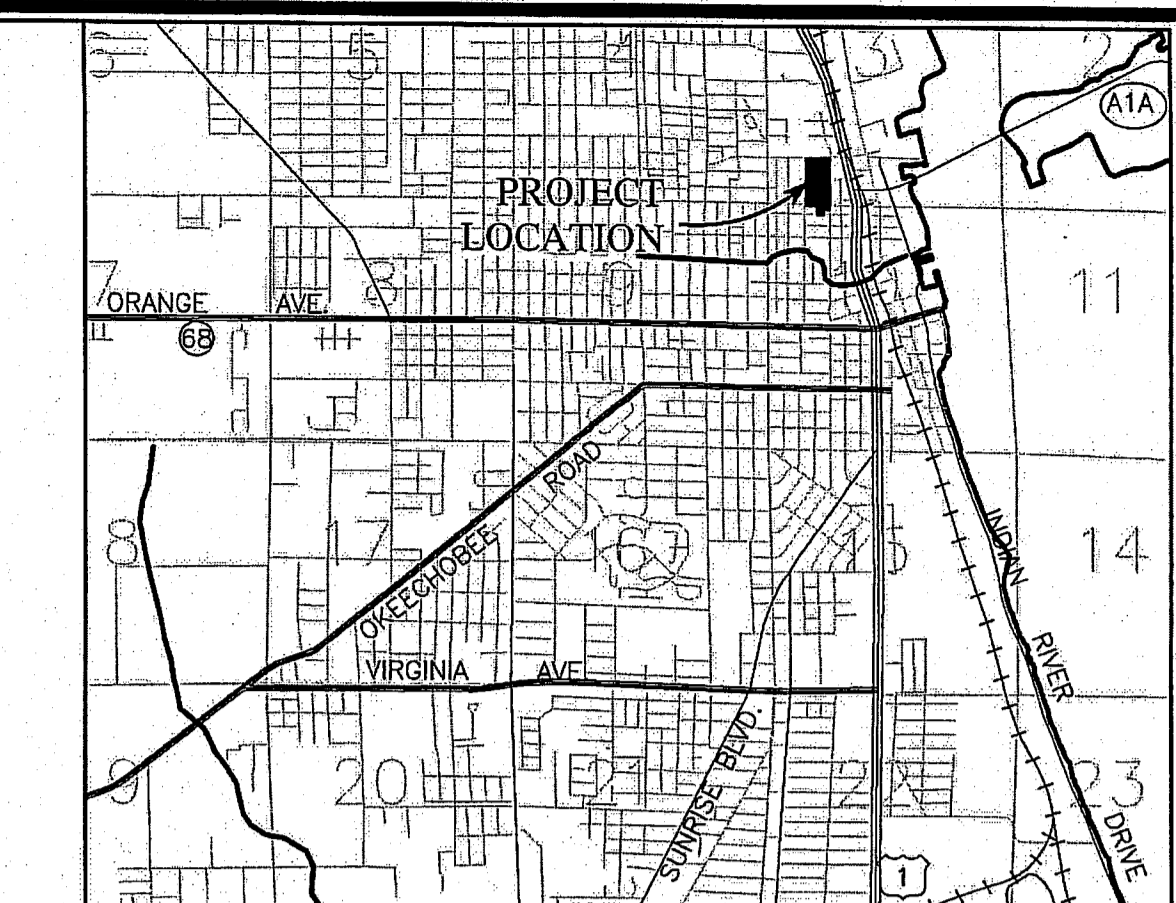
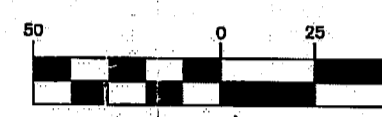


**HANDICAP PARKING DETAIL**

N.T.S.



**GRAPHIC SCALE**



**LOCATION MAP**

N.T.S.  
SECTION 3 & 10/TOWNSHIP 35S/RANGE 40E

**GENERAL NOTES**

- PROJECT NAME: Sunrise Heights Senior Housing
- LOCATION: Between 7th and 8th Streets, south of Avenue H
- TAX PARCEL ID: 2403-705-0056-000-4, 2403-710-0006-000-5, 2403-713-0002-000-6, 2403-713-0008-000-8, 2403-713-0010-000-8, 2410-601-0127-000-6, 2410-601-0124-000-5
- OWNER: The Housing Authority of the City of Fort Pierce
- ENGINEER: CULPEPPER & TERPENING, INC. 2980 SOUTH 25TH STREET FORT PIERCE, FL 34981 (772) 464-3537
- SURVEYOR: CULPEPPER & TERPENING, INC. 2980 SOUTH 25TH STREET FORT PIERCE, FL 34981 (772) 464-3537
- TYPE OF PROJECT: 193 Unit Senior Housing Residential Development
- GROSS PROJECT SIZE: 10,380 Acres
- TOTAL BUILDING SIZE: 101,557.23 SF (2.331 Acres)
- EXISTING LAND USE: RM
- EXISTING ZONING: R4
- FLOOD ZONE: "X", NO. 1211100179J DATED February 16, 2012
- MAX. BUILDING HEIGHT: 44.5'
- SITE COVERAGE:
 

	ACRES	PERCENTAGE
IMPERVIOUS		
BUILDING - PROPOSED	2.331 AC	22.46%
OUTDOOR AMENITIES	0.040 AC	0.38%
PAVEMENT	2.699 AC	26.02%
PROPOSED WALK, CURB, MISC. CONC.	0.857 AC	8.25%
<b>TOTAL IMPERVIOUS</b>	<b>5.927 AC</b>	<b>57.39%</b>
PERVIOUS		
OPEN SPACE	3.478 AC	33.52%
DETENTION AREA	0.944 AC	9.09%
<b>TOTAL PERVIOUS</b>	<b>4.422 AC</b>	<b>42.61%</b>
<b>TOTAL SITE AREA</b>	<b>10,380 AC</b>	<b>100.00%</b>
- PARKING:
 

Land Use/ Activity	No. of Units	Req'd Parking Ratio	Req'd Parking	Parking Provided
Duplexes	44 Units	2/Unit	88	88
Apartment Units	149 Units	5/Unit	745	61
Employee			11	11
Boys & Girls Club			12	12
Restoration Ministries, Inc.			N/A	35
On Street Parking				
			<b>Total Spaces</b>	<b>217</b>
- Handicapped Spaces Required: 6  
Handicapped Spaces Provided: 6
- DEVELOPMENT SCHEDULE:  
CONSTRUCTION TO BEGIN: July 2013  
CONSTRUCTION TO BE COMPLETED: July 2015
- UTILITY SERVICE:  
WATER SERVICE: FORT PIERCE UTILITY AUTHORITY  
SEWERAGE: FORT PIERCE UTILITY AUTHORITY  
ALL UTILITIES SHALL BE PLACED UNDERGROUND AND ALL CONSTRUCTION SHALL COMPLY WITH STANDARDS SPECIFIED IN THE CITY OF FORT PIERCE CODE OF ORDINANCES SECTIONS 17 AND 22.
- SITE DRAINAGE: Discharge to City of Fort Pierce Drainage System
- SOLID WASTE: Curbside Pickup for Duplex Units, Consolidated Residential Collection shown on site plan.

STATE OF FLORIDA  
ST. LUCIE COUNTY  
CITY OF FORT PIERCE

THIS IS TO CERTIFY THAT  
THIS IS A TRUE AND  
CORRECT COPY OF THE  
RECORDS FILED IN THIS  
OFFICE.

*Caroline Steel*  
CITY CLERK  
DATE 12-18-12  
(CITY SEAL)

DEPICTS STORMWATER DETENTION AREAS

**SITE PLAN APPROVAL**  
CITY OF FORT PIERCE, FLORIDA

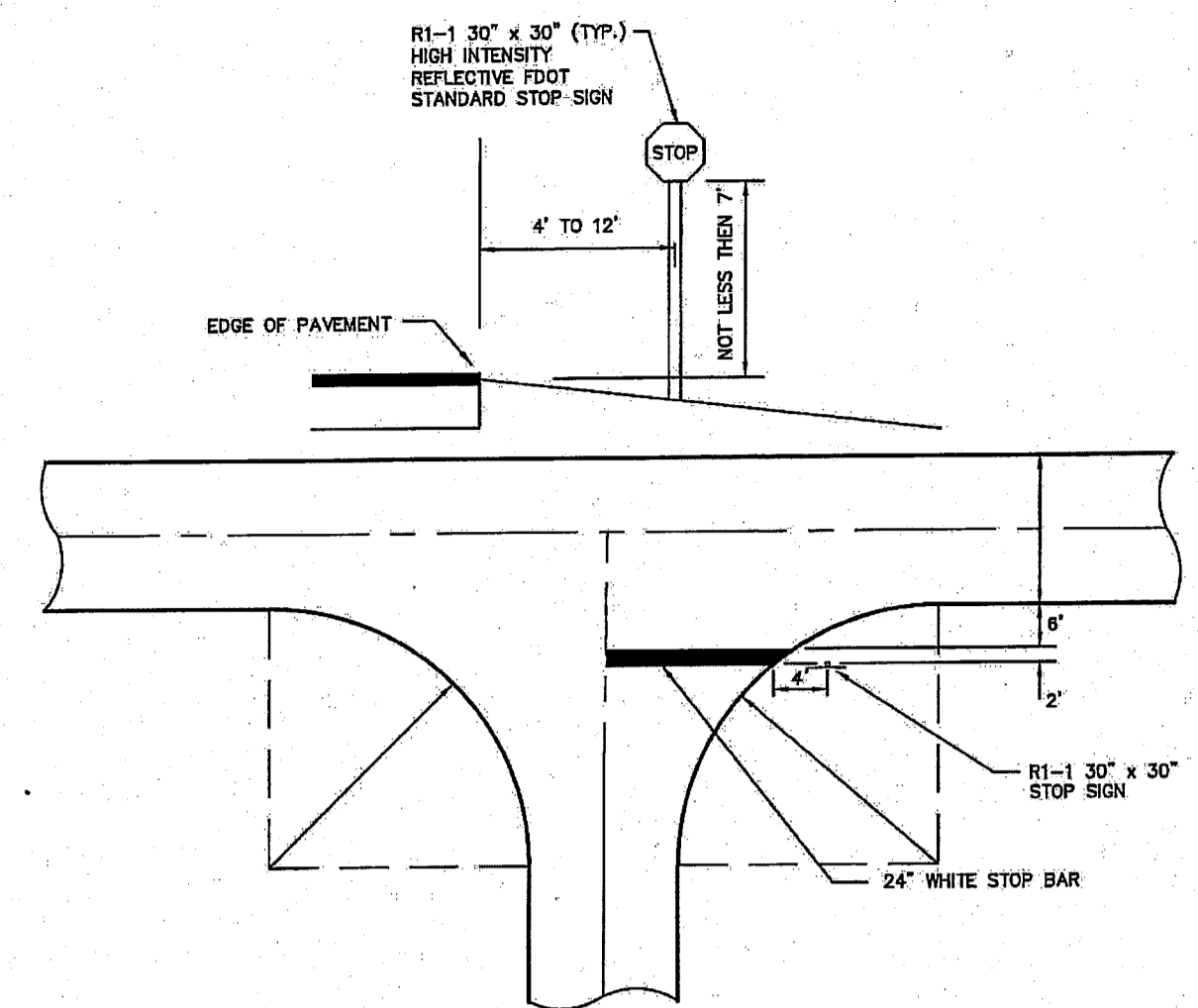
*Michelle Hudson*  
MAYOR

12-17-12

*Stefan K. Matthews*  
CITY PLANNING BOARD

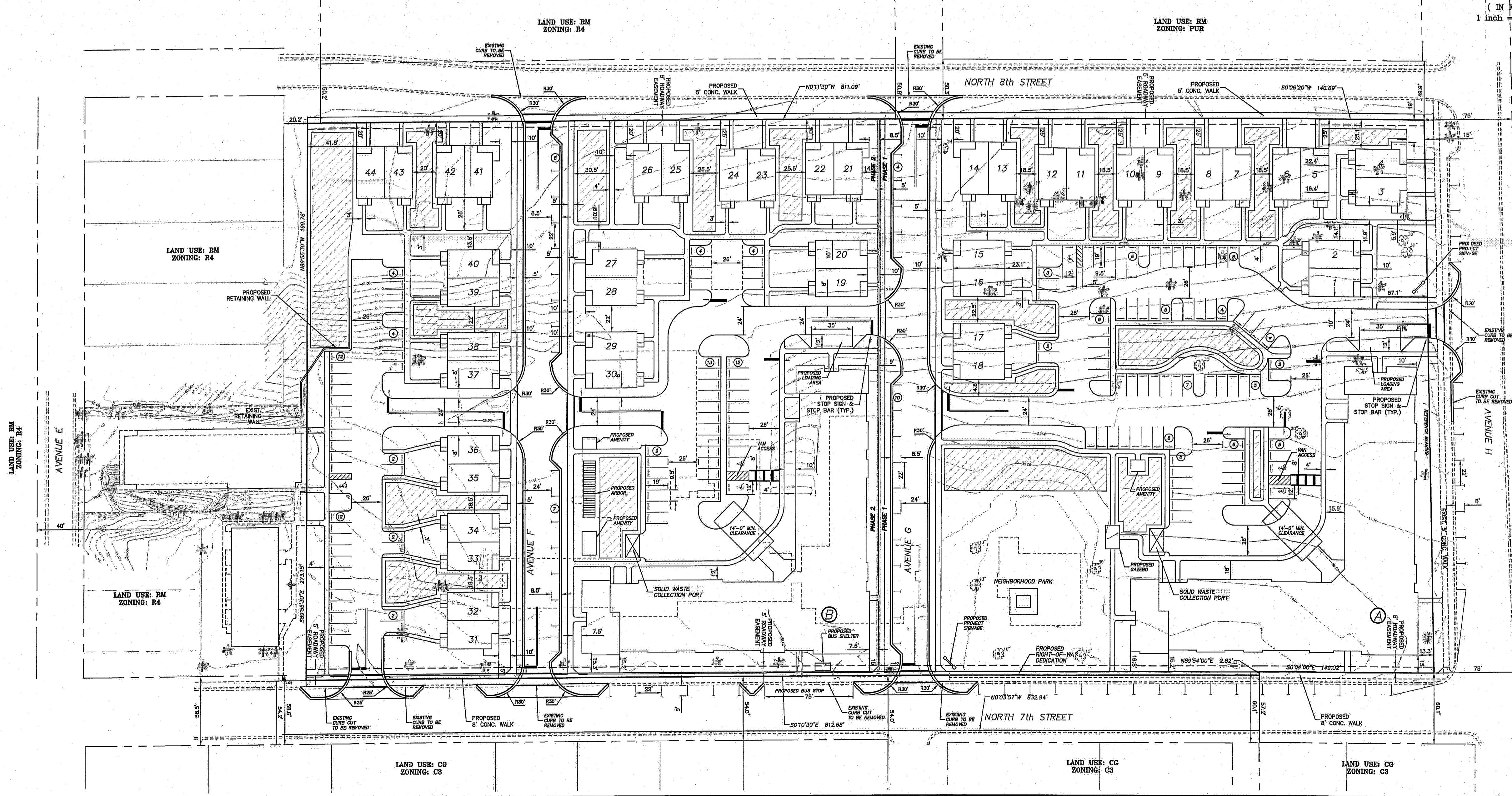
DATE 12/11/12

STEFAN K. MATTHEWS  
CITY PLANNING BOARD



**STOP SIGN & STOP BAR**

N.T.S.



P:\Prof-2011\11-186 Primavera-1pht-sunil brown sub\Engineering\11-186 BASE.dwg 11/20/2012 2:28:48 PM

**DATUM NOTES:**  
1) ALL ELEVATIONS AND BENCHMARKS SHOWN HEREON ARE RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM (N.A.V.D.) OF 1988.  
2) AN APPROXIMATE CONVERSION BETWEEN THE NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D.) OF 1929 AND N.A.V.D. CAN BE MADE BY ADDING 1.475 TO THE N.A.V.D. ELEVATION TO OBTAIN THE N.G.V.D. ELEVATION.

COMPUTER FILE REF.	FIELD BK./PG.
11-186 BASE.DWG	

**CULPEPPER & TERPENING, INC.**  
CONSULTING ENGINEERS | LAND SURVEYORS

2980 SOUTH 25TH STREET • FORT PIERCE, FLORIDA 34981  
PHONE 772-464-3537 • FAX 772-464-9497 • www.ct-eng.com

STATE OF FLORIDA BOARD OF PROFESSIONAL ENGINEERS AUTHORIZATION NO. 0284

**- REVISIONS -**

NO.	BY	DATE	DESCRIPTION

DESIGNED	BY	DATE
CALCS.		
DRAWN	DRP	6/4/12
DETAILED		
CHECKED		
APPROVED		

**HOUSING AUTHORITY OF FT. PIERCE**

**SUNRISE HEIGHTS SITE PLAN**

DATE: 12/17/12  
HORIZ. SCALE: 1"=50'  
VERT. SCALE: NONE  
JOB NO. 11-186  
SHEET 1 OF 1

Gonano, Mark Greene, Bud Holmes, Tom Jefferson, Erik Melville, Stephen Neill, Allen Osteen, Tom Perona, Sara Pride, Natasha Santoro, Holly Theuns, and Jennifer Trefelner. This past November 8th, kindergartners through 5th graders from St. Andrews Episcopal School, Fairlawn Elementary, St. Anastasia Catholic School, and Francis K. Sweet Elementary enthusiastically participated in a Design Day and shared ideas and elements they would like to see in a new dream playground. That afternoon, professional playground designers spent time creating the new playground layout, using ideas from the morning brainstorming sessions with the children. Design Day was a huge success and the evening celebration was enjoyed by the community as the new playground schematic was unveiled. Using today's composite materials along with long-term care and maintenance, the new structure should have a life span of 30 to 50 years. The old playground structure is scheduled to be razed in the Fall of 2013, with the new playground scheduled to be built there shortly after. With the Commission's blessing, they would like to move forward with obtaining approval to post signs on the playground site announcing the new playground will be built in October 2013 and to support this wonderful community effort.

**Mr. Tracey Williams**, 808 Georgia Avenue, said he would like to thank everyone for participating in the parade, it was a great success. One thing he wants to talk about, they have a problem in Fort Pierce - it is violence. They have been talking with the Chief. They would like to get with the Mayor and the Commissioners, and maybe they can come up with a plan or something where they can resolve some of these issues. A lot of the parents and stuff are getting really aggravated. He hears what they are saying because he is there. They want to try to get some of these cases resolved.

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The next item on the Agenda was Public Hearing on Application for Site Plan Review submitted by the Housing Authority of the City of Fort Pierce for construction of Sunrise Heights Senior Housing Center at 707 North 7th Street; said property zoned R-4, Medium Density Residential Zone.

Mr. Ryan Sweeney, Development Review Planner, said they have before them an Application for Site Plan Review in accordance with Sections 22-27 and 22-58 of the City Code. The applicant is requesting review and approval of a Site Plan to construct a 193-unit senior housing center. The site is located at 707 North 7th Street and is approximately 10.38 acres in size. The proposed Site Plan includes two mid-rise apartment style buildings that each house approximately 75 units and also 22 duplexes that house a total of 44 units. The project is proposed to be constructed in two phases. Phase I will include one of the apartment buildings and nine of the duplex buildings, along with all of the required site improvements. Phase II will include the second apartment building and the thirteen remaining duplex buildings, along with the remaining site improvements. All the Code required parking, lighting, landscaping, and stormwater improvements will be provided as demonstrated in the plans. A total of 283 new trees will be planted on site. Per the Engineering Department, the project will be required to dedicate 2.82 feet of right-of-way along North 7th Street, as

well as an additional 5 feet of right-of-way easement along North 7th Street. The project will also be required to dedicate 5-foot right-of-way easements along North 8th Street. All affected departments have reviewed and approved the Site Plan based on it meeting the requirements of the City Code. The proposed structures will share a consistent design scheme that will emulate Mediterranean revival and coastal styles. The apartment buildings will have standing seam metal roofs with various pitches and will include metal canopies, arched windows, and simulated exposed rafter tails. Three variations of the duplex structures provide additional variety in design. All three designs feature a half-hip standing seam metal roof and covered front porches. At their December 11, 2012 meeting, the Planning Board voted unanimously to recommend approval of the Site Plan with conditions. The Planning Board included a fourth recommended condition of approval in addition to the Staff's recommended conditions, which states that "The proposed Avenue F and Avenue G road extensions not become through streets, but service roads within the Site Plan". The proposed Site Plan meets the requirements of the City Code and is found to be consistent with the City's Comprehensive Plan. Staff recommends approval of the Site Plan with only the following conditions: (1) The applicant shall record and provide a recorded copy of a Unity of Title combining the five parcels into one, prior to the issuance of a Building Permit; (2) The applicant shall provide sketch and legal descriptions and the applicable Owner and Encumbrances title search for each of the requested rights-of-way or right-of-way easement dedications, prior to the issuance of a Building Permit; and (3) The applicant shall record the requested dedications prior to the issuance of a Certificate of Occupancy. Staff did not include the additional recommended condition of approval from the Planning Board and does not support said condition. This is an application for a Site Plan for a permitted use and the recommended condition is not required by the City Code nor is it supported by the City's Comprehensive Plan. There are several Comprehensive Plan policies that do support having Avenue F and Avenue G roads remain as through roads.

Commissioner Perona said normally when the Planning Board makes these type of decisions, there is usually discussion about the reasons why. He was trying to figure out why the Planning Board got to that point. He knows it has caused kind of an issue between Staff and the Applicant. There was no supporting document that he could find that would lend itself to adding this condition. Does he know why this condition was proposed?

Mr. Sweeney said he doesn't know why the condition was added. He heard that there were safety concerns. The reason the Planning Board Minutes weren't included in their Agenda package is because the meeting literally occurred the night before his Staff report was due. The Planning Board Minutes have not been completed. But there was no discussion of this additional recommended condition held during the hearing.

Commissioner Perona said he is very familiar with the area, it used to be the old Hospital. These roads that were identified basically dead-end on North 7th Street and North 8th Street.

Those really aren't used by traffic that much. If those became part of that east/west corridor and would be contiguous to some main road like 13th Street or U.S. #1, he could understand that issue. But those basically are unused roads in that area. He is just trying to figure out exactly why and he was left hanging there. As for making it a condition, which would cause this applicant a whole lot of grief because it changes a whole lot of the process, he just didn't see any supporting documentation.

Commissioner Sessions said he is looking for the applicant to respond to this, because he was thinking along the same lines, if this poses a hardship to some degree for the applicant and this Site Plan in the construction of this. If the applicant can justify what is requested as opposed to what the Planning Board is suggesting or at least making a recommendation that they deny... He is concerned about that because a road that is useless to some degree up until now that they applicant wants to build this project, and if it will enhance the project, the Comp Plan alone is not justification to deny, unless there is something that he missed in the Minutes here. He is waiting to hear from the applicant as to the hardship itself.

Mr. Sweeney said he wants to be clear. Staff is not recommending denial by any means. Staff is just not carrying forward the additional condition that was recommended by the Planning Board. Staff is recommending approval of the plans as submitted and vetted via the review process. They are by no means recommending denial. They are simply recommending approval.

Mayor Hudson declared a Public Hearing in session and asked if anyone in the audience wished to be heard.

**Mr. Stefan Matthes**, Culpepper & Terpening Inc., said he is representing the applicant, the Fort Pierce Housing Authority, as well as Norstar Development, a partner in this endeavor. Both David Nisivoccia and Richard Cavalieri are here with him.

Commissioner Becht said he thinks there is some confusion up here. The Applicant and City Staff agree that these roads ought to be opened, is that correct?

Mr. Matthes said completely.

Commissioner Becht asked so there is no disagreement between what the Applicant wants and what Staff is recommending?

Mr. Matthes said that is correct.

Commissioner Becht said the disagreement arises with what the Planning Board came up with after public comment was closed, which imposed this additional condition before the Applicant had a chance to respond to that, if he understands correctly.

Mr. Matthes said that is correct.

Commissioner Becht said he has spoken with the applicant. Commissioner Alexander said so has he.

Mayor Hudson said she has too.

Commissioner Perona said so has he.

Mr. Matthes said Staff has done a great job working with them these past four or five months bringing this project forward. Staff represented their desires very well and they concur completely with Staff's recommendation. They were honestly taken quite aback at the Planning Board meeting that an issue came up, an additional condition was put on the Site Plan with them being able to vet it through the process and answer any questions. They can only make suppositions as to what the concerns were and why that additional condition was put on the site. The supposition is that there is a safety concern. He did speak with one of the Planning Board members prior to the Planning Board meeting and he had indicated to him that he did have concerns with the security of the site. His discussion with him at the time was that they were following urban standard practices, the site would be developed in a very safe manner, and that they were more than willing to have those discussions at any Board meeting and answer any questions they may have. Their position is that the site is designed and developed correctly. They have two phases of development, each one is self-standing and can be independently developed. Those both have two points of access, which is standing protocol for emergency access into any kinds of needs that the senior housing development may require, the current urban planning principles. They have rear entry points of access for each one of the individual units as well as the main buildings; but they also have a street network that gives them a front street system where they have eyes on the street - front porches where people will come out and interact with the community. They have the ability to watch their neighbors while they still have a safe access into their dwelling unit from the rear. If indeed the concern was safety of those two streets being opened - as standard planning policy procedures would dictate - he does have four points he would like to make in response to that. The first point is, both Avenues G and F, which are what they call the internal street ways that were requested to be closed, those take the pressure off the existing roadway network in terms of allowing the residents and the people who serve them multiple choices of getting to those developments, rather than just one point in and one point out, putting all the traffic burden on one roadway. The second thing is, the internal streets also provide travel time options for emergency vehicles. The more different options they have to get to an area, the quicker the response time can be; and for an elderly community, that is very important. The third thing is, the overall Site Plan allows the Police to be able to fully monitor the site by vehicle. A patrol car can circulate around and through the block versus trying to monitor a three block area from just one point of access. Essentially this is three blocks long; and if they only had one or two points of access, they would have to do a lot of internal circulation to allow that to occur and it would be difficult to monitor those activities that would occur in the middle of these blocks. The only other option they would have for monitoring is possibly on foot for these mega-block type of

activities and that is one of the reasons why urban principles are allowing more access to those locations. The fourth one is, these internal streets will not create new cut-through traffic. There is very little traffic on the surrounding roadway network. People have very many options to go to and from where they need to go, there is really no need to cut through on these blocks. It provides a service to the community as opposed to a detriment to their security.

**Mr. Bob Burdge**, 1302 Nebraska Avenue, said he was the motion-maker at the Planning Board, so he is here to provide information concerning the reason. The applicant was well aware that this issue was going to be presented at some point. At the Historic Preservation Board meeting in May, he brought this at that particular level when there was a discussion concerning the facade or something being saved as far as the hospital is concerned. At that particular meeting, he spoke and had great concern about those two streets - Avenue F and Avenue G - being through streets. The primary reason is the safety issue of these elderly vulnerable people that are allowed to be able to live there, he is very concerned about that. The aspect of why these streets, first of all these streets are not there right now. This is private property that the applicant is suggesting become streets. As a matter of fact, Avenue G was once a dedicated street, and the City of Fort Pierce vacated that particular right-of-way. So the City of Fort Pierce does not even own any land as far as Avenue G is concerned. The whole premise behind this and the reason why the Planning Board had very little or no discussion... There was discussion. The Chairman asked the Assistant City Attorney, could this recommendation be made? The answer from the Assistant City Attorney was yes, the recommendation can be made. The problem comes down to whether or not the applicant and staff wants this type of recommendation approved by the Commission. Unanimously the Planning Board understood. The reason why they understood was, previous to this particular meeting he had prepared a document that he circulated through the Planning Board as far as an education program is concerned on the Crime Prevention Through Environment Design concept. The concept is still being used today. The Attorney General's office for the State of Florida holds seminars throughout the year in regards to this. There are two police officers in the City of Fort Pierce that are certified CPTED officers. One of them did the review of this particular project that was submitted to the Planning Department today. He does not know if they received a copy of that. While it did approve the project, there were a number of suggested comments. To give them a background, there is currently a six-foot fence around the project. It is chain link. In some instances, there is barbed wire around it. There is currently no access on Avenue G as the through street, no access on the potential Avenue F. There is basically two entry points to the project. If in fact there were the opening of these two additional streets, there would end up being close to five. The numbers 30% or 40% or higher as far as giving the availability of people to be able to come in through there. The motion was simply to not allow these roads to be through roads, not allow these roads to continue from North 7th Street to North 8th Street, but would be called what he considers service roads.

It would still give the applicant the availability of the parking that he is needing in order to have the project move through the planning state and get approval from the Commission. The bottom line is the safety of limited access to this particular property. It was suggested in the aspect that the Planning Board may not be able to make these comments or additional conditions; whereas under Section 22-58 of the Code where it talks about Site Plan approval, it says the City Planning Board shall review the proposed Site Plan and make recommendations to the City Commission. This is a recommendation, just as the City Staff has made three recommendations. This is an additional recommendation that the Commission can either accept or reject as they choose. But it is an important one because it is a safety issue of these elderly people who are going to be living there. The other thing is, while Staff this evening suggested numerous parts of the Comp Plan, in the information presented to the Commission they only cited one area, which was Policy 2.6.2. So where these other ones came from, he didn't have the availability to look at them. But throughout all of this, they had discussion as far as the Chairman having discussion with the Assistant City Attorney that yes, they could do this, it is a recommendation. As far as the Site Plan approval, they do have the aspect as a Planning Board to make recommendations that the legal concern exploring further that the application could be not something that they could do. But is it something that they can do. Finally, as far as the Police report that was presented today, it was delayed. Even at the Planning Board, they did not have the availability through the Technical Review Committee in order to be able to understand what the Police Department's feelings was about this particular project. He wants to read something that came from Officer Cozine, which is the CPTED officer. It says: "Due to the high crime area and the buildings, he would recommend the 6-foot fence around the entire property. When erecting the fence, the Fort Pierce Police Department recommends using the crime-prevention friendly fence. Fencing should be opaque and difficult to climb." It also goes on to say: "I am worried about extending Avenue G through the middle of the property. The building will house the elderly and handicapped." He indicates that they are prime victims of crime. "The road gives criminals access to the residents." That is the premise that he also believes, that those roads as thoroughfares give access to the project. Limited access is not something that is unknown to all of them. He knows of High Point, a plus-55 residential community here, where they have limited access, a guarded gate. Ocean Village, another situation of limited access where people living on South Beach at that particular project. He is sure some of them here this evening live in projects or homeowner associations that have limited access. Limited access is not a bad thing. Commissioner Perona had some questions on why this came about? It came about primarily because of this packet that he put together dealing with the CPTED concept. When he sat on the City Commission back in the 1980's and early 1990's, he attended two classes put on by the Attorney General's office that were week long. He did one in 1988 in Jacksonville and he learned about the concept of environmentally designing something so they don't have the problem later, so they don't have the safety issues. That is

the reason why. He asks the Commission that they basically approve this particular plan and he urges them to approve the Site Plan with all four of the conditions that were unanimously recommended by the Planning Board. CPTED is something that he would hope they might become familiar with. It is not a dead issue. It is something that if they design buildings and projects, he believes they would probably have a safer community. They might ask the Police Chief in regards to this, since this report came so late. He had discussions with him in regards to CPTED and he is a supporter of the concept.

Commissioner Perona said he does appreciate his efforts, he reads his comments in Planning Board meeting Minutes quite often. He talked about the CPTED study. Is the rest of the Planning Board up to date on all of the issues he has in that red book?

Mr. Burdge said they were given the booklet in September. Some of them might have read it and some of them might not have read it. But when the motion was made and seconded, not one member spoke against the concept of closing these streets, not one member questioned his desire and his understanding of the safety issue. They understand in his heart is the safety of this particular project. If this project had these streets closed, he would be in support of it. But the Applicant and in some ways Planning Staff are sort of pushing that these streets be opened. Someone brought up a good point - those will only go from 7th Street to 8th Street. What is the big necessity of having these opened when currently they are not opened now? There is no necessity for that. He speaks in the aspect of making it a cul-de-sac along the North 8th Street area; and then they will have a service road to service the houses, they will have the parking availability that they need in order to do the Site Plan, and they have everything they need, but they don't have the thoroughfare. Also, even though it wasn't in the motion, this aspect of some sort of fencing around the property. He would not want to come back to this Commission and say they should have done it when they had the opportunity to do it. They have the opportunity to potentially prevent some of these things by the design aspect of it. He would not want to see something happen to those vulnerable elderly people. It is just that that he is the most concerned about. When he sat on the Commission, the Commission closed a number of streets in the City of Fort Pierce because they saw those were not only not needed, but they offered that straight line to be able to get away or to something. One he will discuss is South 17th Street at Kentucky Avenue. It used to go into North Lawnwood Circle. After coming back from these meetings, he recognized that it was opening up access to the Villages of Longwood and to The Pines. For what reason? So someone could scoot up North 17th Street, use 13th Street, use 23rd Street, use 25th Street. Limiting the access for people so that they have the safety issue, especially with these older folks.

Commissioner Perona said he commends his passion. But he has to understand from his standpoint, he is used to reading the deliberation of an idea from the Planning Board getting to that resolution. He expects to see some discussion, especially after

reading through what he had, this was a left turn out of nowhere. He is trying to grasp that and decide what happened, how did this come about, what was Staff's position in this? They rely on Staff also for a lot of the support and making sure that they are following the appropriate rules and regulations and moving in a way that can enhance the possibility of this \$30-plus million dollar project and a definite benefit to their community. He has to understand his standpoint, it left him high and dry.

Mr. Burdge said he completely understand that from the aspect of every Commissioner here. But the situation is, it is the aspect of they are not doing anything that is already not there. There is no street there now. There is no Avenue G. Avenue G does not exist. The City gave they right-of-way back. Avenue F, he is not sure that it is a plotted street either. Even within the Site Plan it says that these streets will be private streets, that they will be maintained by the Housing Authority. Those are not even going to be City streets. The only thing that is going to be a City street is the opening to 7th Street and to 8th Street.

Commissioner Perona said the biggest issue he has is, he knows the Director of the Housing Authority's number one objective is to offer not only a very decent place for people to live, but he is sure safety is the first thing being done. In fact, his conversations with Mr. Nisivoccia was exactly that. For them and their team of planners and engineers and builders and contractors to sit there and just recklessly put these streets in there, it is just inconsistent with everything he had learned up to this point.

Mr. Burdge said he understands. If he can read from the Minutes of the Historic Preservation Board, because he did speak on this issue. It says, "CPTED is an issue that we are not discussing." He is speaking about the Director of the Housing Authority. "We are familiar with the process and the concept." He goes on to say, "I think that it is something that we can discuss. But it would be our position that the main structure would come down, as well as we would open up Avenue G." He basically on May 29th this year said it is not something they are discussing. It is something that he discussed at this meeting, so the Director is well aware of it, as the engineer from Culpepper, they had conversation. He had conversation with the Police Chief, he had conversation with Jim Cozine, the CPTED officer who reviewed this particular project. It is something that is passionate in his mind, the safety issues of Fort Pierce. He does not want them to say to someone in the future, if only. He would rather have it stopped and settled at this area, just follow the four conditions that the Planning Board recommended, that is all he is asking.

Commissioner Alexander said at the 12 o'clock hour now they are discussing the change of the plats of this project. Would that cause a delay?

Mr. Sweeney said most certainly it would. It is his understanding that per the federal funding cycle, these plans

have to receive local approval by the end of this calendar year.

Commissioner Alexander said with these being private roads, they can name them Perona Drive or Alexander Drive, because there is no Avenue G or Avenue F on the west side of North 8th Street. So if they just change the name from Avenue G to Perona Drive, he will go for that.

Mr. Sweeney said there was an Avenue G right-of-way that was abandoned during the construction of the administration building annex to the Fort Pierce Hospital years ago.

Commissioner Alexander said at the 12 o'clock hour, he wouldn't dare want to stop this project from going forward. He does have the safety in mind of everyone. Looking at the Site Plan, there are properties on the south end. Someone should be able to go from North 8th Street instead of going all the way around to North 7th Street, even if they are walking or riding in their little wheelchairs. They have got to have some access. If this had been addressed earlier, maybe he would have considered it.

**Mr. David Nisivoccia**, Executive Director of the Housing Authority, said he wants to address a couple of concerns that were raised by Mr. Burdge. Number one, CPTED is a well thought out theory regarding safety through environmental design, and it is something the Housing Authority does consider. But he would argue the details of it with Mr. Burdge. Through all planning purposes and CPTED design, typically the more activity you have on the street, the safer it is. Second, these are private streets, not public streets; so they are not asking the City to take on any financial burden in regards to the development. Third, these streets do create a quality of life issue. They are extremely careful to consider how their clients are going to live on this site. The larger buildings will have security mechanisms within. The smaller duplexes are a little more challenging. But they are lucky they have a current partnership with the Fort Pierce Police Department. Chief Baldwin provides them crime reports on all their developments on a monthly basis. Looking at those crime reports, they will see that crime currently on those sites is lesser of a percentage of the major crime categories than almost anywhere else in the City. Last, the fence issue would be something they would object to, because they inherited that fence, he is not a fan of that fence. The fence that is actually standing there now would not stop any crime because people have access into the site on the two existing entranceways, one on the north and one on the south. So they look forward to the Commission approving Staff's recommendation and they agree with the three stipulations.

Commissioner Alexander said he heard someone speak of barbed wire. That has to come down.

Mr. Nisivoccia said he is in favor of that.

Chief Baldwin said he believes the Building Codes prohibit the use of barbed wire in most cases.

Mr. Nisivoccia said it is an oversight on his part and something

he probably should have taken down years ago. The last thing he wants to touch on, they were trying to apply for Florida Housing Tax Finance credits on this application. If this has to go through the process again, they would lose the opportunity of applying for those most likely this year, and there would be a full delay on the project of one year.

Commissioner Perona asked what is the price tag on this total development?

Mr. Nisivoccia said approximately \$30 million to \$35 million. It will probably create somewhere between 200 to 400 jobs over the lifetime of the project. They have a commitment to utilize MBWE on this project and create local jobs for local people as well.

Commissioner Becht asked is there any question in his mind that this project, as he has paid his professionals to design it, will be safe for the residents?

Mr. Nisivoccia said no, he knows it will be safe for the residents.

Commissioner Sessions said Mr. Nisivoccia said if they postpone it, it will set them back substantially financially in terms of funding. But by the same token, Mr. Burdge brought up some major concerns and it appeared he had done his homework in terms of working with the Police Department and in terms of the format or plat itself and how it is designed. Bottom line is, the protection of the citizens, making sure they can keep these elderly people safe and sound. However, the last thing in the world he wants to see is a Taj Mahal with a wall built around it excluding the outside area and not including the outside area, which is what he believes these thoroughways will do in terms of improving the social aspect of the whole entire area. But Mr. Burdge did bring up some major concerns that seemed to have some validity. He just wants to hear his response to that.

Mr. Nisivoccia said safety and security is foremost on their minds, that is why they entered into a contract with the Police Department where they employ two full-time Police Officers for all their properties. That shows the commitment he and his Board have regarding their constituency. And specifically the two subgroups of that constituency, the elderly and the children, that is where they invest the majority of the time with the Police Officers who serve. They would not be requesting this Site Plan and building this project if they didn't have the safety and security for their clients in mind. The team they did employ, Norstar Development has done over 10 of these in the relative recent past. And Torti Gallas & Partners Inc., the architectural firm they utilized, is one of the leading experts in the country in regards to site and safety design for site planning of elderly facilities. So they feel they have addressed the issues. He appreciates Mr. Burdge's questions and concerns, they are not running away from them and they embrace them; but they believe they will be a safe site.

**Mr. Frederick Jackson**, 617 Ixoria Avenue, asked this is the

current place where the Housing Authority is located, the old hospital?

Mayor Hudson said yes.

Mr. Jackson said currently In the Image of Christ, which is a foundation that has been very much helpful for the entire City, helping with food, clothing, HIV testing, as well as counseling and things of that nature, and they even offered help to those that were homeless during the very cold days. If approval is made to move forward with this development for the seniors, he would just ask that the City of Fort Pierce will definitely give consideration for a transition. It may be something that Miss Hazel has already in her plans to move somewhere else or do something different, he has no idea right now. This is new to him as he sits here in this meeting tonight. The reason why he says that is, he thought about a few months ago when they were concerned about the homeless in their area, it would be a good idea that they could move forward with some things that would be helpful for transitional housing. There is a lot of mental people that are in current facilities, group homes and things of that nature. If they have a place that can assist with the homeless, a place that can assist with transitional housing for the mentally ill and the seniors, that might be something to think about. If Miss Hazel does decide to transition somewhere else or whatever, he does not know whether she has any say-so in the matter. But if that is so, would the City of Fort Pierce sit down with her and ask her what does she suggest?

Mr. Nisivoccia said Hazel does wonderful work, that is why the Housing Authority basically offered her approximately 18,000 square feet after they moved their offices to 511 Orange Avenue, because she was having a difficult time in a 2,000 square foot office she had on Orange Avenue. They provided that space gratis to her for \$1 a month, plus anything over a certain utility amount they cover. Remember, it is going to take a year for construction, they are not knocking down the old Buell Brown site until the second year of the project. They are also building the Williams Community Center out at Garden Terrace. They have the Boys & Girls Club existing in a facility of about 6,000 square feet, which was the original maintenance facility for the Housing Authority. They are going to transition the Boys & Girls Club into the Williams Community Center, thus creating a 6,000 square foot space available for Hazel. That was their preliminary discussion. He thinks after her getting used to 18,000 square feet, it might be a little shock, but 6,000 square feet is still three times larger than what she had previously. So there will be time for a transition and they are happy to provide her a space at that location.

Seeing no one further and hearing no one wishing to be heard, Mayor Hudson declared the Public Hearing closed.

Motion was made by Commissioner Sessions, seconded by Commissioner Becht, to approve the Site Plan submitted by the Housing Authority of the City of Fort Pierce for construction of Sunrise Heights Senior Housing Center at 707 North 7th Street, with Staff's recommendations: (1) The applicant shall record

and provide a recorded copy of a Unity of Title combining the five parcels into one, prior to the issuance of a Building Permit; (2) The applicant shall provide sketch and legal descriptions and the applicable Owner and Encumbrances title search for each of the requested rights-of-way or right-of-way easement dedications, prior to the issuance of a Building Permit; and (3) The applicant shall record the requested dedications prior to the issuance of a Certificate of Occupancy.

Commissioner Becht said while he appreciates some of the comments by Mr. Burdge, he has his concerns about the proactive stance that a seated member of their Planning Board took with passion on a project of this magnitude. He serves as a City Commission, but he used to serve on the Housing Authority and he served as a Planning Board member. He always felt it best that if he had a vote as a Planning Board member, it was inappropriate as he viewed it to go out and speak at multiple hearings on projects on which he had a chance to vote. It is 2012, almost 2013; and the reactions to crime that were done in the 1980's and 1990's, some were successful but not all of them were. Closing off streets and creating enclaves didn't work, don't work, and in his opinion, are absolutely contrary to the urban ideas that have built Fort Pierce and will continue to build Fort Pierce. These experts that are in the field of building facilities for the elderly have told him without a doubt that this is a safe plan. So it is not a question of it being a safe plan, he has been told by experts that it is a safe plan. So the balance here is, he is not going to be a rubber stamp for the Planning Board and he is going to exercise his own intelligent vote tonight in support of what is a good plan according to Staff and according to the Applicant.

Commissioner Perona said he appreciates what is being done by their Boards and Committees, but the Commissioners are not always going to agree. In looking at the plans, if this ever becomes a major issue, if this is something that just absolutely does not work, they are talking about a roadway and they can make changes to that roadway in the future if they absolutely had to. It is not like putting a building in the middle of a street, it is basically the use of a street and how it is going to relate to the project. The other thing is, he would be interested to learn a little bit more about this CPTED aspect of building and perhaps maybe this Commission can get a little bit more indoctrination so they don't have to sit here and try to learn about it as they are considering an application. His signal to Staff is, that is something he would like to learn more about. If his fellow Commissioners and Mayor would like to do so also, it might be something they can do in the future.

Commissioner Sessions said first of all, he wants to thank the Planning Board and Mr. Burdge for his work in doing his homework in terms of going out and analyzing this situation. These are the types of discussions he can appreciate in terms of making decisions that are in the best interests of the citizens. While it doesn't take an individual with a Bachelor's in Criminal Justice to know that a criminal doesn't find a safe haven in an area that is surrounded by a gate, but would certainly rather have an area that he has access to get in and out. So he can

appreciate that and can relate to that because he sees that. But by the same token, from his perspective this puts a high expectation on Mr. Nisivoccia in terms of what he just stood before this Commission to say that they are going to have a safe place for these citizens. He has great expectations of the Housing Authority in protecting those elderly people that have to rely upon them to make sure that they are safe. He thanks Mr. Burdge; but in light of what he is hearing from the Housing Authority and the fact that the funding may be lost or set back substantially, he is going to support the motion he made.

Mayor Hudson said she did watch the Planning Board meeting all the way through. There was a little bit of discussion at the end of the meeting, because there seemed to be some concern and curiosity from some of the Planning Board members about that condition. She has had several conversations, she is very concerned about the vulnerability of the elderly. However, she believes also that the Housing Authority has been taking a proactive stand and has been taking care of these elderly. They are now going to be moving from the Avenue B site to this new site and she thinks they are very conscious of the need to protect the people that are in their care. She is going to support the recommending of Planning Staff.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Perona, Sessions, and Hudson. Those opposed: None.

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City Clerk Steele introduced the following Resolution by title only:

RESOLUTION NO. 12-57

"A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, APPOINTING **BRIAN PAUL** AS AN ALTERNATE MEMBER ON THE **CITY PLANNING BOARD**; PROVIDING FOR AN EFFECTIVE DATE."

Motion was made by Commissioner Alexander, seconded by Commissioner Sessions, that Resolution No. 12-57 be adopted.

Commissioner Alexander asked in February they are having some more of these individuals coming off of that Board?

City Clerk Steele said generally in February a lot of the Boards have expirations on the 28th and the Planning Board is one of them.

Commissioner Alexander said they had quite a few people that were interested in the Planning Board. Can they consider these applications?

City Clerk Steele said those applications will be included in the package. She keeps them for a year.

Commissioner Becht said he would echo Commissioner Alexander's statement. They had an applicant for the Planning Board who is a Civil Engineer and an applicant who has experience working in Planning Departments for cities and counties and for FEMA. They

**City Commission Regular Meeting**

**Agenda Item # 9. e.**

**Meeting Date:** 12/07/2015

**Re:** Colin Baenziger & Associates Professional Services Agreement

**Submitted For:** Nick Mimms, Interim City Manager, City Manager

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**SUBJECT:**

Approval of Professional Services Agreement with Colin Baenziger & Associates for the purpose of selecting and hiring a professional in-house City Attorney for the City of Fort Pierce for an amount not to exceed \$24,750.

**SUMMARY:**

At the November 16, 2015 meeting, the City Commission considered proposals from six (6) local government management recruitment consultants. Colin Baenziger & Associates was selected to assist the City Commission with hiring a City Attorney.

Attached is a proposed agreement between the City of Fort Pierce and Colin Baenziger & Associates that has been approved as to form and correctness by Robert V. Schwerer, City Attorney. The consultant is expected to complete all tasks and services within 90 calendar days.

**RECOMMENDATION:**

Staff recommends that the City Commission approve the agreement in order that the recruitment process can be commenced.

**ALTERNATIVES:**

Staff will proceed as directed by the City Commission.

**RESPONSIBLE STAFF:**

Nicholas C. Mimms, Interim City Manager

**COORDINATED WITH:**

Robert V. Schwerer, City Attorney

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**Fiscal Impact**

**Budgeted Y/N:** N  
**Fiscal Year:** 2016  
**Account:** 00114005144990  
**Amount:** \$24,750

**FISCAL IMPACT:**

Funds are available in the City Attorney's budget.

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**Attachments**

# Professional Services Agreement

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## Form Review

<b>Inbox</b>	<b>Reviewed By</b>	<b>Date</b>
City Manager	Nick Mimms	12/02/2015 04:39 PM
Purchasing	Jennifer Robinson	12/02/2015 05:04 PM
Finance Department	Johnna Morris	12/02/2015 05:09 PM
City Manager	Nick Mimms	12/02/2015 05:10 PM
Form Started By: Jennifer Robinson		Started On: 11/17/2015 04:10 PM
Final Approval Date: 12/02/2015		

# CITY OF FORT PIERCE, FLORIDA

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## PROFESSIONAL SERVICES AGREEMENT

**THIS AGREEMENT** is made this \_\_\_\_\_ day of December, 2015 between the **City of Fort Pierce, Florida**, a municipal corporation, hereinafter referred to as "CITY", and **Colin Baenziger & Associates**, with its principal offices located at, 2055 South Atlantic Avenue, Suite 8, Daytona Beach Shores, Florida, 32118, hereinafter referred to as "CONSULTANT."

### RECITALS

CITY is a public entity organized and existing pursuant to the Charter and the Constitution of the State of Florida.

CITY currently desires to **engage the services of a local government management employment consultant for the purpose of selecting and hiring a professional in-house city attorney** and desires to engage the services of the CONSULTANT to assist in such project and to render its services on the terms and conditions provided in this Agreement.

CONSULTANT is a **partnership** duly licensed to practice in the State of Florida and desires to render the professional services for the CITY as provided herein.

CONSULTANT further warrants that it is experienced and capable of performing the tasks hereunder in a professional and competent manner.

THEREFORE, CITY hereby engages the services of the CONSULTANT, and in consideration of the mutual promises herein contained, the parties agree as follows:

### I. TERM

- 1.1. This Agreement shall commence in December 2015, within seven (7) days of the Notice to Proceed and shall continue until satisfactory selection and hiring of an in-house city attorney. The CITY, however, may terminate the Agreement subject to the provisions of Section XIV of this Agreement.

### II. SERVICES

- 2.1. The Scope of Services to be rendered to CITY by CONSULTANT in the recruiting, selection and hiring of a professional in-house city attorney are be referenced in the attached and incorporated Exhibit "A".
  - 2.2. CONSULTANT represents to CITY that the services to be performed under this agreement shall be in accordance with accepted and established trade practices and procedures recognized in CONSULTANT'S trade in general and that CONSULTANT'S services shall conform to the highest standards and in accordance with this
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agreement.

- 2.3 CONSULTANT represents that it is licensed to do business in the State of Florida and further warrants its capability and experience to perform the tasks and services provided for herein in a professional and competent manner.

**III. USE OF AGENTS OR ASSISTANTS**

- 3.1. To the extent reasonably necessary to enable the CONSULTANT to perform his, her or its duties hereunder, the CONSULTANT shall be authorized to engage the services of any agents or assistants which he, she or it may deem proper, and may further employ, engage, or retain the services of such other persons or corporations to aid or assist in the proper performance of his, her or its duties. All cost of the services of, or expenses incurred by such agents or assistants shall be paid by CONSULTANT.

**IV. PROJECT MANAGEMENT**

- 4.1. Both parties shall appoint a Project Manager who shall meet to coordinate, review and insure performance by CONSULTANT under this Agreement. The project manager appointed by CITY will oversee the administration of the tasks to be performed by CONSULTANT under this Agreement and act as the City's liaison.

CITY'S Project Manager:	Nicholas Mimms Interim City Manager
CONSULTANT's Project Manager:	Colin Baenziger

**V. FACILITIES DELETED**

**VI. FEE**

- 6.1. For services to be rendered under this Agreement, the CONSULTANT shall be entitled to a fee for actual services performed, not to exceed twenty four thousand seven hundred and fifty dollars (\$ 24,750), payable as follows:

Phase I:	Needs Analysis	\$ 3,250
Phase II	Recruiting	\$ 10,000
Phase III	Screening and Warranty	\$ 8,000
Phase IV	Interview Process Coordination and Attorney Selection	\$ 1,750
Phase V	Negotiation, Warranty, Continuing Assistance	\$ 1,750

Should the CITY require additional services not included in this Agreement, fees and payment for such services will be set forth in a

## **City of Fort Pierce, FL – Professional Services Agreement**

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separate Additional Services Addendum, as authorized by the City.

### **VII. MAXIMUM COSTS**

- 7.1. CONSULTANT expressly acknowledges and agrees that the total cost to complete all tasks, including all expenses and costs, as specified herein, or the attached schedule in Exhibit "A", shall not exceed the maximum contractual amount provided for herein without prior written approval from CITY.

### **VIII. BILLING**

- 8.1. CONSULTANT shall submit an itemized billing to the Project Manager for approval prior to receiving compensation. Billing shall include *an itemized summary* of total costs and shall be made at no more than monthly intervals. All billings shall include a description of the status of efforts, a brief itemization of costs associated with each project or project phase, and the total phase or project costs to date.
- 8.2. CONSULTANT shall be paid in thirty (30) days from approved invoice for services.

### **IX. AUDIT BY CITY**

- 9.1. CONSULTANT shall permit CITY or any authorized representatives of CITY, at all reasonable times, access to and the right to examine all records, books, papers or documents related to CONSULTANT's performance under this Agreement including, but not limited to, expenses for sub-consultants, agents or assistants, direct and indirect charges for work performed and detailed documentation for all such work performed or to be performed under this Agreement.

### **X. COPIES OF DATA**

- 10.1. Copies or originals of all data collected by CONSULTANT in relation to work associated with this Agreement shall be provided to CITY. Data collected, stored, and/or provided shall be in a form acceptable to CITY and agreed upon by CITY.

### **XI. OWNERSHIP**

- 11.1. Each and every report, draft, work product, map, record, and other document reproduced, prepared, or caused to be prepared by CONSULTANT pursuant to or in connection with this Agreement shall be the exclusive property of CITY.

### **XII. CONFIDENTIALITY**

- 12.1. Except as provided by Florida law pertaining to public records, CONSULTANT shall not disclose, publish, or authorize others to disclose or publish, design data, drawings, specifications, reports, or other information pertaining to the projects assigned to CONSULTANT by CITY or other information to which CONSULTANT has had access during the term of this Agreement without the prior written approval of the City Attorney during the term of this Agreement and for a period of two (2) years after the termination of this Agreement.

**XIII. WRITTEN AUTHORIZATION REQUIRED**

- 13.1. CONSULTANT shall not make changes in the job scope or perform any additional work or provide any additional material except as set forth in Paragraph 2.1, under this Agreement without first obtaining written authorization from CITY for such additional work or materials. Additional labor or materials provided without written authorization shall be done at CONSULTANT's risk and without payment.

**XIV. DEFAULTS, TERMINATION OF AGREEMENT**

- 14.1. If the Project Manager deems that CONSULTANT is in default for failure to supply an adequate working force, or service of proper quality, or has failed in any other respect to satisfactorily perform on the services specified in this Agreement, the Project Manager may give written notice to CONSULTANT specifying defaults to be remedied within ten (10) days and such notice shall set forth the basis for any dissatisfaction and suggest corrective measures, and;

A. If CONSULTANT does not remedy defaults within ten (10) days or commence steps to remedy default to the reasonable satisfaction of the Project Manager, CITY may provide for such service from another CONSULTANT and CITY may withhold any money due or which may become due to CONSULTANT for such task related to the claimed default; or

B. If after ten (10) days CONSULTANT has not remedied defaults or commenced steps to remedy defaults to the satisfaction of the Project Manager, CITY may elect to terminate this Agreement

- 14.2. Notwithstanding paragraph 14.1, CITY reserves the right and may elect to terminate this Agreement at any time. At such time, CONSULTANT would be compensated only for that work which has been satisfactorily completed to the date of termination. No compensation shall be paid for de-mobilization, take-down, disengagement wind-down or other costs incurred due to termination of this Agreement.

**XV. INSURANCE**

15.1 CONSULTANT shall, at its own expense, procure and maintain throughout the term of this Agreement, with insurers acceptable to CITY, the types and amounts of insurance conforming to the minimum requirements set forth herein. CONSULTANT shall deliver to CITY the required certificate(s) of insurance and endorsement(s) before CITY signs this Agreement. CONSULTANT shall not commence work until the required insurance is in force and evidence of insurance acceptable to CITY has been approved by CITY.

As evidence of compliance with the insurance required herein, CONSULTANT shall furnish CITY with one of the following forms of acceptable evidence of insurance:

- (a)** (1) a fully completed satisfactory Certificate of Insurance evidencing all coverage required; and
  - (2) a copy of the actual additional insured endorsement as issued on the Commercial General Liability policy, signed by an authorized representative of the insurer(s) verifying inclusion of CITY and CITY's members, officials, officers and employees as additional insureds in the Commercial General Liability coverage; and
  - (3) A copy of the actual endorsement for each required policy which provides that CITY will be given no less than thirty (30) days advance written notice of any cancellation of the policy(ies), signed by an authorized representative of the insurer(s);
- (b)** the original of the policy(ies); or
- (c)** other evidence satisfactory to CITY.

All policies providing the insurance required herein shall be endorsed to provide that the insurer will provide the CITY with no less than thirty (30) days advance written notice for any change, cancellation or non-renewal of the policy.

Until such insurance is no longer required by this Contract, CONSULTANT shall provide CITY with renewal or replacement evidence of insurance at least thirty (30) days prior to the expiration or termination of such insurance.

Notwithstanding the prior submission of a Certificate of Insurance,

**City of Fort Pierce, FL – Professional Services Agreement**

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copies of endorsements, or other evidence initially acceptable to CITY, if requested to do so by CITY, CONSULTANT shall, within thirty (30) days after receipt of a written request from CITY, provide CITY with a certified, complete copy of the policies of insurance providing the coverage required herein.

15.1.1. Workers' Compensation/Employer's Liability Insurance

Such insurance shall be no more restrictive than that provided by the Standard Workers' Compensation Policy, as filed for use in Florida by the National CITY on Compensation Insurance ("NCCI"), without restrictive endorsements other than those which are required by the State of Florida, or any restrictive NCCI endorsements which, under an NCCI filing, must be attached to the policy (i.e., mandatory endorsements). The minimum amount of coverage (inclusive of any amount provided by an umbrella or excess policy) shall be:

Part One:	"Statutory"	
Part Two:	\$ 1,000,000	Each Accident
	\$ 1,000,000	Disease - Policy Limit
	\$ 1,000,000	Disease - Each Employee

The Workers' Compensation Policy must be endorsed to waive the insurer's right to subrogate against CITY, and its members, officials, officers and employees in the manner which would result from the attachment of the NCCI Waiver Of Our Right To Recover From Others Endorsement (Advisory Form WC 00 03 13) with CITY, and its members, officials, officers and employees scheduled thereon.

15.1.2. General Liability Insurance

Such insurance shall be no more restrictive than that provided by the most recent version of standard Commercial General Liability Form (ISO Form CG 00 01) without any restrictive endorsements. CITY and its members, officials, officers and employees shall be included as an "Additional Insured" on a form no more restrictive than ISO Form CG 20 10 (Additional Insured - Owners, Lessees, or CONSULTANTS - Scheduled Person or Organization).

The coverage may include restrictive endorsements which exclude coverage for liability arising out of:

- Mold, fungus, or bacteria
- Terrorism
- Silica, asbestos or lead
- Sexual molestation

## **City of Fort Pierce, FL – Professional Services Agreement**

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The minimum limits (inclusive of amounts provided by an umbrella or excess policy) shall be:

\$ 1,000,000	General Aggregate
\$ 1,000,000	Products/Completed Operations Aggregate
\$ 1,000,000	Personal and Advertising Injury
\$ 1,000,000	Each Occurrence

### 15.1.3. Automobile Liability Insurance

Such insurance shall be no more restrictive than that provided by Section II (Liability Coverage) of the most recent version of standard Business Auto Policy (ISO Form CA 00 01) without any restrictive endorsements other than those which are required by the State of Florida, or those which under an ISO filing, must be attached to the policy (i.e., mandatory endorsements). The policy shall include coverage for liability contractually assumed, and shall cover all owned, non-owned, and hired autos used in connection with the performance of the work. The minimum limits (inclusive of any amounts provided by an umbrella or excess policy) shall be:

\$ 1,000,000	Each Occurrence - Bodily Injury and Property Damage Combined
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### 15.1.4. Professional Liability Insurance

Such insurance shall be on a form acceptable to CITY and shall cover CONSULTANT for those sources of liability arising out of the rendering or failure to render the services required in the Agreement including any hold harmless and/or indemnification agreement. Coverage must either be on an occurrence basis; or, if on a claims-made basis, the coverage must respond to all claims reported within three years following the period for which coverage is required and which would have been covered had the coverage been on an occurrence basis. The minimum limits (inclusive of any amounts provided by an umbrella or excess policy) shall be:

\$ 1,000,000 Each Claim/Annual Aggregate

If CONSULTANT subcontracts any of the work, CONSULTANT shall either include the SubCONSULTANTS in CONSULTANT's coverage or require the SubCONSULTANTS to maintain Professional Liability coverage as described herein.

The insurance may be subject to a deductible not to exceed \$10,000 per claim.

15.2. The insurance provided by CONSULTANT shall apply on a primary

basis. Any insurance, or self-insurance, maintained by the CITY shall be excess of, and shall not contribute with, the insurance provided by CONSULTANT. Except as otherwise specified, no deductible or self-insured retention is permitted.

**15.3 Deductible or Self-Insured Retention Provisions.**

Except as otherwise specifically authorized by this Agreement or where prior written approval has been obtained from CITY hereunder, no deductible or self-insured retention for any required insurance provided by CONSULTANT pursuant to this Agreement will be allowed. To the extent there is any deductible or self-insured retention applicable to any required insurance, CONSULTANT shall be solely responsible for paying such deductible or self-insured retention, including any amounts owed under such deductible or self-insured retention on behalf of CITY, or its members, officials, officers and employees.

15.4. Compliance with these insurance requirements shall not limit the liability of CONSULTANT or any Subcontractor of CONSULTANT to CITY or its members, officials, officers or employees. Any remedy provided to the CITY or its members, officials, officers or employees by the insurance provided by the CONSULTANT or any Subcontractor of CONSULTANT shall be in addition to and not in lieu of any other remedy (including, but not limited to, as an indemnitee of CONSULTANT) available to the CITY or its members, officials, officers or employees under this Agreement or otherwise.

15.5. Neither approval by CITY nor failure to disapprove insurance furnished by CONSULTANT shall relieve CONSULTANT from responsibility to provide insurance as required by this Agreement.

15.5.1. CONSULTANT'S failure to obtain, pay for, or maintain any required insurance shall constitute a material breach upon which CITY may immediately terminate or suspend this Agreement. In the event of any termination or suspension, CITY may use the services of another CONSULTANT or CONSULTANTS, without CITY'S incurring any liability to CONSULTANT.

15.5.2. At its sole discretion, CITY may obtain or renew CONSULTANT'S insurance, and CITY may pay all or part of the premiums. Upon demand, CONSULTANT shall repay CITY all monies paid to obtain or renew the insurance. CITY may offset the cost of the premium against any monies due CONSULTANT from CITY.

**XVI. WAIVER OF BREACH**

16.1. The waiver of either party of any breach of any provision of this

Agreement shall not operate or be construed as a waiver of any subsequent breach of that same or any other provision.

**XVII. INDEMNITY**

- 17.1. CONSULTANT shall indemnify, defend and hold harmless, to the maximum extent permitted by law, CITY and its officers, agents, employees and representatives, from and against any and all liability, suits, actions, proceedings, judgments, claims, losses, liens, damages, injuries (whether in contract or in tort, including personal injury, accidental death or property damage, and regardless, of whether the allegations are false, fraudulent or groundless), costs and expenses (including attorney's fees, litigation, arbitration, mediation, appeal expenses) which in whole or in part arise out of or are connected with, or which are alleged to have arisen out of or to have been connected with, CONSULTANT'S performance of this Agreement (including performance by its agents, employees, subcontractors or by anyone CONSULTANT directly or indirectly employed).
- 17.2. CONSULTANT's obligation to indemnify, defend and hold harmless shall remain in effect and shall be binding upon CONSULTANT whether such injury or damage shall accrue, or may be discovered, before or after termination of this Agreement.
- 17.3. CONSULTANT'S failure to comply with this section's provisions shall constitute a material breach upon which CITY may immediately terminate or suspend this Agreement.

**XVIII. ENTIRE AGREEMENT**

- 18.1. This Agreement supersedes any and all other Agreements, either oral or in writing, between the parties hereto with respect to the subject matter hereof, and no other Agreement, statement, or promise relating to the subject matter of this Agreement which is not contained herein shall be valid or binding.

**XIX. ASSIGNMENT**

- 19.1. Nothing under this Agreement shall be construed to give any rights or benefits to any party other than CITY and CONSULTANT. All duties and responsibilities under this Agreement shall be for the sole and exclusive benefit of CITY and CONSULTANT, and not for the benefit of any other party. CONSULTANT shall not assign any right or interest in this Agreement, and shall not delegate any duty owed, without CITY's prior written consent. Any attempted assignment or delegation shall be void and totally ineffective for all purposes, and shall constitute a material breach upon which CITY may immediately terminate or suspend this Agreement.

- 19.2. In the event the CITY consents to an assignment or delegation, the assignee, delegatee, or its legal representative shall agree in writing to personally assume, perform, and be bound by this Agreement's covenants, conditions, obligations and provisions.

**XX. SUCCESSORS AND ASSIGNS**

- 20.1. Subject to the provision regarding assignment, this Agreement shall be binding on the heirs, executors, administrators, successors, and assigns of the respective parties.

**XXI. ATTORNEY'S FEES**

- 21.1 If any action at law or in equity is brought to enforce or interpret the provisions of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees and costs in addition to any other relief to which he, she or it may be entitled, whether at the trial or appellate level.

**XXII. GOVERNING LAW**

- 22.1. The validity of this Agreement and of any of its terms or provisions, as well as the rights and duties of the parties hereunder, shall be governed by the laws of the State of Florida and venue shall be in St. Lucie County, Florida.

**XXIII. TIME IS OF THE ESSENCE**

- 23.1 Time is of the essence in the completion of tasks and services as specified herein. CONSULTANT and CITY agree that the completion of all tasks and services specified in this agreement are of vital importance to the CITY and the CITY will suffer irreparable harm and injury of a nature not capable of being calculated with reasonable certainty if they are not timely completed.

CONSULTANT shall complete the tasks within ninety (90) calendar days from CITY'S written notice to proceed unless extended in writing by the CITY.

- 23.2 CONSULTANT agrees, as liquidated damages and not penalty, that CITY shall have the right to deduct or retain sums for such liquidated damages from the CONSULTANTS invoice for services, if CONSULTANT is behind schedule and the tasks and services are not completed within the deadline for their completion under this agreement. CONSULTANT and CITY agree that liquidated damages to the CITY shall be in the amount of \$ 150.00 per day, for each and every calendar day the tasks and services are delayed beyond the time

provided for herein.

23.3 In addition to such liquidated damages payable to the CITY, the CITY may also recover from the CONSULTANT any amounts paid by the CITY for damages suffered to third parties as a result of CONSULTANT'S failure to complete the tasks and services by the agreed upon completion date.

**XXIV. NOTICES**

24.1 All notices hereunder must be in writing and, unless otherwise provided herein, shall be deemed validly given on the date either personally delivered to the address indicated below; or on the third (3rd) business day following deposit, postage prepaid, using certified mail, return receipt requested, in any U.S. Postal mailbox or at any U.S. Post Office; or when sent via facsimile to a party at the facsimile number set forth below or to such other or further facsimile number provided in a notice sent under the terms of this paragraph, on the date of transmission of that facsimile. Should CITY or CONSULTANT have a change of address, the other party shall immediately be notified in writing of such change, provided, however, that each address for notice must include a street address and not merely a post office box. All notices, demands or requests from CONSULTANT to CITY shall be given to CITY addressed as follows:

**CITY:**

City Attorney  
City of Fort Pierce  
100 N. US 1  
Fort Pierce, FL 34950  
Tel. No. 772-467-3038  
Fax. No. 772-466-5492

**CONSULTANT:**

2055 South Atlantic Avenue, Suite 504  
Daytona Beach Shores, Florida 32118  
  
Attn: Colin Baenziger  
Tel. No. 561-707-3537  
Fax. No. 888-635-2430

**XXV. SEVERABILITY**

25.1. Should any part, term or provision of this Agreement or any document required herein to be executed be declared invalid, void or unenforceable, all remaining parts, terms and provisions hereof shall remain in full force and effect and shall in no way be invalidated, impaired or affected thereby.

**XXVI. FORCES OF NATURE**

26.1. Neither party shall be considered in default in the performance of its obligations hereunder or any of them, if such obligations were prevented or delayed by any cause, existing or future beyond the reasonable control of such party which include but are not limited to acts of God, labor disputes or civil unrest. Any delays beyond the

**City of Fort Pierce, FL – Professional Services Agreement**

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control of either party shall automatically extend the time schedule as set forth in this Agreement by the period of any such delay.

**XXII. COUNTERPARTS**

27.1. This Agreement may be executed in counterparts, each of which shall be an original, but all of which shall constitute one and the same document. Each of the parties shall sign a sufficient number of counterparts, so that each party will receive a fully executed original of this Agreement.

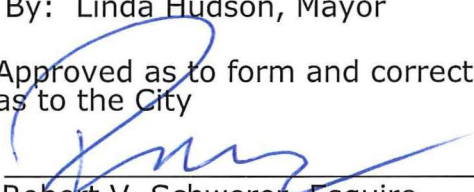
**IN WITNESS WHEREOF** the parties hereto have made and executed this Agreement on the day and year first above written.

**CITY OF FORT PIERCE**

\_\_\_\_\_  
By: Linda Hudson, Mayor

ATTEST

Approved as to form and correctness  
as to the City

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

\_\_\_\_\_  
Linda Cox, City Clerk

**Colin Baenziger & Associates  
CONSULTANT**

\_\_\_\_\_  
By: Colin Baenziger, Principal

**STATE OF FLORIDA  
COUNTY OF ST. LUCIE**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of December, 2015 by **Colin Baenziger**, Principal, for **Colin Baenziger & Associates**, on behalf of the group, and who is personally known to me or who has produced the following \_\_\_\_\_ as identification.

\_\_\_\_\_  
Print name: \_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

## *Search Methodology*

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The following search methodology has been refined over the past sixteen years and now is virtually foolproof. We will integrate your ideas into the process. Our goal is to ensure you have the right people to interview as well as the information you need to make the right decision.

### ***Phase I: Information Gathering and Needs Assessment***

#### ***Task One: Needs Assessment***

An important part of the recruiter's work is selling the community to the very best candidates (including those that are not actively looking for the next job) while also providing an accurate portrayal of the community and the opportunity. In order to do this, CB&A must first determine the needs of the client and the characteristics of the ideal candidate. Our approach is as follows:

- Compile background information from the jurisdiction's website and other sources.
- Interview the City Commission, City Manager, and other key stakeholders. Our goal is to develop a strong sense of your organization, its leadership, its short and long term expectations, and its challenges;
- Determine the characteristics of the ideal candidate. These will likely include experience, longevity, education, personality, demeanor, and achievements as well as other items the Commissioners and stakeholders consider important, and
- Determine a reasonable compensation package.

We will also finalize the timeline so candidates can mark their calendars well in advance and will be available when the Commission wishes to conduct the interviews.

As an aside, we are assuming the next City Attorney will need to be licensed to practice in Florida or be able to waive in. We do not believe recruiting someone who would have to sit for the Florida Bar Examination is a viable option.

#### ***Task Two: Develop Position Description and Recruitment Materials***

Based on the information we gather, CB&A will next develop a position description and comprehensive recruitment profile. We will provide our draft for your review and comment. Your suggestions will be incorporated, and the final documents prepared. A sample of our work is included as Appendix B. Other samples can be found on our firm's website under the "Executive Recruitments" / "Active Recruitments" tabs.

### ***Phase II: Recruitment***

#### ***Task Three: Recruit Candidates***

CB&A uses a number of approaches to identify the right people for this position. We say people, and not person, because our goal is to bring you six to ten excellent semi-finalists, all of whom will do the job extraordinarily well and who are so good you will have a difficult time choosing among them. You then select the top three to five people to interview and ultimately choose the candidate who is the best fit with you and your community.



## *Search Methodology (continued)*

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The approaches we use to find candidates are:

- **Networking:** The best approach is diligent outreach. We will network with our colleagues and consult our data base. We will also work closely with appropriate sections of the Florida Bar Association, the International Municipal Lawyers Association, and so on to identify highly skilled potential candidates. As we identify outstanding candidates (many of whom are not in the market), we will approach them and request that they apply. Often excellent candidates are reluctant to respond to advertisements because doing so may alienate their current employers. When we approach them, their credentials are enhanced rather than diminished. We will also utilize LinkedIn as a networking tool.
- **Advertising** While we will seek out the best, we will not ignore the trade press as it often also yields strong candidates. We intend to advertise with the Florida Bar Association, the American Bar Association and the International Municipal Lawyers Association. We will also post it on our website, [www.cb-asso.com](http://www.cb-asso.com) and appropriate legal job listing sites. We generally do not use newspapers or generic websites because, while they produce large numbers of applications, they generally do not produce the type of candidates our clients are seeking. In the past, the Florida Bar has also been very helpful in providing us with email addresses for its members in the relevant sections.
- **Email:** We will also e-mail the recruitment profile to our listserv of ten thousand managers and professionals who are interested in local government management. One of the advantages of e-mail is that if the recipient can easily forward the recruitment profile to someone who may be interested.

### *Phase III: Screening and Finalist Selection*

#### *Task Four: Evaluate the Candidates*

Based on our most recent recruiting efforts, we anticipate receiving resumes from sixty to one hundred applicants. We will narrow the field as described below and present information on candidates. This process requires a mixture of in-depth research and subjective evaluation. Our process is as follows.

It should be noted that selecting strong candidates is more an art than a science. While we consider standard ranking factors and the elements of the job, ultimately the most important factor is who we believe will be a good fit with the City and the community. Typically forty percent of our finalists are women and/or minorities.

Specifically, our efforts will involve:

**Step One. Resume Review.** CB&A will evaluate all resumes and identify the eight to fifteen strong candidates. Some of these may be in-house candidates or individuals who have held high-level positions in other governments but who have never been the top Attorney. Often these people simply need the opportunity.

**Step Two. Screening Interview.** Our lead recruiter, and possibly other senior representatives of the firm, will interview each of these candidates. Using what we learned in Phase I and our experience as managers and recruiters, as well as our unique ability to assess candidates, we will determine whether or not to consider them further.

**Step Three. Candidate Materials and Background Investigations.** For those that remain in consideration, CB&A will:

- **Ask the Candidates to Prepare a Written Introduction:** We will ask the candidates to prepare a written introduction to themselves as part of their preliminary background checks. This is done for several reasons. First, it allows the candidates to tell their own story and balance the negativity that is so often characteristic of the press. It also allows the City to evaluate the candidates written and communicative skills.
- **Candidate Disclosure Statement:** We will ask candidates if there is anything controversial in their background that we should be made aware of prior to further consideration. While it is unlikely that we find anything not previously publicized in the press, we believe redundant checks offer superior security for our client.
- **Interviews of References:** We tell the candidate with whom we wish to speak. These include current and former Board/Commission/Council Members, the fellow attorneys, staff members, news media representatives, the director of the local chamber of commerce, community activists, and others who know the candidate. We also attempt to contact some individuals who are not on the candidate's list. Typically we reach eight to ten people and prepare a written summary of each conversation.
- **Legal Checks:** Through our third party vendor, American DataBank, we will conduct the following checks: criminal records at the county, state and national level; civil records for any litigation at the county and federal level; and bankruptcy and credit.
- **Search the Internet and Newspaper Archives:** Virtually every local newspaper has an archive that provides stories about perspective candidates, the issues they have dealt with, how they resolved them and the results. These articles can also provide valuable insights into the candidate's relationship with the public and the elected officials. Of course, not all news sources are unbiased and we consider that in our evaluation. This step is conducted in order to quickly discover candidates with problems in their backgrounds and eliminate them.
- **Verification of Education:** We also verify claimed educational degrees to assure the candidate is being totally forthright.

## ***Search Methodology*** (continued)

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- **Verification of Work History:** We verify employment for the past fifteen years.

*Note: We firmly believe that all background work we have outlined above should be completed early in the process. That way the client knows the individuals to be interviewed are all top performers and do not have anything embarrassing in their pasts that might come to light after selection. It also means that once our client has made a selection, it can move forward promptly, negotiate a contract and make an announcement.*

### ***Task Five: Preparation and Presentation of Candidate Materials***

For the selected candidates, CB&A will compile the information we have developed into a complete written report for each of the strongest eight to ten candidates. Specifically, this information will include: the candidates' resumes, introductions, references, background checks and internet / newspaper archive search results. A complete sample candidate report is included as Appendix C. We will also provide some advice on interviewing, a series of questions the elected officials may wish to ask (as well as some areas that it is not wise to get into), and some logistical information. The preceding information will be forwarded to you *electronically*.

The goal in conducting these checks is to develop a clear picture of the candidates and to determine which best meet the criteria established in Phase I. Each of the avenues we pursue adds a piece of the puzzle. We will crosscheck sources, search for discrepancies, and resolve them when we find them. When sensitive or potentially embarrassing items are discovered, they are thoroughly researched. If we conclude the situation is damaging or even questionable, the situation reported to the City and, with the City's concurrence, the candidate will be dropped from further consideration.

### ***Task Six: Finalist Selection***

Approximately a week after the City has received the candidate materials, CB&A will meet with the City Commissioners and City Manager to discuss our findings and make a final determination concerning who will be invited to interview. The goal is to select four to six candidates to interview.

We will then notify the selected finalists of their status and schedule the interviews with the Commission.

### ***Task Seven: Notify All Candidates of Their Status***

We will notify the selected candidates by telephone and give them the opportunity to ask additional questions. CB&A will also contact those not selected to advise them of their status. Part of the notification will include advice concerning the candidates' resume and/or cover letter so, even though they were not selected to go forward, they will have gained something valuable from participating in the process.

***Phase IV: Coordinate the Interview Process and City Attorney Selection***

***Task Eight: Coordinate the Candidate Assessment Process***

Prior to the interviews, we will recommend an interview/assessment process for the City's review including means to evaluate the candidates' communication skills, interpersonal skills, and decision-making skills. As part of the process, we will recommend the Commissioners observe the finalists in a number of settings. We will also recommend you invite the finalists' spouses so they can spend time in and evaluate your community.

**Day #1:** The finalists are given a tour of the community and its facilities by a knowledgeable staff member. Later, senior staff members meet briefly with the candidates. This opportunity allows the finalists to ask questions and the senior staff to assess the candidates.

Later, that evening, the Commissioners host a reception for the candidates. The purpose is to observe how the finalists respond to a social situation. Your next City Attorney will, after all, represent your local government in numerous venues. It is thus important to know how the individual will respond in a social setting. The reception also serves as an ice-breaker whereby the Commissioners and the candidates get to know one another informally.

**Day #2:** Beginning at approximately 8:30 a.m., each candidate interviews individually with each elected official for approximately 40 minutes. These meetings provide the Commissioners with an opportunity to assess how the candidates might interact with them on an individual basis. It is very important to know if good chemistry exists. Ultimately, the Attorneys succeed and fail based on their interaction with the Commissioners and the one-on-one interviews are an excellent way to test that interaction.

After lunch, the Commissioners and their designees as a group will interview each candidate so that they can assess the candidates in a formal meeting. Part of the interviews may include a case study presentation so the Commission can observe the candidates' presentational skills.

***Task Nine: Debriefing and Selection***

Once the interviews have concluded, CB&A suggests the Commissioners recess and resume meeting a few days later to select the City Attorney. Although the selection can be made the same day, CB&A feels it is better to take the time to consider the decision and get feedback from others.

Once the selection has been made CB&A will notify the finalists of their status. Candidates are eager to know and we feel it is important to keep them informed.

***Phase V: Negotiation and Continuing Assistance***

***Task Ten: Notification, Contract Negotiations and Warranty***

Should the Commissioners wish, we will assist in the employment agreement negotiations. Generally, a member of the elected body and the attorney conduct the actual negotiations while we provide advice and assistance concerning the compensation package and contract. We can also take the lead role in the negotiations if desired. We have a standard contract you are welcome to use. Your legal staff, of course, will prepare the final contract. Since the basic parameters will have been discussed with the candidates and the candidates have been thoroughly vetted, we expect a relatively prompt agreement.

***Task Eleven: Continuing Assistance***

Our work is not done when the contract is executed. We will stay in touch with you and your new City Attorney. Our goal is to be there to assist in resolving any issues that arise before they become intractable. In fact, at your request, we will conduct a team-building workshop, at no charge, to resolve any difficulties. We simply feel it is part of our job to assure a successful relationship.

**Communications:** We will provide reports per your specifications about the status of the search, in writing or by phone, depending upon your preference. At significant milestones we will make the reports in person. We are also available at any time, day or night, to address any questions you have along the way. To do so, we will provide you with our cellphone numbers and you should feel comfortable contacting us whenever you have a question whether it is directly related to the search or, for that matter, anything else related to local government. We want to be responsive and to assist in any way we can.

***The City's Obligations***

The City will be responsible for providing approximately 20 high quality images for the recruitment brochure, facilities for the interview process, coordinating lodging for candidates from outside the area, and making arrangements for the reception. The City will also be responsible for reimbursing the candidates for all expenses associated with their travel, meals, and incidentals for the interview weekend.

## ***Proposed Schedule***

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The following is the schedule we would suggest and assumes the contract is approved by December 8<sup>th</sup> and CB&A is so notified by 9 p.m. on the 8<sup>th</sup>.

### ***Phase I: Needs Assessment / Information Gathering***

- December 9<sup>th</sup>: CB&A begins working with the City Commission and City Manager and other stakeholders to understand the job and its challenges
- December 15<sup>th</sup>: CB&A submits the draft of the full recruitment profile to the City for its review. Comments will be due back by December 22<sup>nd</sup>.

### ***Phase II: Recruiting***

- December 28<sup>h</sup>: CB&A posts the full recruitment profile on its website and submits it to the appropriate publications. It is also e-mailed to over 12,500 local government managers and professionals.
- January 22<sup>nd</sup>: Closing date for submission of applications.
- January 27<sup>th</sup>: CB&A reports the results of the recruitment to the City.

### ***Phase III: Screening, Reference Checks and Credential Verification***

- February 22<sup>nd</sup>: CB&A forwards complete semi-finalist material electronically to the City.
- February 29<sup>th</sup>: City selects finalists.

### ***Phase IV: Interview Process Coordination and City Attorney Selection***

- March 10<sup>th</sup>: County holds reception for the finalists.
- March 11<sup>th</sup>: One-on-one and full Commission Interviews as well as possible selection.
- March 14<sup>th</sup>: City selects its next City Attorney if it has not already done so.

### ***Phase V: Negotiation, Warranty & Continuing Assistance***

- Post-Selection: CB&A works with City representatives and the selected candidate on an employment agreement.

## *Fee & Warranty*

---

### **Fee**

CB&A offers a firm, fixed fee of \$24,750 *which includes all our expenses and costs*. In other words, the only thing the City will pay CB&A is the agreed upon fee. The only other costs the City will be responsible for are those associated with the candidates' travel, accommodations and meals for the interview process. The advantage to the City is it knows exactly what it will pay. The advantage to CB&A is that we do not have to keep track of every minor expense.

We will bill the fee as the phases are completed and according to the following schedule:

<b>City Attorney Search</b>	
<b>Phase I:</b> Needs Analysis / Information Gathering	\$ 3,250
<b>Phase II:</b> Recruiting	10,000
<b>Phase III:</b> Screening and Warranty	8,000
<b>Phase IV:</b> Interview Process Coordination and Attorney Selection	1,750
<b>Phase V:</b> Negotiation and Continuing Assistance	1,750

If the City asks us to perform work that is clearly beyond the scope of this proposal, it will be billed at a rate of \$150 per hour. Please note that we have neither billed nor requested additional funds beyond our originally quoted fee even when we have been entitled to it.

As noted earlier, Colin Baenziger & Associates does not track its time and expenses on a project basis. Rather we have determined over the years the fee we need to charge in order to make a modest profit. When we did track costs, we found it created an incentive to sacrifice quality in order to meet budget. Hence we cannot provide an estimate of staff hours or expenses.

We also do not use subcontractors nor, as indicated above are there any reimbursable costs.

### **Warranty**

Colin Baenziger & Associates offers the best warranty in the industry. We can offer it because we have confidence in our work. Provided the City instructs us with conducting a full search and assuming it selects from among the candidates we recommend, we warrant the following:

- 1) We will not approach the selected candidate for any other position as long as the individual is employed by the City.
- 2) If the selected individual leaves for any reason other than an Act of God (such as total incapacitation or death) in the first year, CB&A will repeat the search at no charge for our services or expenses. If the individual leaves for any reason other than an Act of God in the second year, CB&A will repeat the search for the cost of our expenses only.
- 3) If you are not satisfied with the candidates we present, CB&A will repeat the search until you are satisfied.
- 4) Our price is guaranteed and will not be exceeded for any reason, even if conditions change after the contract is executed.

**City Commission Regular Meeting**

**Agenda Item # 9. f.**

**Meeting Date:** 12/07/2015

**Re:** Approval to Award RFP No. 2015-051, Realtor Services to Highest Ranked Respondent

**Submitted For:** Nick Mimms, Interim City Manager, City Manager

---

**SUBJECT:**

Approval to award RFP No. 2015-051 for Realtor Services to the highest ranked respondent.

**SUMMARY:**

The intent of this Request for Proposal is to obtain a licensed Florida Real Estate Broker to provide realtor services for the City of Fort Pierce. A Broker is needed to assist in the sale of surplus property within the City. It is the City’s intent to award Agreements to up to three (3) brokers.

The CRA Advisory Committee has evaluated the proposals and Keller Williams Realty was deemed to be the highest ranked respondent.

**RECOMMENDATION:**

Staff recommends approval of Keller Williams Realty as the highest ranked respondent.

**ALTERNATIVES:**

Approval to award bid to second highest ranked respondent or to have new RFP issued.

**RESPONSIBLE STAFF:**

Rebecca Grohall, Planning Manager

**COORDINATED WITH:**

Nicholas C. Mimms, P.E., Interim City Manager  
CRA Advisory Committee

---

**Fiscal Impact**

**Budgeted Y/N:** N  
**Fiscal Year:** 2016  
**Account:** NA  
**Amount:** NA

**FISCAL IMPACT:**

No fiscal impact at this time.

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**Attachments**

Tabulation Sheet

RFP No. 2015-051, Realtor Services Addendum No. 1 - Revised

Rejection of Bid Letter

Evaluation Committee Ranking for RFP No. 2015-051

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### Form Review

<b>Inbox</b>	<b>Reviewed By</b>	<b>Date</b>
City Manager	Jennifer Robinson	11/24/2015 05:17 PM
Purchasing	Tony Barnes	12/02/2015 10:24 AM
Finance Department	Johnna Morris	12/02/2015 11:28 AM
City Manager	Nick Mimms	12/02/2015 04:44 PM
Form Started By: Jennifer Robinson		Started On: 11/24/2015 05:05 PM
Final Approval Date: 12/02/2015		



**MEMORANDUM**  
from the  
**PROCUREMENT DEPARTMENT**

**RECEIVED**  
TIME \_\_\_\_\_  
**SEP 14 2015**  
CITY OF FT. PIERCE  
CITY MANAGER'S OFFICE

TO: Nick Mimms, Deputy City Manager

THRU: Tony Barnes, Director of Administrative Services

FROM: Georgia Montgomery, Purchasing Specialist

SUBJECT: RFP No. 2015-051~Realtor Services

DATE: September 10, 2015

*TJB*  
*Georgia Montgomery*

Attached is the tabulation sheet for the above referenced proposal along with copies of all proposals submitted. The file is available for review in the Procurement Department.

**The invitation was sent to 366 vendors. Eight (8) vendors requested specifications with three (3) responding (37.5 %) plus 0 "No Bid" (37.5 % total response).**

The next step in this process is to assign roles to the Evaluation Committee for ranking of the proposals. The following are roles that need to be assigned, if applicable to the project scope of work:

1. **Team Leader:** Sets up team, coordinates strategies, sets timetables, assigns roles.
2. **Project Manager:** Person or representative from department involved in service.
3. **Financial Analyst:** Price and Cost Analyst to compare proposals and check financial data.
4. **Technical Advisor(s):** References, licensing, background checks, local preference, etc.
5. **Committee Member:** Evaluates the solicitation and will cast a vote

As the end user department for this proposal, you would assume or assign the role as Team Leader. A representative from Purchasing, will serve as the *Committee Liaison*, and should be present for the meetings, including the initial start-up meeting.

Please respond to the Procurement Department for recommendation of award.

Expiration date is November 9, 2015. Commission approval must be completed by this date.

/gm

Attachment



**CITY OF FORT PIERCE  
TABULATION OF BIDS**

**"Offers from the vendors listed herein are the only offers received timely as of the above opening date and time. All other offers submitted in response to this solicitation, if any, are hereby rejected as late."**

<b>RFP ON:</b>	<b>REALTOR SERVICES</b>
<b>RFP NUMBER:</b>	<b>2015-051</b>
<b>DATE:</b>	<b>09/10/15</b>
<b>RECOMMENDED AWARD:</b>	<b>Pending</b>

<b>RESPONSE</b>
3 of 8 = 37.5 %
0 "No Bids"
Total = 37.5 %

<b>VENDORS</b>
Coldwell Banker Paradise (Hoyt Murray Realtors) Fort Pierce, FL
Kenneth A. Durham Realty, LLC. Fort Pierce, FL
Safe Harbor Realty of Port St. Lucie, LLC. dba Keller Williams Realty Port St. Lucie, FL

**PLEASE NOTE: COMMISSION MEETINGS ARE HELD THE FIRST AND THIRD MONDAY OF EVERY MONTH. CALL THE PURCHASING DEPARTMENT WEDNESDAY PRIOR TO THE MEETINGS FOR RECOMMENDATION OF AWARD.**

**August 12, 2015**



**CITY OF FORT PIERCE**

**REALTOR SERVICES**

**BID NO. 2015-051**

**ADDENDUM NO. 1**

The purpose of this addendum is to **advise vendors that a minor change was inadvertently overlooked in preparation of the proposal documents. Section III – Insurance Requirements, pages 10-13, was revised in accordance with the requirements of this project scope of work. A complete revised set of RFP No. 2015-051 documents have been uploaded to Onvia Demand Star and the City of Fort Pierce website for responding to the RFP.**

All other conditions of this bid remain the same.

Please acknowledge receipt of this addendum and include it with your submittal.

Signature: \_\_\_\_\_  
Manual

Signature: \_\_\_\_\_  
Typed or Printed

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

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

/gc

<p><b>DELIVER TO:</b>  City of Fort Pierce  100 North U.S. #1  Fort Pierce, FL 34950</p> <p><b>MAIL TO:</b>  City of Fort Pierce Procurement Dept.  P.O. Box 1480  Fort Pierce, FL 34954-1480</p>	<p><b>REVISED</b>  <b>REQUEST</b>  <b>FOR</b>  <b>PROPOSALS</b>  and  <b>PROPOSER</b>  <b>ACKNOWLEDGMENT</b></p>
<p>Contact: <b>Gelencia Carter, 772-467-3748</b></p>	<p>RFP No: <b>2015-051</b></p>
<p>Mandatory Pre-Bid Conference Date:  <b>N/A</b></p>	<p>RFP Title: <b>REALTOR SERVICES</b></p>
<p>Mandatory Pre-Bid Location:  <b>N/A</b></p>	<p>RFP Opening Location:  City of Ft. Pierce Procurement Dept.  100 North U.S. #1, 1st Floor  Ft. Pierce, Florida 34950</p>
<p>RFP Due Date &amp; Time:  <b>3:00 PM, MONDAY, SEPTEMBER 7, 2015</b></p>	<p>If you need any reasonable accommodation for any type of disability in order to participate in this procurement, please contact this department as soon as possible.</p>
<p>Proposer Name:  -----  Mailing Address:  -----  -----  -----  -----</p>	<p><i>I hereby certify that this proposal is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a bid for the same materials, supplies or equipment, and is in all respects fair and without collusion or fraud. I agree to abide by all conditions of this bid and certify that I am authorized to sign this proposal for the proposer.</i></p> <p>X _____  Authorized Signature (Manual)</p>
<p>City, State, Zip Code:</p>	<p>Typed or Printed Name:</p>
<p>Type of Entity (Circle One):  Corporation Partnership Proprietorship</p>	<p>Title:</p>
<p>Incorporated in the State of:                      Year:</p>	<p>Delivery in _____ days, ARO</p>
<p>Phone Number:</p>	<p>Payment Terms: Net 30 Days</p>
<p>Fax Number:</p>	<p>FEIN or SS Number:</p>
<p>E-Mail Address:</p>	<p>Local Business: __Y __N    MWBE: __Y __N</p>
<p>Bid Security is attached, when required, in the amount of \$ _____  <b>F.O.B. DESTINATION</b></p>	<p>If returning as a "No Bid" state reason:</p>
<p><b>THIS PAGE MUST BE COMPLETED AND RETURNED WITH YOUR BID</b></p>	

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# SECTION I

## GENERAL CONDITIONS, INSTRUCTIONS AND INFORMATION FOR PROPOSERS

### 1. GENERAL INFORMATION

These documents constitute the complete set of specification requirements and proposal forms. All proposal sheets and attachments must be executed and submitted in a sealed envelope. **DO NOT INCLUDE MORE THAN ONE PROPOSAL PER ENVELOPE (CLEARLY MARK PROPOSAL AS “ORIGINAL” AND REQUESTED NUMBER OF COPIES AS “COPY” ON EACH SET ENCLOSED).** The face to the envelope shall contain Proposer’s name, return address, the date and time of proposal opening, the proposal number and title. Proposals not submitted on the enclosed Proposal Form shall be rejected. By submitting a Proposal, the Proposer agrees to be subject to all terms and conditions specified herein. No exceptions to the terms and conditions shall be allowed. Proposers shall submit six (6) complete sets (one [1] original and five [5] copies) of their proposal complete with all supporting documentation. **SUBMITTAL OF A PROPOSAL IN RESPONSE TO REQUEST FOR PROPOSAL CONSTITUTES AN OFFER BY THE PROPOSER.** Proposals, which do not comply with the requirements, may be rejected at the option of the City.

### 2. DELAYS

The City, at its sole discretion, may delay the scheduled due dates indicated above if it is to the advantage of the City to do so. The City will notify proposers of all changes in scheduled due dates by written addendum.

### 3. EXECUTION OF PROPOSAL

**Proposal must contain a manual signature, in ink, of an authorized representative who has the legal ability to bind the Proposer in Agreemental obligations in the space provided on Page 1 of Proposer/Proposal Acknowledgment and on the Proposal Response Form. FAILURE TO PROPERLY SIGN THE PROPOSAL SHALL INVALIDATE SAME, AND IT SHALL NOT BE CONSIDERED FOR AN AWARD.** Proposals must be typed or legibly printed in ink. All corrections made by Proposer to any part of the proposal document must be initialed in ink. The original proposal conditions and specifications cannot be changed or altered in any way. Altered proposals will not be considered. Clarification of proposals submitted shall be in letter form, signed by proposers and attached to the proposal.

### 4. NO BID

If not submitting a proposal, respond by returning only the Proposer acknowledgment form, marking it “No Bid,” and give the reason in the space provided.

### 5. PROPOSAL OPENING

Shall be public, at the address, date, and time specified on the proposer Acknowledgment form. The proposal time must be and shall be scrupulously observed. Under no circumstances shall proposals delivered after the time specified be considered; such proposals will be returned unopened. The City will not be responsible for late deliveries or delayed mail. The time/date stamp clock located in the Purchasing Department shall serve as the official authority to determine lateness of any proposal. It is the Proposers sole responsibility to assure that his/her proposal is complete and delivered at the proper time and place of the proposal opening. Proposals, which for any reason are not so delivered, will not be considered. Offers by facsimile, telegram, or telephone are not acceptable. A proposal may NOT be altered by the Proposer after opening of the proposals. Proposal tabulations will be furnished on the web site: <http://www.purchasing.ci.fort-pierce.fl.us>.

6. **TAXES**

The City is exempt from Federal Excise and State Sales Taxes on direct purchases of tangible personal property. The City exemption number is on the face of the Purchase Order. If requested, the Director of Administrative Services will provide an exemption certificate to the awarded Proposer. Vendors or Brokers doing business with the City shall not be exempt from paying sales tax to their suppliers for materials to fulfill Agreemental obligations with the City Tax Exemption Number in securing such materials. This exemption does not apply to purchases of tangible personal property in the performance of Agreements for the City.

7. **DISCOUNTS**

Cash discounts for prompt payment shall not be considered in determining the lowest net cost for proposal evaluation purposes.

8. **MISTAKES**

- a. Proposers are expected to examine the specifications, delivery schedule, proposal prices, extensions and all instructions pertaining to supplies and services. **FAILURE TO DO SO WILL BE AT PROPOSER'S RISK.** In the event of extension error(s), the unit price will prevail and the Proposer's total offer will be corrected accordingly.
- b. Written amounts shall take precedence over numerical amounts. In the event of addition error(s), the unit price and extension thereof will prevail and the Proposer's total offer will be corrected accordingly. Proposals having erasures or corrections must be initialed in ink by the Proposer.

9. **INVOICING AND PAYMENT**

Payment for any and all invoice(s) that may arise as a result of a Agreement or purchase order issued pursuant to this proposal specification shall minimally meet the following conditions to be considered as a valid payment request:

- a. A timely submission of a properly certified invoice(s), in strict accordance with the price(s) and delivery elements as stipulated in the Agreement or purchase order document, and to be submitted to the Engineering Department at the address as stipulated on the Purchase Order.
- b. All invoices submitted shall consist of an original and one (1) copy; clearly reference the subject Agreement or purchase order number; provide a sufficient salient description to identify goods or service for which payment is requested; contain date of delivery; proposal number, original or legible copy of signed delivery receipt including both a manual signature and printed name of a designated City employee or authorized agent; be clearly marked as "partial", "complete", or "final" invoice. The City will accept partial deliveries unless otherwise specified into Agreement or purchase order document.
- c. The invoice shall contain the Proposer's Federal Employer Identification Number (F.E.I.N.).

10. **DELIVERY**

Unless actual date is specified (or if specified delivery cannot be met), show number of days required to make delivery after receipt of purchase order or Agreement in space provided. Delivery time may be a basis for making of award. Delivery shall be during the normal working hours of the user department, Monday through Friday, unless otherwise specified and incorporated into Agreement or purchase order document. Delivery shall be to the location specified in the proposal specifications.

11. **ADDITIONAL TERMS AND CONDITIONS**

No additional terms and conditions included with the proposal response shall be evaluated or considered. Any and all such additional terms and conditions shall have no force and effect, and are inapplicable to this proposal if submitted either purposely through intent or design, or inadvertently appearing separately in transmittal letters, specifications, literature, price lists or warranties. It is understood and agreed that the general and/or any special conditions in these Proposal Documents are the only conditions applicable to this proposal and the Proposer's authorized signature on the Proposal Form attests to this.

**12. INTERPRETATION**

All Proposers shall carefully examine the Proposal Documents. Any ambiguities or inconsistencies shall be brought to the attention of the City in writing prior to the opening of Proposals; failure to do so, on the part of the proposer, will constitute an acceptance by the Proposer of any subsequent decision. Any questions concerning the intent, meaning, and interpretation of the Proposal Documents shall be requested in writing, and received by the City at least seven (7) days prior to the Proposal Opening. Inquiries shall be addressed to the attention of the Contact person as indicated on Page 1. No person is authorized to give oral interpretations of, or make oral changes to, the proposal. Therefore, oral statements given before the proposal opening will not be binding. Any interpretation of or changes to the proposal will be made in the form of a written Addendum to the proposal and will be furnished to all Proposers. Receipt of all addenda shall be acknowledged by the Proposers by signing and enclosing said addenda with their proposal.

The City will record its responses to inquiries and any supplemental instructions in the form of a written addendum. The City will send a written addendum to all Proposers who requested a proposal directly from the City Purchasing Department. All proposers should contact the City at least seven (7) calendar days before the proposal opening date to ascertain whether any addendums have been issued. Failure to do so could result in rejection of the proposal as unresponsive. The City shall not be responsible for providing said addendum to proposers who receive proposal packages from other sources.

**13. ADDENDUM**

Should revisions to the Proposal Documents become necessary, the City will provide a written addendum to all proposers who received a proposal package from the City's Purchasing Department. Proposers who obtain Proposal Documents from other sources must officially register with the City's Purchasing Department in order to be placed on the mailing list for any forthcoming addendum or their official communications. Failure to register as a prospective Proposer may cause your proposal to be rejected as non-responsive if you have failed to submit a proposal without an addendum acknowledgment for the most current addendum.

Previous addenda are deemed received when a subsequent addendum is acknowledged. It is the Proposer's responsibility to contact the City in the event that a previous addendum is not received. Latest addendum shall be signed and returned with the proposal as acknowledgment of addendum.

**14. DISPUTES**

Any Proposer who disputes the proposal selection or Agreement award recommendation shall file such dispute according to the proposal protest procedures. These procedures are available upon request from the City.

**15. CONFLICT OF INTEREST**

All proposers must disclose with their proposal the name of any officer, director, or agent who is also an employee of the City. All Proposers must disclose the name of any City employee who owns, directly or indirectly, an interest of five percent (5%) or more in the Proposer's firm or any of its branches.

**16. LEGAL REQUIREMENTS**

Proposers are required to comply with all provisions of Federal, State, City and local laws and ordinances, rules and regulations, that are applicable to the items being proposal. Lack of knowledge by the proposer shall in no way be a cause for relief from responsibility, or constitute a cognizable defense against the legal effect thereof.

**17. DRUG-FREE WORK PLACE (DFW)**

Preference shall be given to business with Drug-Free Work Place (DFW) Programs. Whenever two or more proposals which are equal with respect to price, quality, and service are received by the City for the procurement of commodities or Agreemental services, a proposal received from a business that completes the attached DFW form certifying that it is a DFW shall be given preference in the award process.

**18. MINORITY/WOMEN OWNED BUSINESS ENTERPRISE (MWBE)**

Minority/Women Owned Business Enterprise (MWBE) indicates a business entity which is owned and operated by a minority. In this instance, minority group members are citizens of the United States or lawfully admitted permanent residents who are Black, Hispanics, Women, Native Americans, Asian-Pacific, Asian-Indian, and eligible others. An MWBE wishing to participate in the City procurement process may contact the Purchasing Department for information and assistance.

**19. PUBLIC ENTITY CRIMES**

No award will be executed with any person or affiliate identified on the Department of Management Services “convicted vendor” list. This list is defined as consisting of persons and affiliates who are disqualified from public Agreementing and purchasing process because they have been found guilty of a public entity crime. No public entity shall award any Agreement to, or transact any business in excess of the threshold amount provided in Section 287.017, Florida Statutes for Category Two (currently \$10,000.00) with any person or affiliated on the “convicted vendor” list for a period of thirty-six (36) months from the date that person or affiliate was placed on the “convicted vendor” list unless that person or affiliate has been removed from the list pursuant to Section 287.133(3)(f) Florida Statutes.

**20. AWARD**

As the best interest of the City may require, the right is reserved to make award(s) by individual item, group of items, “All or None”, or a combination thereof; with one or more suppliers; to reject any or all proposals, or waive any minor irregularity or technicality in proposals received, and may, at its sole discretion, request a rebid. Proposers are cautioned to make no assumption until the City has entered into a Agreement or issued a purchase order.

**21. EEO STATEMENT**

The City is committed to assuring equal opportunity in the award of Agreements, and therefore complies with all laws prohibiting discrimination on the basis of race, color, religion, national origin, age or sex.

**22. AGREEMENTUAL AGREEMENT**

The terms, conditions, and provisions in this Request for Proposal shall be included and incorporated in any final Agreement or purchase order. The order of precedence will be Proposal Document and response, purchase order or Agreement, and general law. Any and all legal action necessary to enforce a Agreement or purchase order will be interpreted according to the laws of Florida. The venue shall be Fort Pierce, Florida.

**23. GOVERNMENTAL RESTRICTION**

In the event that any governmental restrictions are imposed which would necessitate alteration of the material quality, workmanship or performance of the items offered on this proposal prior to their delivery, it shall be the responsibility of the Proposer to notify the Purchasing Department at once, indicating in his/her letter the specific regulation which required an alteration, including any price adjustments occasioned thereby. The City reserves the right to accept such alteration or to cancel the Agreement or purchase order at no further expense to the City.

**24. PATENTS AND ROYALTIES**

The Proposer, without exemption, shall indemnify and save harmless, the City, its employees and/or any of its Commission/Board from liability of any nature or kind, including cost and expenses for or on account of any copyrighted, patented, or unpatented invention, process, or item manufactured by the Proposer. Further, if such claim is made, or is pending, the Proposer may, at its option and expense, procure for the City the right to use, replace or modify the item to render it non-infringing. If none of the alternatives are reasonably available, the City agrees to return the article on request to the Proposer and receive reimbursement. If the Proposer used any design, device, or materials covered by letters, patent or copyright, it is mutually agreed and understood, without exception, that the proposal prices shall include all royalties or cost arising from the use of such design, device, or materials in any way involved in the work.

25. **ADVERTISING**

In submitting a proposal, Proposer agrees not to use the results therefrom as a part of any commercial advertising, without the express written approval, by the appropriate level of authority within the City.

26. **ASSIGNMENT**

Any purchase order or Agreement issued pursuant to this Invitation to Proposal and the monies which may become due hereunder are not assignable except with the prior written approval of the City, through the Purchasing Department.

27. **COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH**

Proposer certifies that all material, equipment, etc., contained in his/her proposal meets all applicable O.S.H.A. requirements. Proposer further certifies that, if he/she is the successful Proposer, and the material, equipment, etc., delivered is subsequently found to be defective in applicable O.S.H.A. requirement in effect on the date of delivery, all costs necessary to comply with the requirements shall be born by the Proposer.

28. **FACILITIES**

The City reserves the right to inspect the Proposer's facilities at any reasonable time, during normal working hours, with prior notice to determine that Proposer has a bona fide place of business, and is a responsible Proposer.

29. **REPRESENTATION**

A Proposer must have at the time of proposal opening, a manufacturing plant in operation, or be a fully authorized agent or representative of the product proposal, and capable of producing or providing the items proposal, and so certify upon request.

30. **DISQUALIFICATION OF PROPOSER**

More than one proposal from an individual, firm, partnership, corporation, or association under the same or different names will not be considered. Reasonable grounds for believing that a Proposer is involved in more than one proposal submittal will be cause for rejection of all proposals in which such Proposers are believed to be involved. Any or all proposals will be rejected if there is reason to believe that collusion exists between Proposers Proposals in which the prices obviously are unbalanced will be subject to rejection.

31. **ADJUSTMENTS/CHANGES/DEVIATIONS**

No adjustments, changes or deviations shall be accepted on any item unless conditions or specifications of a proposal expressly so provide. Any other adjustments, changes or deviations shall require prior written approval, and shall be binding ONLY if issued by the City's Purchasing Department. The Proposer shall bear sole responsibility for any and all costs of claims arising from any adjustments, changes or deviations not properly executed as required herein.

32. **INSURANCE**

The awarded Proposer(s) shall maintain insurance coverage reflecting the minimum amounts and conditions specified in the attached specifications or the Special Terms and Conditions. In the event the proposer is a governmental entity or a self-insured organization, different requirements may apply. Misrepresentation of any material fact, whether intentional or not, regarding the Proposer's insurance coverage, policies or capabilities may be grounds for rejection of the proposal and rescission of any ensuing Agreement.

33. **PUBLIC RECORDS**

Upon award recommendation or ten days after opening, proposals become "public records" and shall be subject to public disclosure consistent with Chapter 119, Florida Statutes. Proposers must invoke the exemptions to disclosure provided by law in the response to the Proposal, and must identify the data or other materials to be protected, and must state the reasons why such exclusion from public disclosure is necessary.

**34. PROPOSAL PREPARATION COSTS**

Neither the City nor its representatives shall be liable for any expenses incurred in connection with preparation of a response to this Invitation to Proposal. Proposers should prepare their proposals simply and economically, providing all information and prices as required.

**35. COOPERATIVE PURCHASING**

Any governmental purchasing authority may participate in this purchase for services and commodities from this successful award.

**ANY AND ALL SPECIAL TERMS AND CONDITIONS, TECHNICAL REQUIREMENTS, SCOPE OF WORK OR SPECIFICATIONS ATTACHED HERETO WHICH VARY FROM THESE GENERAL CONDITIONS SHALL HAVE PRECEDENCE.**

## SECTION II

### SPECIAL TERMS AND CONDITIONS LOCAL VENDOR PREFERENCE

#### 1. **DEFINITION**

“Local business”, shall mean a business which meets the following criteria:

- 1.1 Has had a fixed office or distribution point located in and having a street address within St. Lucie, Indian River, Martin or Okeechobee City for at least six (6) months immediately prior to the issuance of the request for competitive bids or request for proposals by the City. The fixed office or distribution point must be staffed and have a valid business tax receipt issued by the City at least 6 months prior to bid/proposal (must provide a copy). Post office boxes are not verifiable and shall not be used for the purpose of establishing a physical address; and
- 1.2 Holds any business license required by City; and
- 1.3 Is the principal offeror who is a single offeror; a business which is the prime Broker and not a subBroker; or a partner or joint venturer submitting an offer in conjunction with other businesses.

#### 2. **CERTIFICATION**

Any vendor claiming to be a local business as defined by subsection 1-above, shall so certify in writing to the Purchasing Department. The certification shall provide all necessary information to meet the requirements of subsection (1.1) above. The Purchasing Department shall not be required to verify the accuracy of any such certifications, and shall have the sole discretion to determine if a vendor meets the definition of a “local business”.

#### 3. **NON-LOCAL BUSINESS**

“Non-local business” means a bidder which is not a local business

- 3.1 Preference in purchase of commodities and services by means of competitive bid. Under any such applicable solicitation, bidders/proposers desiring to receive local preference will be invited and required to affirmatively state and provide documentation as set forth in the solicitation in support of their status as local business. Any bidder who fails to submit sufficient documentation with their bid offer shall not be granted local preference consideration for the purposes of that specific Agreement award. Except where federal or state law, or any other funding source, mandates to the contrary, City of Fort Pierce and its agencies and instrumentalities, will give preference to local businesses as outlined below in Section 4.

**4. COMPETITIVE BID (SECOND CHANCE OFFER)**

- 4.1 Each formal competitive bid solicitation (i.e. sealed bids) shall clearly identify how the price order of the bids received will be evaluated and determined. A **Second Chance Offer** will be offered to the lowest bidder if non-local and the lowest local bidder within 5% of the non-local bidder. Each bidder will be given the opportunity to resubmit a “second chance” bid price. Once the bids have been received by the Purchasing Department, a recommendation for award will be made with the new bid prices. If the local bidder does not resubmit a “second chance” bid price, declines, or is not the lowest bid price, then award will be made to the lowest overall qualified and responsive responsible bidder. If **ALL** bids made by “second chance” bidders are higher than the original low bid, then award will be made to the original low overall qualified and responsive responsible bidder.
- 4.2 In the event a bidder is awarded a Agreement pursuant to this section, all requests for change orders must be approved by the City Commission of the City of Fort Pierce.

**5. CONSTRUCTION PROJECTS**

- 5.1 **OPTION 1: NON-LOCAL BROKERS** for construction projects that use a minimum of 60% up to 75% of the dollar value of the project for local sub-Brokers and material suppliers would qualify as a “local” Broker.
- 5.2 **OPTION 2: NON-LOCAL BROKERS** ~ that employs more than 30% minority employees and a minimum of 60% up to 75% local employees whose primary residence is within the boundaries of St. Lucie City, would qualify as a “local” Broker.
- 5.3 **Preference for RFP (request for proposals)** – In purchasing of, or letting of Agreements for procurement of, personal property, materials, Agreemental services, and construction of improvements to real property or existing structures for which a request for proposals is developed with evaluation criteria, the locality rating evaluation score shall be assigned as follows:

**LOCALITY RATING ~ TABLE**

<b>LOCATION</b>	<b>RATING</b>
Headquartered within the City of Fort Pierce	25
Headquartered within the four counties (Martin, Okeechobee, Indian River, St. Lucie City)	20
Satellite office in four counties (Martin, Okeechobee, Indian River, St. Lucie City)	15
Office located in State of Florida	10
Office located outside of Florida	0

Proposing firms can only receive a score from one of the above categories.

**6. NOTICE**

Both bid documents and request for proposal documents shall include notice to vendors of the local preference policy.

**7. WAIVER OF APPLICATION OF LOCAL PREFERENCE**

The application of Local Preference to a particular purchase or Agreement for which the City of Fort Pierce is the awarding authority may be waived upon approval of the Commissioners.

**8. COMPARISON OF QUALIFICATIONS**

The preference established herein in no way prohibit the right of the Commissioners to compare quality of materials proposed for purchase and compare qualifications, character, responsibility and fitness of all persons, firms or corporations submitting bids. Further, the preferences established herein in no way prohibit the right of the City Commission from giving any further preference permitted by law instead of the preference granted herein.

**9. RECIPROCITY**

In the event any other Florida City or municipality (“local government”) deemed appropriate by the City of Fort Pierce extends preferences to local businesses. City of Fort Pierce may enter into an interlocal agreement with such local government wherein the preferences of this section may be extended and made available to vendors that have a valid business tax receipt issued by the specific local government to do business in that local government that authorizes the vendor to provide the commodities and services to be purchased, and a physical business address located within the limits of that local government. Post Office Boxes are not verifiable and shall not be used for the purpose of establishing said physical address. Vendors must also be authorized to do business in City of Fort Pierce. Vendors shall affirm in writing their compliance with the foregoing at the time of submitting their bid to be eligible for consideration as a “local business” under this section. In no event shall the amount of the preference accorded other local government firms exceed the amount of preference that such local government extends to City of Fort Pierce firms competing for its Agreements.

## SECTION III

### INSURANCE REQUIREMENTS

Broker shall be responsible for all damage to person and or property resulting from its negligent acts, reckless or intentional misconduct, errors or omissions or those of their subcontractors, agents or employees in connection with such services and shall be responsible for all parts of its work, both temporary and permanent.

#### **Evidence of Insurance**

Broker shall, at its own expense, procure and maintain throughout the term of this Contract, with insurers acceptable to the City, the types and amounts of insurance conforming to the minimum requirements set forth herein. Broker shall not commence work until the required insurance is in force and evidence of insurance acceptable to the City has been provided to, and approved by, the City. The City, at all times, reserves the right to request additional documentation and evidence of insurance as, in its sole discretion, it may require and the Broker hereby agrees to provide same.

With respect to the Workers' Compensation/Employer's Liability Insurance, Professional Liability Insurance and Business Auto Liability Insurance, an appropriate Certificate of Insurance, signed by an authorized representative of the insurer(s) shall be satisfactory evidence of insurance. With respect to the Commercial General Liability, an appropriate Certificate of Insurance signed by an authorized representative of the insurer, and copies of the actual additional insured endorsements as issued on the policy(ies), shall be satisfactory evidence of such insurance.

To the extent Broker is permitted to and elects to sub-contract any of the work performed under this Agreement, Broker shall require Subcontractors to maintain any and all insurance required by law. Except to the extent required by law, or as otherwise specifically provided by this Agreement, this Agreement does not establish minimum insurance requirements for Subcontractors. Such insurance required of Subcontractors shall be at the sole discretion of Broker.

If the insurance policies expire or terminate during the term of this Agreement, Broker shall provide City with renewal or replacement evidence of the insurance, including endorsements, no less than five (5) days before the expiration or termination of the insurance for which previous evidence of insurance has been provided.

Notwithstanding the prior submission of a Certificate of Insurance, copies of endorsements, or other evidence initially acceptable to City, if requested by City, Broker shall, within thirty (30) days after receipt of a written request from City, provide City with a certified copy or certified copies of the policy or policies providing the coverage required by this Agreement. Broker may redact or omit, or cause to be redacted or omitted, those provisions of the policy or policies which are not relevant to the insurance required by this Agreement.

## **Workers' Compensation/Employer's Liability Insurance**

Such insurance shall be no more restrictive than that provided by the latest edition of the standard Workers' Compensation Policy, as filed for use in Florida by the National Council on Compensation Insurance (NCCI), without any restrictive endorsements other than any endorsements required by NCCI or the State of Florida.

The policy must be endorsed to waive the insurer's right to subrogate against City, and its members, officials, officers and employees in the manner which would result from the attachment of the NCCI Waiver Of Our Right To Recover From Others Endorsement (Advisory Form WC 00 03 13) with City, and its officials, officers and employees scheduled thereon or a blanket endorsement providing the waiver in the same manner as outlined in the Advisory Form WC 00 03 13.

The policy must be endorsed to provide City with 30 days prior written notice of cancellation.

The minimum amount of coverage (inclusive of any amount provided by an umbrella or excess policy) shall be:

Part One:	"Statutory"	
Part Two:	\$500,000	Each Accident
	\$500,000	Disease - Policy Limit
	\$500,000	Disease - Each Employee

## **General Liability Insurance**

Such insurance shall be no more restrictive than that provided by the latest edition of the standard Commercial General Liability Form (Form CG 00 01) as filed for use in the State of Florida by the Insurance Services Office (ISO), and acceptable to the City.

City and its members, officials, officers and employees shall be included as an "Additional Insured" on a form no more restrictive than ISO form CG 20 10 (Additional Insured – Owners, Lessees, or Contractor).

The policy must be endorsed to provide City with 30 days prior written notice of cancellation.

The minimum limits (inclusive of amounts provided by an umbrella or excess policy) shall be:

General Aggregate	\$2,000,000
Products/Completed Operations Aggregate	\$2,000,000
Personal and Advertising Injury	\$1,000,000
Each Occurrence	\$1,000,000

## **Automobile Liability Insurance**

Such insurance shall be no more restrictive than that provided by Section II (Liability Coverage) of the most recent version of the standard Business Auto Policy (ISO Form CA 00

01), including coverage for liability contractually assumed, and shall cover all owned, non-owned, and hired autos used in connection with the performance of the Work.

The policy must be endorsed to provide City with 30 days prior written notice of cancellation.

Such insurance shall not be subject to any aggregate limit and the minimum limits (inclusive of any amounts provided by an umbrella or excess policy) shall be:

Each Occurrence Bodily Injury and Property Damage Liability Combined	\$1,000,000
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**Professional Liability Insurance**

Such insurance shall be on a form acceptable to the City and shall cover the Broker and all Subcontractors for those sources of liability arising out of the rendering or failure to render professional services in the performance of the work. If coverage is on an occurrence basis, the coverage must be maintained, for at least three years after completion of all work required under the Agreement, for liability resulting from the rendering or failure to render professional services in the performance of the work under this Agreement. If on a claims-made basis, the retroactive date must be no later than the inception of services under this Agreement, and the coverage must respond to all claims which are made, within at least three years after completion of all work required under this Agreement, for liability resulting from the rendering or failure to render professional services in the performance of the work under this Agreement.

The policy must be endorsed to provide City with 30 days prior written notice of cancellation.

The minimum limits (inclusive of any amounts provided by an umbrella or excess policy) shall be:

Each Claim/Annual Aggregate	\$1,000,000
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**General Conditions**

The insurance provided by the Broker shall apply on a primary basis to and shall not require contribution from, any other insurance or self-insurance maintained by City or City's members, officials, officers or employees. Any insurance, or self-insurance, maintained by the City shall be in excess of, and shall not contribute with, the insurance provided by Broker.

To the extent any required insurance is subject to any deductible or self-insured retention (whether with or without approval of City), Broker shall be responsible for paying on behalf of City (and any other person or organization Broker has, in this Agreement, agreed to include as an insured for the required insurance) any such deductible or self-insured retention.

Compliance with these insurance requirements shall not limit the liability of Broker, its subcontractors, sub-subcontractors, employees or agents. Any remedy provided to the City or City's members, officials, officers or employees by the insurance provided by Broker or the City shall be in addition to and not in lieu of any other remedy (including, but not limited to, as an indemnitee of Broker) available to the City under this Contract or otherwise.

Neither approval nor failure to disapprove insurance furnished by Broker shall relieve Broker from the responsibility to provide insurance as required by this Contract.

Broker shall deliver to City the required certificate(s) of insurance before City signs this Agreement.

Certificates of Insurance must be completed as follows:

**Certificate Holder**

**City of Fort Pierce  
Procurement Department  
100 North U.S. #1  
Fort Pierce, FL 34950**

Additional Insured for Commercial General Liability and Automobile Liability shall be:

**Additional Insured**

**City of Fort Pierce and its board members, officials, officers and employees.**

## SECTION IV

### INSTRUCTIONS TO PROPOSERS

#### 1. PURPOSE

The intent of this Request for Proposal is to obtain a licensed Florida Real Estate Broker (“Broker”) to provide realtor services for City of Fort Pierce (“City”) and other housing programs as needed. A Broker is needed to assist in sale of houses and other surplus property within the City. It is the City’s intent to award Agreements to up to three (3) brokers.

#### 2. COMPETITION INTENDED

It is the City's intent that this Request for Proposal (RFP) permit competition. It shall be the offeror's responsibility to advise the Purchasing Manager in writing if any language, requirement, specification, etc., or any combination thereof, inadvertently restricts or limits the requirements stated in this RFP to a single source. Such notification must be received by the Purchasing Manager not later than fifteen (15) days prior to the date set for acceptance of proposals.

#### 3. PROPOSAL OPENING

3.1 Proposals are due on or before **3:00 PM, Monday, September 7, 2015**. Six (6) copies (one original and five copies) of sealed proposals shall be mailed or delivered to:

**Delivery Address:**  
City of Fort Pierce  
100 North U.S. #1  
Fort Pierce, FL 34950

**Mailing Address:**  
City of Fort Pierce  
P.O. Box 1480  
Fort Pierce, FL 34954-1480

Copies of the proposal documents are available electronically from the Procurement Department by e-mail request to [biddesk@city-ftpierce.com](mailto:biddesk@city-ftpierce.com) on the web site of City of for Fort Pierce ([www.cityoffortpierce.com](http://www.cityoffortpierce.com)) and Demandstar.com ([www.demandstar.com](http://www.demandstar.com)) .

Any proposals received after the designated time and date listed above will be returned unopened.

3.2 All proposals and qualifications will be publicly opened at the time and place specified. In accordance with Section 2-63(2)d of the City of Fort Pierce Code, “No proposals shall be handled so as to permit disclosure of the identity of any offeror or the contents of any proposal to competing offerors during the process of negotiation. A register of proposals shall be prepared containing the name of each offeror, the number of modifications received, if any, and a description sufficient to identify the item offered. **The register of proposals shall be open for public [viewing] only after Agreement award.**”

**4. INQUIRIES/QUESTIONS**

**4.1** All inquiries will be in a written format and addressed to City of Fort Pierce Deputy City Manager with a copy to the Purchasing Manager:

**TO**

City of Fort Pierce  
Nick Mimms  
Deputy City Manager  
P. O. Box 1480  
Fort Pierce, FL 34954-1480  
Fax: (772) 460-6847  
Email: [nmimms@city-ftpierce.com](mailto:nmimms@city-ftpierce.com)

**COPY**

City of Fort Pierce  
Gelencia Carter  
Purchasing Manager  
P.O. Box 1480  
Fort Pierce, FL 34954-1480  
Fax: (772) 595-9948  
Email: [biddesk@city-ftpierce.com](mailto:biddesk@city-ftpierce.com)

**4.2** No inquiries will be received within seven (7) calendar days of proposal closing date.

**5. MINORITY PARTICIPATION AND OUTREACH PROGRAM**

Describe your firm's program and/or policies in regard to minority and non-discrimination, including the firm's history of Minority and Women Owned Business Enterprise (M/WBE) participation. Include a strategy for promoting minority participation in this project and a realistic goal for participation. List references of Owners, M/WBE firms or consultants who can speak to your firm's utilization of M/WBE on previous projects.

**6. CERTIFICATE OF INSURANCE**

In order to do business with the City of Fort Pierce, you must provide proof of insurance to include general liability, workers compensation, and automobile insurance with proposal submittal. If awarded, insurance must comply with the Required Limits of Insurance as indicated in Section III of the specifications.

**7. BUSINESS TAX RECEIPT (OCCUPATIONAL LICENSE)**

Provide a valid Business Tax Receipt (Occupational License) from your jurisdiction with your proposal submittal.

**8. REFERENCES**

All offerors shall include with their proposals, a list of at least three (3) current references for whom comparable work has been performed. This list shall include company name, person to contact, address, telephone number, fax number, e-mail address, and the nature of the work performed. Failure to include references may be cause for rejection of proposal as non-responsive. Offeror hereby releases listed references from all claims and liability for damages that may result from the information provided by the reference.

**9. PURCHASING CARD PROGRAM**

- 9.1** The City has implemented a **Purchasing Card Program**. The selected Proposers(s) can take advantage of this program and in consideration receive payment within several days, instead of the City's policy of Net 30 Days After Receipt of Invoice (ARI). **Any percentage off the bid price for the acceptance of Visa will be considered in the bid award.** If no such percentage is given, the City shall assume 0% discount applies.
- 9.2** Proposers are requested to state on the Bid Response Form, if they will honor the VISA Purchasing Card. In the event of failure on the part of the Proposer to make this statement, the City shall assume the purchase or Agreement price shall be governed by the Net 30 ARI (after receipt of invoice).

## SECTION V

### STATEMENT OF WORK

#### 1.0 OFFEROR'S MINIMUM QUALIFICATIONS

Offerors must demonstrate that they have the resources and capability to provide the materials and services as described herein. All offerors shall submit documentation with their proposal indicating compliance with the minimum qualifications. Failure to include any of the required documentation may be cause for proposal to be deemed non-responsive and rejected. The following criteria shall be met in order to be eligible for this Agreement:

1.1 Proof of current Florida Real Estate license. Provide a copy of a current license.

#### 2.0 SCOPE OF SERVICES

All proposals must be made on the basis of, and either meet or exceed, the requirements contained herein.

2.1 The Broker shall:

2.1.1 Assist the City with the purchase and sale of property within the City, and other programs as necessary.

2.1.2 Be responsible for writing standard real estate Agreements using the Florida Association of Realtors (FAR) regional Sales Agreement and its accompanying documents, various banks addendums and the City addendum, if applicable.

2.1.3 Represent the City when the City purchases property. The Broker shall be paid by the seller through the listing agreement.

2.1.4 Represent the buyer when the City sells an property. The Broker shall be paid by the City to represent the buyer and the City shall use other counsel for the transaction. The buyer is not required to use the City's Broker if the buyer has his/her own representation.

2.1.5 Accept fixed fees as set forth by the programs. The commission ranges from transactions shall be as follows:

2.1.5.1 If other property is purchased from the City, the Broker shall be receive no more than \$750 in commission to represent the buyer and to write the Agreement.

2.1.5.2 If the City needs to sell property at market rate, the Broker shall receive no more than 5-6% commission for the transaction.

2.1.6 Be responsible for communicating the current market conditions to the City representative(s) by preparing a Broker's Price Opinion (BPO) on potential purchases.

- 2.1.7 Coordinate details of all ratified real estate Agreements to ensure that Agreement requirements are met in accordance with the Agreement timelines. These items include but are not limited to: appraisal, home inspections, other inspections, order title work, order survey, schedule settlement, and coordinate all Agreement post ratification addendums with other parties involved in the transaction. (Please note that the City already holds Agreements for appraisal, title and banking services and use of these Agreements is required.)
- 2.1.8 Accompany City representatives and/or purchasers at real estate settlements when necessary.
- 2.1.9 Provide purchasers of City owned property with representation.
- 2.1.10 Coordinate with the title company to ensure that all parties have submitted necessary documentation to settlement within the Agreement timelines and/or deadlines.
- 2.1.11 Be available within a reasonable amount of time to show properties to the City and/or purchasers who are qualified and participate in the City-sponsored program.
- 2.1.12 Participate in and document negotiation and acquisition activities which may include, but are not limited to, phone calls, individual meetings, multiple-party meetings, settlement agreements, counter proposals, objections to any matters of record or issues presented, justifications contradictory to or in support of any issues, legal proceedings and/or matters of title to property.
- 2.1.13 Designate up to two (2) agents within the office to be assigned to the City in performing the services under this Agreement.

### **3.0 AGREEMENT TERMS AND CONDITIONS**

The Agreement with the successful offeror will contain the following Agreement Terms and Conditions. **Offerors intending to require additional or different language must include such language with their proposal. Failure to provide offeror's additional Agreement terms may result in rejection of the proposal.**

#### **3.1 Procedures**

The extent and character of the services to be performed by the Broker shall be subject to the general control and approval of the Deputy City Manager/Director, Fort Pierce Redevelopment Agency or the authorized representative(s). The Broker shall not comply with requests and/or orders issued by other than the Deputy City Manager/Director, Fort Pierce Redevelopment Agency or the authorized representative(s) acting within their authority for the City. Any change to the Agreement must be approved in writing by the Purchasing Manager and the Broker.

### 3.2 Agreement Period

The Agreement shall cover the period from one (1) year, or an equivalent period depending upon date of Agreement award.

This Agreement may be renewed at the expiration of the initial term at the request of the City. The renewal may be for up to three additional one year periods. Any renewal shall be based on the same prices, terms and conditions as the initial term unless otherwise agreed to by the City.

Notice of intent to renew will be given to the Broker in writing, normally ninety (90) days before the expiration date of the current term.

### 3.3 Delays

If delay is foreseen, the Broker shall give immediate written notice to the Division of Procurement. The Broker must keep the City advised at all times of the status of the order. Default in promised delivery (without accepted reasons) or failure to meet specifications, authorizes the Division of Procurement to purchase supplies elsewhere and charge full increase in cost and handling to defaulting Broker.

### 3.4 Delivery Failures

Time is of the essence. Should the Broker fail to deliver the proper services or item(s) at the time and place(s) specified, or within a reasonable period of time thereafter as determined by the Purchasing Agent, or should the Broker fail to make a timely replacement of rejected items when so requested, the City may purchase services or items of comparable quality in the open market to replace the rejected or undelivered services or items. The Broker shall reimburse the City for all costs in excess of the Agreement price when purchases are made in the open market; or, in the event that there is a balance the City owes to the Broker from prior transactions, an amount equal to the additional expense incurred by the City as a result of the Brokers nonperformance shall be deducted from the balance as payment.

### 3.5 Material Safety Data Sheets

By law, the City of Fort Pierce will not receive any materials, products, or chemicals which may be hazardous to an employee's health unless accompanied by a Material Safety Data Sheet (MSDS) when received. This MSDS will be reviewed by the City, and if approved, the materials, product or chemical can be used. If the MSDS is rejected, the Broker must identify a substitute that will meet the City's criteria for approval.

### 3.6 Business, Professional, and Occupational License Requirement

All firms or individuals located or doing business in City of Fort Pierce are required to be licensed in accordance with the City's "Business, Professional, and Occupational Licensing (BPOL) Tax" Ordinance during the initial term of the Agreement or any renewal period.

Wholesale and retail merchants without a business location in City of Fort Pierce are exempt from this requirement. Questions concerning the BPOL Tax should be directed to the Office of Commissioner of Revenue, telephone (772) 429-2900.

3.7 Payment of Taxes

All Brokers located or owning property in City of Fort Pierce shall assure that all real and personal property taxes are paid.

The City will verify payment of all real and personal property taxes by the Broker prior to the award of any Agreement or Agreement renewal.

3.8 Hold Harmless Clause

The Broker shall, indemnify, defend, and hold harmless the City from loss from all suits, actions, or claims of any kind brought as a consequence of any negligent act or omission by the Broker. The Broker agrees that this clause shall include claims involving infringement of patent or copyright. For purposes of this paragraph, “City” and “Broker” includes their employees, officials, agents, and representatives. “Broker” also includes subcontractors and suppliers to the Broker. The word “defend” means to provide legal counsel for the City or to reimburse the City for its attorneys’ fees and costs related to the claim. This section shall survive the Agreement.

3.9 Permits

It shall be the responsibility of the Broker to comply with City ordinances by securing any necessary permits. The City shall waive any fees involved in securing City permits.

3.10 Faith-Based Organizations

City does not discriminate against faith-based organizations.

3.11 Immigration Reform and Control Act of 1986

By entering this Agreement, the Broker certifies that it does not and will not during the performance of this Agreement violate the provisions of the Federal Immigration Reform and Control Act of 1986, which prohibits employment of illegal aliens.

3.12 Substitutions

NO substitutions or cancellations are permitted after Agreement award without written approval by the Division of Procurement. Where specific employees are proposed by the Broker for the work, those employees shall perform the work as long as those employees work for the Broker, either as employees or subBrokers, unless the City agrees to a substitution. Requests for substitutions shall be reviewed and may be approved by the City at its sole discretion.

3.13 Condition of Items

All items shall be new, in first class condition, including containers suitable for shipment and storage, unless otherwise indicated herein. Verbal agreements to the contrary will not be recognized.

3.14 Workmanship and Inspection

All work under this Agreement shall be performed in a skillful and workmanlike manner. The Broker and its employees shall be professional and courteous at all times. The City may, in writing, require the Broker to remove any employee from work for reasonable cause as determined by the City. Further, the City may, from time to time, make inspections of the work performed under the Agreement. Any inspection by the City does not relieve the Broker from any responsibility in meeting the Agreement requirements.

3.15 Invoicing and Payment

Invoices for commission shall be paid upon completion of transaction at settlement of each property.

3.16 Payments to SubBrokers

Within seven (7) days after receipt of amounts paid by the City for work performed by a subBroker under this Agreement, the Broker shall either:

- A. Pay the subBroker for the proportionate share of the total payment received from the City attributable to the work performed by the subBroker under this Agreement; or
- B. Notify the City and subBroker, in writing, of his intention to withhold all or a part of the subBroker's payment and the reason for non-payment.

The Broker shall pay interest to the subBroker on all amounts owed that remain unpaid beyond the seven (7) day period except for amounts withheld as allowed in item B. above.

Unless otherwise provided under the terms of this Agreement, interest shall accrue at the rate of one percent (1%) per month.

The Broker shall include in each of its subAgreements a provision requiring each subBroker to include or otherwise be subject to the same payment and interest requirements as set forth above with respect to each lower-tier subBroker.

The Broker's obligation to pay an interest charge to a subBroker pursuant to this provision may not be construed to be an obligation of the City.

3.17 Assignment of Agreement

The Agreement may not be assigned in whole or in part without the written consent of the Purchasing Manager.

3.18 Termination

Subject to the provisions below, the Agreement may be terminated by the City upon thirty (30) days advance written notice to the Broker; but if any work or service hereunder is in progress, but not completed as of the date of termination, then the Agreement may be extended upon written approval of the City until said work or services are completed and accepted.

A. Termination for Convenience

The City may terminate this Agreement for convenience at any time in which the case the parties shall negotiate reasonable termination costs.

B. Termination for Cause

In the event of Termination for Cause, the thirty (30) days advance notice is waived and the Broker shall not be entitled to termination costs.

C. Termination Due to Unavailability of Funds in Succeeding Fiscal Years

If funds are not appropriated or otherwise made available to support continuation of the performance of this Agreement in a subsequent fiscal year, then the Agreement shall be canceled and, to the extent permitted by law, the Broker shall be reimbursed for the reasonable value of any non-recurring costs incurred but not amortized in the price of the supplies or services delivered under the Agreement.

3.19 Agreemental Disputes

The Broker shall give written notice to the Purchasing Agent of intent to file a claim for money or other relief within ten (10) calendar days of the occurrence giving rise to the claim or at the beginning of the work upon which the claim is to be based, whichever is earlier.

The claim, with supporting documentation, shall be submitted to the Purchasing Agent by US Mail, courier, or overnight delivery service, no later than sixty (60) days after final payment. The Broker shall submit its invoice for final payment within thirty (30) days after completion or delivery of the services. If the claim is not disposed of by agreement, the Purchasing Agent shall reduce his/her decision to writing and mail or otherwise forward a copy thereof to the Broker within thirty (30) days of the City's receipt of the claim.

The Purchasing Agent's decision shall be final unless the Broker appeals within thirty (30) days by submitting a written letter of appeal to the City Administrator, or his designee. The City Administrator shall render a decision within sixty (60) days of receipt of the appeal.

3.20 Severability

In the event that any provision shall be adjudged or decreed to be invalid, such ruling shall not invalidate the entire Agreement but shall pertain only to the provision in question and the remaining provisions shall continue to be valid, binding and in full force and effect.

3.21 Confidentiality

The Broker acknowledges and understands that its employees may have access to proprietary, business information, or other confidential information belonging to the City of Fort Pierce. Therefore, except as required by law, the Broker agrees that its employees will not:

- A. Access or attempt to access data that is unrelated to their job duties or authorizations as related to this Agreement.
- B. Access or attempt to access information beyond their stated authorization.
- C. Disclose to any other person or allow any other person access to any information related to the City or any of its facilities or any other user of this Agreement that is proprietary or confidential. Disclosure of information includes, but is not limited to, verbal discussions, FAX transmissions, electronic mail messages, voice mail communication,

written documentation, “loaning” computer access codes and/or another transmission or sharing of data.

The Broker understands that the City, or others may suffer irreparable harm by disclosure of proprietary or confidential information and that the City may seek legal remedies available to it should such disclosure occur. Further, the Broker understands that violations of this provision may result in Agreement termination.

The Broker further understands that information and data obtained during the performance of this agreement shall be considered confidential, during and following the term of this Agreement, and will not be divulged without the Purchasing Agent’s written consent and then only in strict accordance with prevailing laws. The Broker shall hold all information provided by the City as proprietary and confidential, and shall make no unauthorized reproduction or distribution of such material.

### 3.22. Counterparts

This Agreement and any amendments or renewals hereto may be executed in a number of counterparts, and each counterpart signature, when taken with the other counterpart signatures, is treated as if executed upon one original of this Agreement or any amendment or renewal. A signature by any party to this Agreement provided by facsimile or electronic mail is binding upon that party as if it were the original.

## 4.0 EVALUATION CRITERIA

The criteria set forth below will be used in the receipt of proposals and selection of the successful offeror.

The City Evaluation Committee will review and evaluate each proposal and selection will be made on the basis of the criteria listed below:

- 4.1 Ability to meet/exceed the Scope of Services. **30 points**
- 4.2 Credentials and related experience. **25 points**
- 4.3 Compliance with Agreement Terms and Conditions. **10 points**
- 4.4 Availability and capability for timely response. **15 points**
- 4.5 Cost of Services. **20 points**

The City Evaluation Committee will collectively develop a composite rating which indicates the group's collective ranking of the highest rated proposals in a descending order. The City Evaluation Committee may then conduct interviews with only the top ranked offerors, usually the top two (2) or three (3) depending upon the number of proposals received. Negotiations shall be conducted with offerors so selected. The City Evaluation Committee may request a Best and Final Offer(s) (BAFO) and/or make a recommendation for the Agreement award.

## 5.0 PROPOSAL SUBMISSION FORMAT

Offerors are to make written proposals that present the offeror's qualifications and understanding of the work to be performed. Offerors shall address each of the specific evaluation criteria listed below, in the following order. Failure to include any of the requested information may be cause for the proposal to be considered nonresponsive and rejected.

**\*\*NOTE: The Proposer must use sections and tabs which are clearly identified and also must number and label all parts, pages, figures, and tables in its proposal. Additional tabs may be appended which contain any other pertinent matters which the proposer wishes the City to take into consideration in reviewing the proposal.**

### 5.1 Letter of Transmittal

This letter will summarize in a brief and concise manner, the proposer's understanding of the Scope of Work and make a positive commitment to timely perform the work. The letter must name all of the persons authorized to make representations for the proposer, including the titles, addresses, and telephone numbers of such persons. An official authorized to negotiate for the proposer must sign the Letter of Transmittal. The letters should not exceed two pages in length.

### 5.2 Ability to meet/exceed the Scope of Services:

- State your ability to meet/exceed all items within the Scope of Services.
- Describe methods you would use to locate foreclosed homes for purchase by the City.

### 5.3 Credentials and related experience:

- Resumes and proof of certificates and professional licensure of all key personnel who will be involved in this project.
- Provide information on your past experience with foreclosed properties.
- Disclose any review or disciplinary action taken by the Florida Real Estate Board (or the equivalent board of another jurisdiction, if applicable) during the past five (5) years with regard to any certificates and professional licensure of all key personnel.
- Provide information on which two (2) agents would be assigned to the City for this project.

### 5.4 Compliance with Agreement Terms and Conditions:

- State your compliance with the Agreement Terms and Conditions as contained in Section 3.0 of this RFP. Specifically list any deviations and provide justification for each deviation.

### 5.5 Availability and capability for timely response:

- Provide information on current workload and availability to participate in this Agreement.
- Provide information on where you are located and distance from City of Fort Pierce.

- Provide timeframe of how much notice needed to respond to inquiries from City Staff and hours of operation.

5.6 References

- Please see Section IV, Instruction to Proposers, page 14

5.7 Cost of Services:

- Provide a rate schedule for the purchase and sale of homes.
- Describe any discounts provided to City.

**6.0 INSTRUCTIONS FOR SUBMITTING PROPOSALS**

6.1 Submission of Proposals

Before submitting a proposal, read the ENTIRE solicitation including the Terms and Conditions. Failure to read any part of this solicitation will not relieve an offeror of the Agreemental obligations.

6.2 Firm Pricing for City Acceptance

Proposal pricing must be firm for City acceptance for a minimum of ninety (90) days from proposal receipt date.

6.3 Authority to Bind Firm in Agreement

Proposals MUST give full firm name and address of offeror. Failure to manually sign proposal may disqualify it. Person signing proposal will show TITLE or AUTHORITY TO BIND THE FIRM IN A AGREEMENT. Firm name and authorized signature must appear on proposal in the space provided on the pricing page. Those authorized to sign are as follows:

If a sole proprietorship, the owner may sign.

If a general partnership, any general partner may sign.

If a limited partnership, a general partner must sign.

If a limited liability company, a “member” may sign or “manager” must sign if so specified by the articles or organization.

If a regular corporation, the CEO, President or Vice-President must sign.

Others may be granted authority to sign but the City requires that a corporate document authorizing him/her to sign be submitted with proposal.

6.4 Withdrawal of Proposals

A. All proposals submitted shall be valid for a minimum period of ninety (90) calendar days following the date established for acceptance.

B. Proposals may be withdrawn on written request from the offeror at the address shown in the solicitation prior to the time of acceptance.

C. Negligence on the part of the offeror in preparing the proposal confers no right of withdrawal after the time fixed for the acceptance of the proposals.

6.5 City Furnished Support/Items

The estimated level of support required from City personnel for the completion of each task shall be itemized by position and man days.

The offeror shall indicate the necessary telephones, office space and materials the offeror requires. The City may furnish these facilities if the City considers them reasonable, necessary, and available for the Broker to complete his task.

6.6 SubBrokers

Offerors shall include a list of all subBrokers with their proposal. Proposals shall also include a statement of the subBrokers' qualifications. The City reserves the right to reject the successful offeror's selection of subBrokers for good cause. If a subBroker is rejected the offeror may replace that subBroker with another subBroker subject to the approval of the City. Any such replacement shall be at no additional expense to the City nor shall it result in an extension of time without the City's approval.

6.7 Prohibition as SubBrokers

No offeror who is permitted to withdraw a proposal shall, for compensation, supply any material or labor to or perform any subAgreement or other work agreement for the person or firm to whom the Agreement is awarded or otherwise benefit, directly or indirectly, from the performance of the project for which the withdrawn proposal was submitted.

6.8 Proposed Changes to Scope of Services

If there is any deviation from that prescribed in the Scope of Services, the appropriate line in the scope of services shall be ruled out and the substitution clearly indicated. The City reserves the right to accept or reject any proposed change to the scope.

6.9 Miscellaneous Requirements

- A. The City will not be responsible for any expenses incurred by an offeror in preparing and submitting a proposal. All proposals shall provide a straight-forward, concise delineation of the offeror's capabilities to satisfy the requirements of this request. Emphasis should be on completeness and clarity of content.
- B. Offerors who submit a proposal in response to this RFP may be required to make an oral presentation of their proposal. The Division of Procurement will schedule the time and location for this presentation.
- C. Selected contents of the proposal submitted by the successful offeror and this RFP will become part of any Agreement awarded as a result of the Scope of Services contained herein. The successful offeror will be expected to sign a Agreement with the City.
- D. The City reserves the right to reject any and all proposals received by reason of this request, or to negotiate separately in any manner necessary to serve the best interests of the City. Offerors whose proposals are not accepted will be notified in writing.

# **SECTION VI - FORMS**



## PROPOSAL SUBMISSION FORM

THE FIRM OF: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

FEIN \_\_\_\_\_

Hereby agrees to provide the requested services as defined in Request for Proposal No. 2015-051 for the price as stated in the price proposal.

The following shall be returned with your proposal. Failure to do so may be cause for rejection of proposal as non-responsive. It is the responsibility of the Offeror to ensure that he has received all addenda.

<b>ITEM:</b>	<b>INCLUDED: (X)</b>
1. References	_____
2. Addenda, if any.	_____
3. One (1) original and five (5) copies	_____
4. Proposal Response Information	_____
5. W-9 Form	_____
6. Certificate of Insurance	_____

Person to contact regarding this proposal: \_\_\_\_\_

Title: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

**DRUG-FREE WORK PLACE FORM**

The undersigned vendor in accordance with Florida Statute 287.087 hereby certified that

\_\_\_\_\_ does:

*(Name of Business)*

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business=s policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or Agreementual services that are proposed a copy of the statement specified in subsection (1).
4. In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or Agreementual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee=s community, by any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

\_\_\_\_\_  
*Proposer's Signature*

\_\_\_\_\_  
*Date*

**Request for Taxpayer  
Identification Number and Certification**

Give form to the requester. Do not send to the IRS.

**Print or type**  
**See Specific Instructions on page 2.**

Name (as shown on your income tax return)

Business name, if different from above

Check appropriate box:  Individual/Sole proprietor  Corporation  Partnership  
 Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ▶ .....  Exempt payee  
 Other (see instructions) ▶

Address (number, street, and apt. or suite no.) Requester's name and address (optional)

City, state, and ZIP code

List account number(s) here (optional)

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number
or
Employer identification number

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below).

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. See the instructions on page 4.

**Sign Here** Signature of U.S. person ▶ Date ▶

**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

**Purpose of Form**

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

**Note.** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,



## Certification Statement Local Vendor Preference

I certify that my company meets all of the following qualifications to be eligible for the local vendor preference:

- 1) That my company has a fixed, staffed office or distribution point located in and having a street address within St. Lucie, Indian River, Martin or Okeechobee City for at least one year prior to the issuance of the request for competitive bids or request for proposals by St. Lucie City; and
- 2) That my company holds any business or Broker license required by St. Lucie City and/or can document payment of business license taxes in St. Lucie City;
- 3) That my company is principal offeror who is single offeror; a business which is the prime Broker and not a subBroker; or a partner or joint venturer submitting an offer in conjunction with other businesses.
- 4) Attached is a copy of a business or Broker license and/or business tax receipt for St. Lucie City, Indian River, Martin or Okeechobee Counties to verify that I have been in business at least one year prior to the issuance of the Request for Bid or Proposal.

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Business or Broker License Number: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Owner's Name: \_\_\_\_\_

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

*Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_\_*

Notary Public for the State of \_\_\_\_\_ My Commission Expires \_\_\_\_\_

Notary Public Signature \_\_\_\_\_ Printed Name \_\_\_\_\_

### FOR PROCURMENT OFFICE ONLY ~ DO NOT COMPLETE BELOW

To be verified and completed by an authorized representative from the City of Fort Pierce Purchasing Department:

Vendor Certified by: \_\_\_\_\_ Date: \_\_\_\_\_  
(Authorized Signature)

**To be approved as a local bidder and receive bid preference on an eligible local project, this certification and a copy of your local business or Broker license must be submitted with your bonafide Bid/RFP package.**



# CITY OF FORT PIERCE PROPOSER'S CHECKLIST

This checklist is provided to assist each Proposer in the preparation of their proposal response. Included in this checklist are important requirements, which is the responsibility of each Proposer to submit with their response in order to make their response fully compliant. This checklist is only a guideline~ it is the responsibility of each Proposer to read and comply with the Request for Proposal in its entirety.

**Check "Yes" or "No" to each of the following:**

	<b>YES</b>	<b>NO</b>
Is Request for Proposal cover page (page 1) completed, signed and attached?	_____	_____
All prices have been reviewed for mathematical accuracy, all price corrections initialed, and all price extensions and totals thoroughly checked.	_____	_____
Include proof of proper licensing as stated in proposal documents.	_____	_____
Include proof of proper insurance as stated in proposal documents.	_____	_____
Proposal envelope is marked accordingly.	_____	_____
Is Drug-Free Work Place form signed and enclosed?	_____	_____
W-9 Form completed, signed and attached?	_____	_____
Are six (6) complete proposal packages included (one original and five copies)?	_____	_____

**PLEASE SIGN AND RETURN WITH PROPOSAL** \_\_\_\_\_



**PURCHASING DEPARTMENT  
CITY HALL, 100 NORTH U.S. 1  
P.O. BOX 1480  
FORT PIERCE, FLORIDA 34954-1480**

**TEL.: (772) 467-3000  
FAX: (772) 467-3848  
[www.cityoffortpierce.com](http://www.cityoffortpierce.com)**

October 14, 2015

**Coldwell Banker Paradise**  
411 North U.S. Highway 1  
Fort Pierce, FL 34950  
Attn: Hampton Jackson, Sales Associate

**RE: Rejection of Proposal**

Dear Mr. Jackson:

I regret to inform that your proposal, RFP No. 2015-051 ~ Realtor Services, has been rejected due to failure of adhering to the guidelines listed in the proposal document, Section 5.0 Proposal Submission Format. Purchasing Staff was notified by a member of the Evaluation Committee that your submission was missing, the "Cost of Service", after a certified letter was mailed inviting you to participate in the next phase, Presentation/Interview, on October 21, 2015 which now has been withdrawn. Your submission was reviewed by Purchasing Staff to authenticate the claim made by the committee member, and it has been determined that Section 5.7 – Cost of Service was not included with your submission.

If you have any questions please feel free to call me at (772) 467-3749, or email me at [gcarter@city-ftpierce.com](mailto:gcarter@city-ftpierce.com).

We appreciate your interest in doing business with the City of Fort Pierce and we certainly hope you will continue to have an interest in future projects.

Sincerely,  
**CITY OF FORT PIERCE**

Gelencia Carter, MPA  
Purchasing Manager

/gc

cc: Nick Mimms, Deputy City Manager  
Tony Barnes, Director of Administrative Services  
Angela Wilkinson, Executive Assistant  
File

## EVALUATION COMMITTEE RANKING - RFP 2015-051, REALTOR SERVICES

Kenneth A. Durham Realty, LLC

As of 11/20/15

RANKING CRITERIA	POINTS POSSIBLE	EVALUATION COMMITTEE RANKINGS								POINTS RECEIVED	POINTS AVERAGED
		A	B	C	D	E	F	G	H		
Ability to meet/exceed the Scope of Services	30	20	20	10	15	30	20	20	15	150	21.4
Credentials and related experience	25	20	10	10	20	25	15	25	10	135	19.3
Compliance with Contract Terms and Conditions	10	10	8	10	10	10	10	10	0	68	9.7
Availability and capability for timely response	15	10	10	8	15	15	15	15	7	95	13.6
Cost of Service	20	15	20	20	20	20	20	10	18	143	20.4
Locality Rating (as per table)	0 - 25	25	25	25	25	25	25	25	20	195	27.9
<b>TOTALS</b>	<b>125</b>	<b>100</b>	<b>93</b>	<b>83</b>	<b>105</b>	<b>125</b>	<b>105</b>	<b>105</b>	<b>70</b>	<b>786</b>	<b>112.3</b>

Keller Williams Realty

RANKING CRITERIA	POINTS POSSIBLE	EVALUATION COMMITTEE RANKINGS								POINTS RECEIVED	POINTS AVERAGED
		A	B	C	D	E	F	G	H		
Ability to meet/exceed the Scope of Services	30	20	30	30	30	25	30	30	30	225	32.1
Credentials and related experience	25	25	25	25	25	25	25	25	25	200	28.6
Compliance with Contract Terms and Conditions	10	10	10	10	10	10	10	10	10	80	11.4
Availability and capability for timely response	15	15	15	15	15	10	15	15	15	115	16.4
Cost of Service	20	15	20	20	20	20	20	20	18	153	21.9
Locality Rating (as per table)	0 - 25	15	20	25	20	15	25	20	20	160	22.9
<b>TOTALS</b>	<b>125</b>	<b>100</b>	<b>120</b>	<b>125</b>	<b>120</b>	<b>105</b>	<b>125</b>	<b>120</b>	<b>118</b>	<b>933</b>	<b>133.3</b>

Coldwell Banker Paradise / Hoyt Murphy Realtors (Disqualified)

RANKING CRITERIA	POINTS POSSIBLE	EVALUATION COMMITTEE RANKINGS								POINTS RECEIVED	POINTS AVERAGED
		A	30	C	D	E	F	G	H		
Ability to meet/exceed the Scope of Services	30	20	30	30	30	30	0	30	0	170	24.3
Credentials and related experience	25	25	20	25	25	25	0	25	0	145	20.7
Compliance with Contract Terms and Conditions	10	5	10	10	5	10	0	0	0	40	5.7
Availability and capability for timely response	15	15	15	15	15	15	0	0	0	75	10.7
Cost of Service	20	0	0	20	20	0	0	10	0	50	7.1
Locality Rating (as per table)	0 - 25	25	25	25	25	25	0	25	0	150	21.4
<b>TOTALS</b>	<b>125</b>	<b>90</b>	<b>100</b>	<b>125</b>	<b>120</b>	<b>105</b>	<b>0</b>	<b>90</b>	<b>0</b>	<b>630</b>	<b>90.0</b>

**City Commission Regular Meeting**

**Agenda Item # 10. a.**

**Meeting Date:** 12/07/2015

**Re:** Conditional Use w/ No New Construction - Harbor Community Bank - 600 Edwards Road

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**SUBJECT:**

Approve with conditions a Conditional Use application to allow Harbor Community Bank to operate administrative offices within an I1, Light Industrial Zone, at 600 Edwards Road, Fort Pierce, FL.

**SUMMARY:**

The applicant, Harbor Community Bank, is seeking approval to operate administrative offices in part of the structure located at 600 Edwards Road. This property is currently zoned I1, Light Industrial which allows administrative offices with Conditional Use approval.

**RECOMMENDATION:**

Staff recommends that the City Commission approve the Conditional Use application with the following conditions:

1. Applicant to provide sidewalk along Edwards Road right-of-way. Applicant may submit "payment in lieu of" to St. Lucie County.
2. Applicant to install required shrubs.
3. Applicant to provide three additional parking spaces or "payment in lieu of" to the City.

**ALTERNATIVES:**

Approve without conditions; approve with additional conditions.

**RESPONSIBLE STAFF:**

Clarissa Davis, Planner

**COORDINATED WITH:**

Rebecca Grohall, AICP, Planning Manager

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**Fiscal Impact**

**Budgeted Y/N:**

**Fiscal Year:**

**Account:**

**Amount:**

**OTHER INFORMATION:**

Upgrade of an existing, semi-vacant and underutilized property should increase its Ad Valorem valuation, ultimately increasing the annual property tax base.

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**Attachments**

Staff Report  
Application  
Survey and Floor Plan  
TRC Comments

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### Form Review

Inbox	Reviewed By	Date
City Manager	Jennifer Robinson	12/01/2015 10:13 AM
City Manager	Nick Mimms	12/02/2015 04:44 PM
Form Started By: Clarissa Davis		Started On: 11/24/2015 10:02 AM
Final Approval Date: 12/02/2015		



# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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

---

**TO:** The Honorable Mayor and Members of the City Commission

**THROUGH:** Rebecca Grohall, AICP, Planning Manager

**FROM:** Clarissa Davis, Planner

**SUBJECT:** Conditional Use w/ No New Construction – Harbor Community Bank  
600 Edwards Road

**DATE:** November 24<sup>th</sup>, 2015

---

### STAFF REPORT

**Owner:** WBC Collections LP  
333 W State St., Milwaukee, WI 53203

**Applicant/Representative:** Harbor Community Bank  
200 South Indian River Drive, Fort Pierce, FL 34950

**Requested Action:** Approval of a Conditional Use application to operate administrative offices within an I1, Light Industrial Zone

**Location:** 600 Edwards Road

**Parcel IDs:** 2422-602-0163-000-0

**Current Zoning:** I1, Light Industrial Zone

**Current Future Land Use:** I, Industrial

**Surrounding Zoning:**

North	East	South	West
R-4	C-3	C-3	R-2

**Parcel(s) Size:** 6.37 acres

## **Staff Analysis**

The applicant, Harbor Community Bank, is seeking approval to operate administrative offices in part of the structure located at 600 Edwards Road. This property is currently zoned I1, Light Industrial which allows administrative offices with Conditional Use approval.

This structure has been utilized for warehousing and distribution of newspapers for over a decade. The operation has since downsized, ultimately only encompassing half of the structure. Harbor Community Bank is seeking to use the remainder of the building as its operations center. This location will not have any direct customer assistance and will not operate as a branch of Harbor Community Bank. The applicant is undergoing interior construction to erect a number of offices, conference rooms, and a break room while departments such as Credit Operations, Bookkeeping, and Loan Operations will have open concept style offices.

## **TRC Comments**

This project was transmitted to all reviewing departments of the Technical Review Committee. The generated comments are attached to this staff report.

## **Planning Board Recommendation**

At their November 10<sup>th</sup> meeting, the Planning Board recommended approval of the application with staff's conditions.

## **Staff Comments**

Staff recommends that the City Commission approve the Conditional Use application with the following conditions:

1. Applicant to provide sidewalk along Edwards Road right-of-way. Applicant may submit "payment in lieu of" to St. Lucie County.
2. Applicant to install required shrubs.
3. Applicant to provide three additional parking spaces or "payment in lieu of".



# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

Rebecca Grohall, AICP, Planning Manager  
COMPREHENSIVE PLANNING ♦ DEVELOPMENT REVIEW  
HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING

### Conditional Use – No New Construction

Property address or Location 600 Edwards Road  
Parcel ID #(s) 2422-602-0163-000-0  
Project description Harbor Community Bank – Operations Center

WBC Collections, LP / Lloyd Moody  
Property Owner(s)  
4215 Solon Rd, Suite D-1  
Street Address  
Houston TX 77064  
City State Zip  
281-955-1144  
Phone Number  
rsteel@champion-management.com  
Email Address

Harbor Community Bank  
Applicant/Representative, Title, Company  
200 South Indian River Drive  
Street Address  
Fort Pierce, FL 34950  
City State Zip  
727-447-6776 Ext: 24  
Phone Number  
tcorbett@floridaconceptsinc.com  
Email Address

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

[Signature]  
Property Owner(s) Signature(s)

STATE OF FLORIDA -- COUNTY St Lucie  
The foregoing instrument was acknowledged before me this 21 day of Oct, 2015, by  
Leslie Stokes who is personally known to me or has produced

Marcia A Talbert  
Signature of Notary



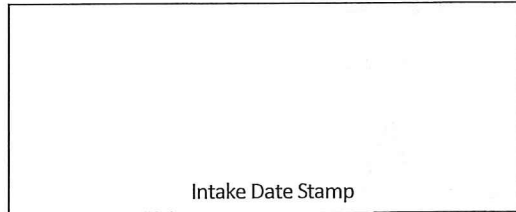
**INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 467-3729**

#### TO BE COMPLETED BY STAFF

Zoning	Future Land Use	Total Acres	Historic District	Historic Designation	
				Contributing	Individual
				Non-Contributing	None

Pre-Application Meeting Date \_\_\_\_\_  
Intake Planner \_\_\_\_\_  
Planner Assigned \_\_\_\_\_  
Approved By \_\_\_\_\_ Date \_\_\_\_\_  
Comments \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Fees \_\_\_\_\_ Control # \_\_\_\_\_ B. Permit # \_\_\_\_\_



# CONDITIONAL USE: NO NEW CONSTRUCTION

Submit one original, seven (7) hard copies and one (1) CD of the following for initial submittal, subsequent submittals will be required:

- If no site improvements are required:
  - As-built survey
  - Floor plan of existing building(s)
- If parking and drainage improvements are required:
  - As-built survey;
  - Site plan, to scale, including existing improvements and proposed parking, driveways, landscaping & storm drainage;
  - Lighting plan
- Complete, notarized application

**Application Type:**

- Conditional Use: No new construction with no site improvements
- Conditional Use: No new construction with parking and drainage improvements

**Site Information:**

Building Size \_\_\_\_\_ Parking Spaces: \_\_\_\_\_

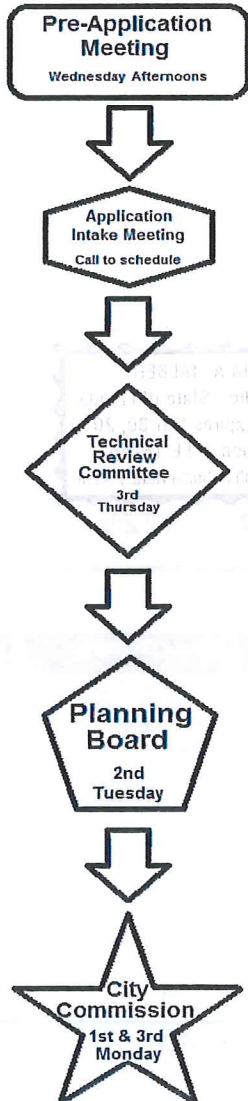
Surrounding Uses: (i.e. single family home, retail, industrial, etc.)

North	South	East	West

The application for conditional use with the application for site plan review, when not exempt in accordance with the requirements of section 22-75, shall be reviewed as a unit in accordance with the requirements of section 22-58 except that:

- (1) The city commission shall hold a public hearing in accordance with the provisions of section 22-143 prior to acting on the application for conditional use.
- (2) In the event the city planning board disapproved the application for conditional use or in case of a protest against said application signed by twenty (20) per cent of the owners within five hundred (500) feet of the area included in said application, such application shall not be approved except by a four-fifths vote by the city commission.
- (3) In permitting a conditional use or the modification of an existing conditional use, the city commission may impose, in addition to those standards and requirements expressly specified in this chapter, any condition which it finds to be necessary to protect the best interest of the surrounding property of the city.

Application Outlook



**LEGAL DESCRIPTION** (O.A. BOOK 332, PG 2679)

PARCEL 1: THE NORTHWESTERLY PORTION OF LOT 34, MARAVILLA GARDENS, UNIT 1, AS RECORDED IN PLAT BOOK 6, PAGE 55, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, BEING NORTHWESTERLY OF A LINE 50 FEET NORTHWESTERLY OF AND PARALLEL TO THE CENTER LINE OF THE FLORIDA EAST COAST RAILWAY COMPANY'S 100 FOOT RIGHT OF WAY IN SECTION 22, TOWNSHIP 33 SOUTH, RANGE 10 EAST. CHANGE WAS ACCESS TO EDWARDS ROAD - A PUBLICLY DEDICATED RIGHT-OF-WAY.

PARCEL 2: LOT 35, MARAVILLA GARDENS, UNIT ONE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 6, PAGE 55 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS AND EXCEPTING THE EAST 302.10 FEET THEREOF. (O.A. BOOK 332, PG 2792)

PARCEL THREE: THE WEST 560 FEET OF LOT 36, AS MEASURED ALONG THE SOUTH LINE OF MARAVILLA GARDENS, UNIT 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 55 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. (O.A. BOOK 332, PG 2792)

TOGETHER WITH: COMMENCING AT THE SOUTHWEST CORNER OF LOT 36, MARAVILLA GARDENS, UNIT 1, AS PER PLAT THEREOF ON FILE IN PLAT BOOK 6 AT PAGE 55 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, FOR A POINT OF BEGINNING, THENCE RUN EASTERLY ALONG THE SOUTH LINE OF SAID LOT 36 560 FEET TO A POINT, THENCE RUN SOUTHERLY ALONG A LINE PARALLEL TO THE WEST LINE OF SAID LOT 36 AS EXTENDED 50 FEET TO A POINT ON THE NORTH LINE OF LOT 35 OF SAID MARAVILLA GARDENS, UNIT 1, THENCE RUN WESTERLY ALONG THE NORTH LINE OF SAID LOT 35 560 FEET TO THE NORTHWEST CORNER OF SAID LOT 35, THENCE RUN NORTHERLY 50 FEET TO THE POINT OF BEGINNING. (O.A. BOOK 332, PG 2792)

NOTE: ALL PARCELS SHOWN HEREON ARE CONTIGUOUS.

**SURVEYOR NOTES:**

MICHAEL R. LAWSON SETS A STANDARD MARKER OF A 1/2" IRON ROD AND A CAP MARKER FOR 5/8" AT ALL CORNERS, UNLESS OTHERWISE NOTED HEREON. SAID CORNER IS SHOWN AS "O" AND FIELD SURVEYED ON 10-24-15.

LINE OF BEARINGS/ANGLES BEING THE NORTH LINE.

PER RECORD-PORT: ASSUMED AS SHOWN

**ABBREVIATIONS:**

FB = FOUND  
 CB = CALCULATED  
 CD = DEED OR DESCRIPTION  
 I.R.C. = IRON ROD & CAP  
 P.C. = POINT OF CURVATURE  
 P.R.C. = POINT OF REVERSE CURVATURE  
 P.C.P. = POINT OF COMPOUND CURVATURE  
 D.M.E. = DRAINAGE WORK UTILITY EASEMENT

E.P. = EDGE OF PAVEMENT  
 U.U. = UNDERGROUND UTILITY  
 V.M. = WATER METER  
 P. = POWER POLE  
 U.P. = UTILITY PESTICIDE  
 O.W. = WELL  
 S.D. = SATELLITE DISH  
 C. = CONTROLLING  
 A = DELTA  
 L = LENGTH  
 R = RADIUS  
 N.D.T. = NAIL & DISC/TAB  
 R/W = RIGHT-OF-WAY  
 E. = ELECTRICAL  
 T. = TRANSFORMER

MICHAEL R. LAWSON DOES NOT GUARANTEE OR ASSUME ANY LIABILITY FOR ANY EASEMENT, RIGHT-OF-WAY, SETBACK, RESTRICTION, RESTRICTION, OR SIMILAR MATTERS NOT SHOWN OR REFERRED TO ON THE PLAT, OR PHYSICALLY VISIBLE ON SITE. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF ABSTRACT TITLE AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY. (O.A. BOOK 332, PG 2792)

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

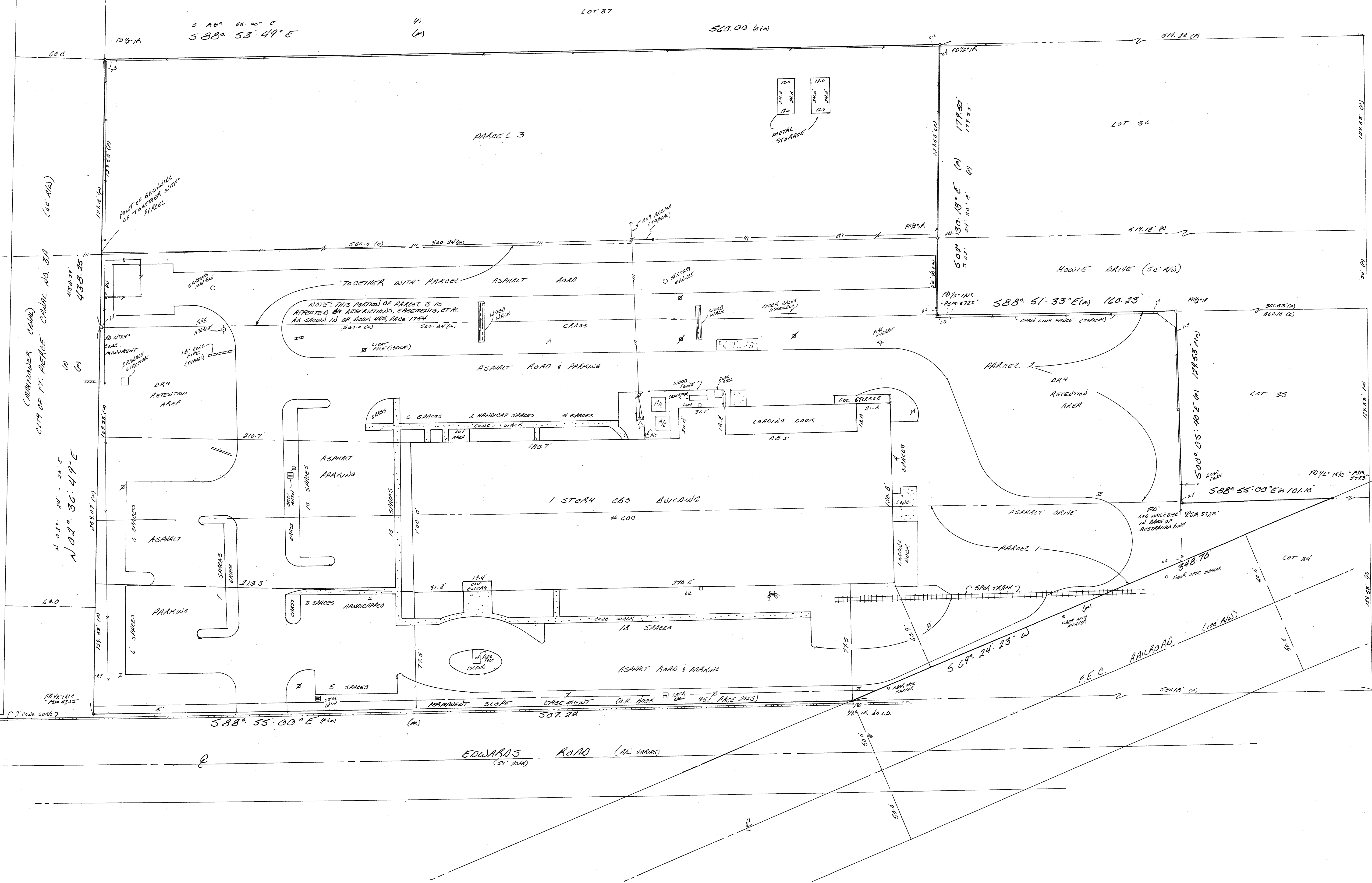
JURISDICTIONAL AREAS, WETLANDS, AND UNDERGROUND UTILITIES, IF ANY HAVE NOT BEEN LOCATED, OTHER THAN SHOWN.

LEGAL DESCRIPTION PROVIDED BY CLIENT.

THIS SURVEY IS FOR THE USE OF THE PARTIES SPECIFICALLY CERTIFIED TO HEREON, AND NO OTHERS.

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT ASSOCIATION (FEMA) FLOOD INSURANCE RATE MAPS, THIS PROPERTY LIES IN FLOOD ZONE "A" COMMUNITY PANEL # 18060407E, DATED 11-14-92.

BASE ELEVATION: N/A



**BOUNDARY SURVEY**

CERTIFIED TO:  
 HARBOR COMMUNITY DOW  
 WEB COLLECTIONS

**SURVEYOR'S CERTIFICATE**  
 I HEREBY CERTIFY TO THE BEST OF MY BELIEF THAT THIS SURVEY IS TRUE AND ACCURATE, SUBJECT TO ALL NOTES AND NOTATIONS SHOWN HEREON.

*Michael R. Lawson*  
 MICHAEL R. LAWSON, F.S.M. 5723, S.D.E.

**LEGAL DESCRIPTION**  
 LOT 35, BLOCK OF OF  
 SEE MAP AT LEFT  
 ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE 55 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLA.

REVISIONS


ABACUS LAND SURVEYORS, INC.  
 389 S.E. GASPARILLA AVE.  
 PORT ST. LUCIE, FLORIDA 34983  
 (772) 336-9931 LB 7025

SCALE: 1" = 30'  
 JOB NO. 10-083A  
 F.B. 12 PAGE 27-33 OF 12





# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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

---

**TO:** Leslie Stokes, Senior Vice President  
**FROM:** Clarissa Davis, Planner  
**RE:** Harbor Community Bank: Conditional Use w/ No New Construction  
**DATE:** October 30<sup>th</sup>, 2015

---

Ms. Stokes,

I have reviewed the proposed Harbor Community Bank project located at 600 Edwards Road and have produced the following comments:

1. Shrubs to be placed along the front property line.
2. Sidewalk required along front property line. If “payment in lieu of” is pursued please coordinate with St. Lucie County.
3. Please provide three additional parking spaces on the property.

This review is merely preliminary. If you have any questions about the review above please feel free to contact me.

Sincerely,

Clarissa Davis, Planner  
(772) 467-3742  
CDavis@City-FortPerice.com

Harbor Community Bank  
Conditional Use/No New Construction  
October 23, 2015

St. Lucie County Public Works/Engineering Comments

1. Will this requested conditional use trigger the requirement for sidewalk construction on Edwards Road?
2. It is noted that the FEMA panel number referenced on the survey (dated 1-4-1992) was updated on 2-16-2012.
3. No additional comments.

Ron Harris, PLS  
County Surveyor



**Fw: <Watchdog: Virus checked>**  
**Kori Benton** to: Clarissa Davis

11/03/2015 01:46 PM

FYI

-----Original Message-----

From: Damian Spotts  
Sent: Tuesday, November 03, 2015 1:12 PM  
To: Christopher Bender <cbender@fppd.org>  
Subject:

Chris,

Please amend the 600 Edwards Rd review to reflect the additional comments below. I saw that they have added lights since the last time I went by there and saw it dark. Maybe they did that in anticipation of the new tenants.

- Change the several existing low pressure sodium (orange hued lights) in the front (south) parking lot to metal halide bulb applications so that all the lights in the parking lot emit the same white light. Currently, the majority of the lights in the parking lot are metal halide bulb applications.

- Consider installing security cameras on the outside for added security.

Officer Damian Spotts  
Fort Pierce Police Department  
920 South US-1  
Fort Pierce, FL 34950  
FPPD Main (772) 467-6800  
My Voicemail (772) 467-6893  
My Cellular (772) 370-0065

This e-mail, and any attachments thereto, are intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail and any attachments thereto, is strictly prohibited. If you have received this e-mail in error, please notify me by replying to this message and permanently deleting the original and any copy of this e-mail and any printout thereof.

**City Commission Regular Meeting**

**Agenda Item # 10. b.**

**Meeting Date:** 12/07/2015

**Re:** St. James Christian Academy Expansion - Conditional Use

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

---

**SUBJECT:**

Approval with conditions an application for Conditional Use, submitted by Property Owners; Orange Blossom Investment, LLC, and applicant; St. James Christian Academy to expand the operation of a private school located at 4300 Okeechobee Road, Fort Pierce, FL. The property is zoned C-3, General Commercial (Parcel ID 2418-431-0001-000-0).

**SUMMARY:**

- The applicant, St. James Christian Academy is proposing to expand its current facility by 22,932 square feet; for a total of 65,188 square feet. The location is made up of one parcel, zoned C-3, General Commercial with a GC, General Commercial future land use.
- The current school facility is approximately 42,256 square-feet, consisting of 16 classrooms, offices, and a cafeteria / auditorium without a commercial kitchen or food preparation area. The proposed plan includes the addition of 22 classrooms, offices, a multi-purpose room, a ballet studio, restrooms, and a breakroom.
- A total of 21 notifications of the proposed Conditional Use were mailed to the owners of property located within 500 feet of the subject property. As of November 25, 2015, 1 response has been received in support of the request. An update will be provided to the City Commission at the public hearing.
- The Planning Board, at their November 10th, 2015, meeting, voted unanimously to recommend approval of the request with the recommended conditions presented by Staff.

**RECOMMENDATION:**

Approval with the following conditions:

- 1) The applicant adheres to the proposed plans for increased vegetative hedge along Hartman Road. City Code Section 22-194 d (4) requires installation within 60 days of conditional use approval.
- 2) The applicant provides an updated traffic report displaying any traffic impacts of school expansion.

**ALTERNATIVES:**

- Approval with alternative Conditions
- Denial

**RESPONSIBLE STAFF:**

Vennis Gilmore, Planning Analyst

**COORDINATED WITH:**

### **Fiscal Impact**

**Budgeted Y/N:**

**Fiscal Year:**

**Account:**

**Amount:**

**OTHER INFORMATION:**

Potential Increase in Ad-valorem tax revenue based upon investment in site improvements and increased commercial activity once space is occupied.

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### **Attachments**

CC Staff Report

Site Aerial & Zoning Map

Application

SJCA Site Plan

Floor Plan - Expansion

PB Minutes of 11.10.15 Meeting (Not yet approved) - Agenda Item E Marked

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### **Form Review**

**Inbox**

City Manager

City Manager

Form Started By: Kori Benton

Final Approval Date: 12/02/2015

**Reviewed By**

Jennifer Robinson

Nick Mimms

**Date**

12/01/2015 10:34 AM

12/02/2015 04:44 PM

Started On: 11/25/2015 02:12 PM



# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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

**TO:** Nicholas Mimms, Interim City Manager  
**THROUGH:** Rebecca Grohall, AICP, Planning Manager  
**FROM:** Vennis Gilmore, Planning Analyst  
**SUBJECT:** St. James Christian Academy Expansion  
Conditional Use  
4300 Okeechobee Road  
**DATE:** November 25, 2015

### STAFF REPORT

**Owner:** Orange Blossom Investment, LLC  
4146 Okeechobee Road, Fort Pierce, FL 34947-5412

**Applicant:** St. James Christian Academy  
4300 Okeechobee Road, Fort Pierce, FL 34947-5412

**Representative:** Don Bergman, Architect  
P.O. Box 13537, Fort Pierce, FL 34979

**Requested Action:** Approval of a conditional use to expand the operation of an existing private school, located within the C-3 Zoning District

**Location:** 4300 Okeechobee Road

**Parcel ID:** 2418-431-0001-000-0

**Zoning:** C-3, General Commercial Zone

**Future Land Use:** GC, General Commercial

**Surrounding Zoning:**

North	East	South	West
R-4	C-3	C-3	C-3

**Parcel Size:** 8.36 acres

### **Staff Analysis:**

The applicant, St. James Christian Academy is proposing to expand its current private school facility by 22,932 square feet; for a total of 65,188 square feet. The location is made up of one parcel, zoned C-3, General Commercial with a GC, General Commercial future land use.

The City Commission, in 2008, initially approved a Conditional Use request by Toussaint L'Ouverture International School, Inc. to establish a charter school within a portion of the east anchor unit of the Orange Blossom Business Center in 2008. Toussaint L'Ouverture International School, Inc. later vacated the facility, therefore St. James Christian Academy utilized the opportunity to relocate and occupy the facility; operating their private school within the approved area during the 2012/2013 St. Lucie County School year. In 2013, St. James Christian Academy was approved for Conditional Use of an expansion by the City of Fort Pierce.

The current school facility is approximately 42,256 square-feet, consisting of 16 classrooms, offices, and a cafeteria / auditorium without a commercial kitchen or food preparation area. Meals for the students and employees are catered. Coupled with the classroom expansion approved in 2013, St. James Christian Academy extended their outside playground, and integrated security access gates at both sides of the crosswalk which connects the student playground, student entrance, and pick-up/drop-off location.

The proposed plan includes the addition of 22 classrooms, offices, a multi-purpose room, a ballet studio, restrooms, and a breakroom. There is currently a total of 65 teachers and faculty members; with no recent plans of adding staff. The school has a total of 530 students from grades preschool through 12<sup>th</sup> grade. The recent expansion will only include grades K-4<sup>th</sup>. St. James Christian Academy also has compliant separation of age groups and activities per Department of Children & Families standards. The school will maintain a separate entrance/exit dedicated only for the school students, employees, and visitors as well as one emergency access from the school into the interior of the shared anchor building for an additional emergency escape route. The present expansion of St. James Christian Academy encompasses an investment surpassing \$1 million dollars.

The proposed expansion plan provides adequate parking and short-term bicycle parking for students and faculty. The facility will maintain access from the development entrances located on Okeechobee Road and Hartman Road, and adhere to the established traffic patterns for bus service and parent pick-up.

All affected Departments have reviewed the proposed Conditional Use and have approved it based on it meeting the requirements of the City Code.

### **Technical Review Committee:**

The conditional use proposal was transmitted to TRC members and no comments were returned.

### **Property Owner Response Summary:**

A total of 21 notifications of the proposed Conditional Use were mailed to the owners of property located within 500 feet of the subject property. As of November 25, 2015, 1 response has been received in support of the request. An update will be provided to the City Commission at the public hearing.

**Planning Board Recommendation:**

The Planning Board, at their November 10<sup>th</sup>, 2015, meeting, voted unanimously to recommend approval of the request with the recommended conditions presented by Staff.

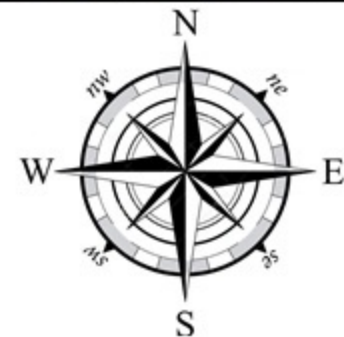
**Staff Recommendation:**

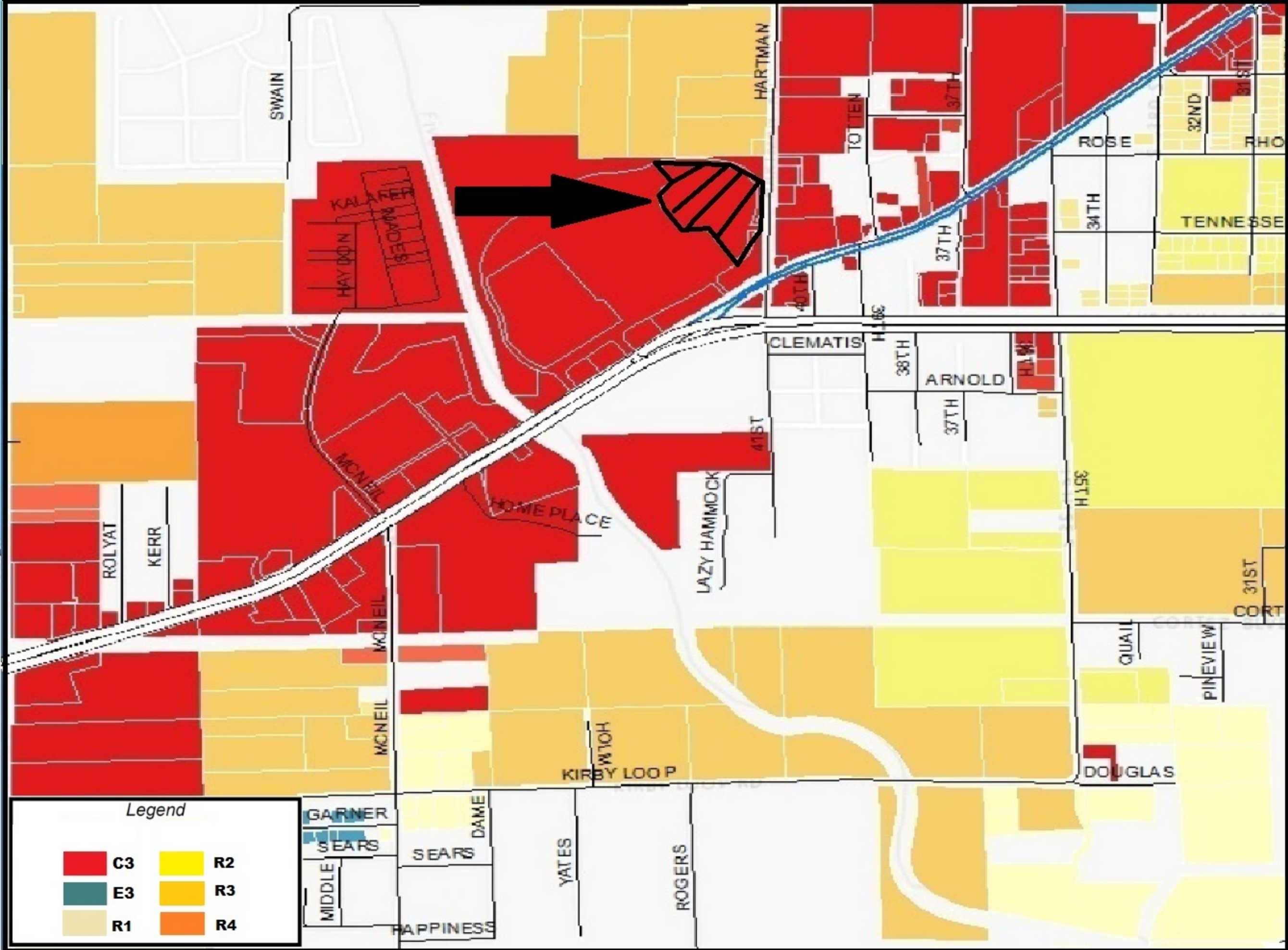
The requested Conditional Use is consistent with City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience and general welfare; Staff recommends that the City Commission **approve** the requested conditional use with the following conditions:

- 1) The applicant adheres to the proposed plans for increased vegetative hedge along Hartman Road. City Code Section 22-194 d (4) requires installation within 60 days of conditional use approval.
- 2) The applicant provides an updated traffic report displaying any traffic impacts of school expansion.



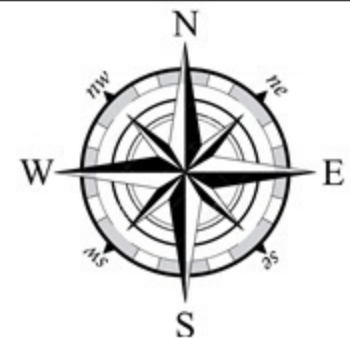
**4300 Okeechobee Road**  
Site Aerial

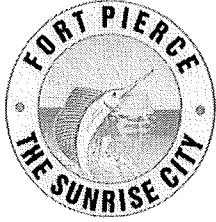




# 4300 Okeechobee Road

## Zoning Map





# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

Rebecca Grohall, AICP, Planning Manager  
COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW  
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

### Conditional Use – No New Construction

Property address or Location 4300 NORTH OVEECHOBEE ROAD (ORANGE BLOSSOM BUSINESS CENTER)  
Parcel ID #(s) 2418-431-0001-000-0  
Project description CLASSROOM ADDITIONS

ORANGE BLOSSOM INVESTMENT LLC

Property Owner(s)  
4146 OVEECHOBEE RD.

Street Address  
FORT PIERCE, FL 34947-5412

City State Zip  
772-429-1200

Phone Number  
ADMIN@ORANGETBLOSSOMBC.COM

Email Address

ST. JAMES CHRISTIAN ACADEMY

Applicant/Representative, Title, Company  
4300 OVEECHOBEE ROAD

Street Address  
FORT PIERCE, FL 34947

City State Zip  
772-466-2000

Phone Number  
SJCA.INFO@GMAIL.COM

Email Address

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

Al Brown property manager - owner representative  
Property Owner(s) Signature(s)

STATE OF FLORIDA -- COUNTY

The foregoing instrument was acknowledged before me this 23 day of September 2015, by

Alfred Brown who is personally known to me or has produced

Celerina Flores-Alvarez as identification.

Signature of Notary



CELERINA FLORES-ALVAREZ  
MY COMMISSION # FF 136385  
EXPIRES: August 14, 2016  
Bonded Thru Budget Notary Services

**INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 467-3729**

#### TO BE COMPLETED BY STAFF

Zoning	Future Land Use	Total Acres	Historic District	Historic Designation
				Contributing Individual Non-Contributing None

Pre-Application Meeting Date \_\_\_\_\_ Fees \_\_\_\_\_ Control # \_\_\_\_\_ B. Permit # \_\_\_\_\_

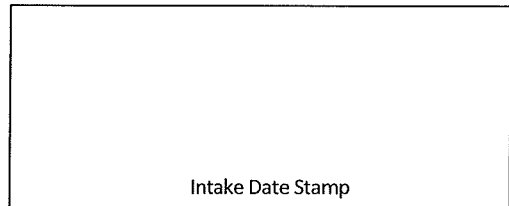
Intake Planner \_\_\_\_\_

Planner Assigned \_\_\_\_\_

Approved By \_\_\_\_\_ Date \_\_\_\_\_

Comments \_\_\_\_\_

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



Intake Date Stamp

# CONDITIONAL USE: NO NEW CONSTRUCTION

Submit one original, seven (7) hard copies and one (1) CD of the following for initial submittal, subsequent submittals will be required:

- If no site improvements are required:
  - As-built survey
  - Floor plan of existing building(s)
- If parking and drainage improvements are required:
  - As-built survey;
  - Site plan, to scale, including existing improvements and proposed parking, driveways, landscaping & storm drainage;
  - Lighting plan
- Complete, notarized application

**Application Type:**

- Conditional Use: No new construction with no site improvements
- Conditional Use: No new construction with parking and drainage improvements

**Site Information:**

Building Size \_\_\_\_\_ Parking Spaces: \_\_\_\_\_

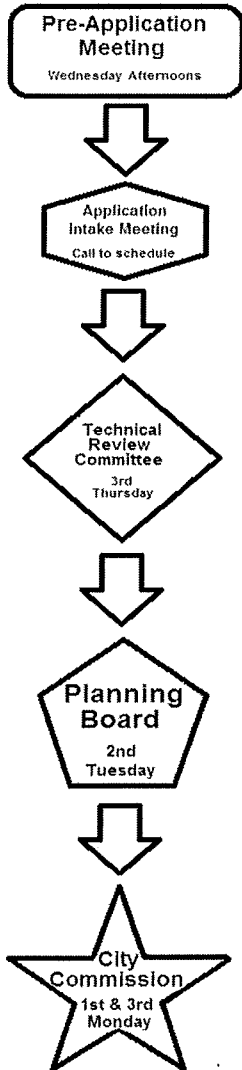
Surrounding Uses: (i.e. single family home, retail, industrial, etc.)

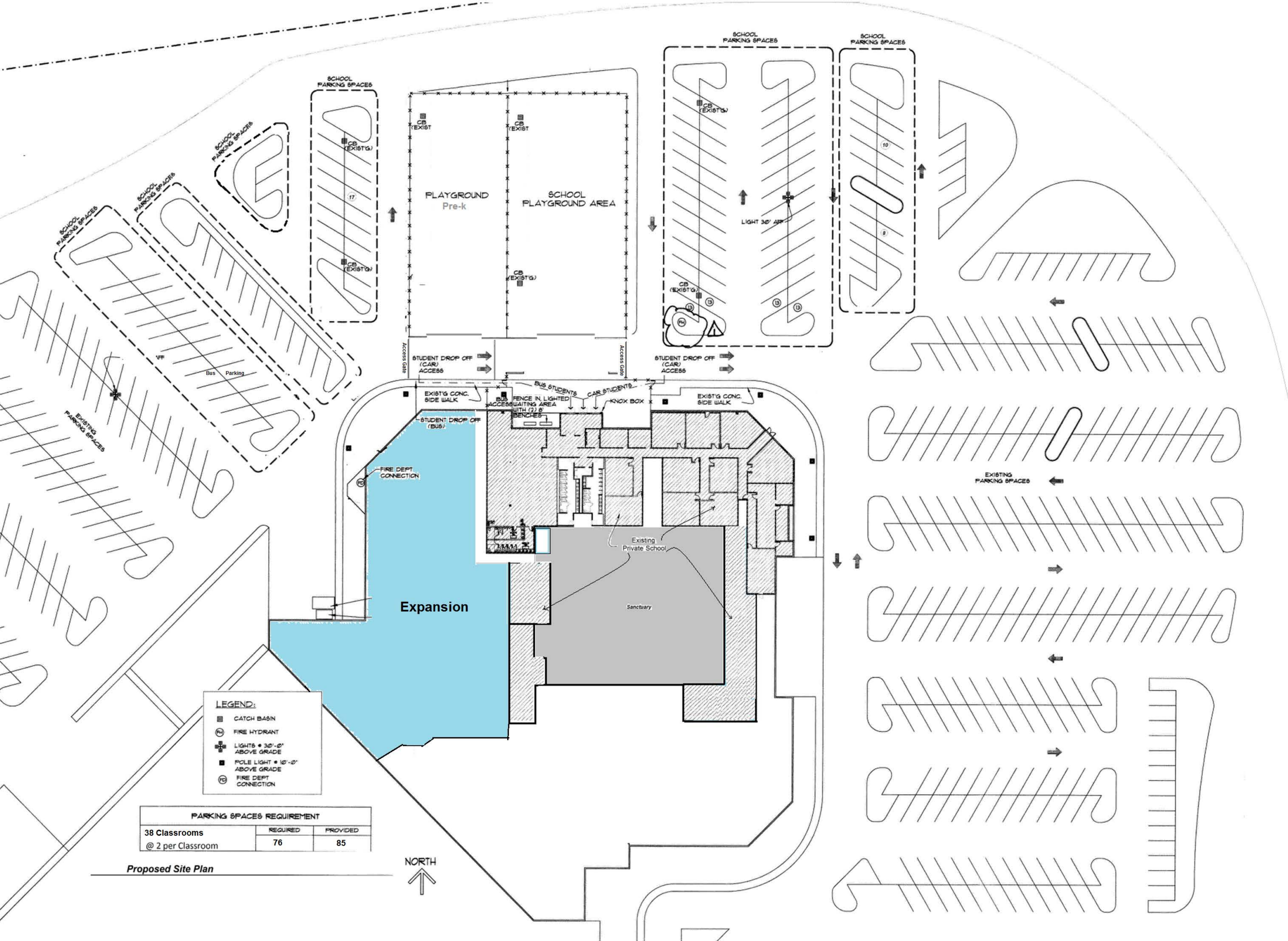
North	South	East	West
RESIDENTIAL	COMMERCIAL	COMMERCIAL	COMMERCIAL

The application for conditional use with the application for site plan review, when not exempt in accordance with the requirements of section 22-75, shall be reviewed as a unit in accordance with the requirements of section 22-58 except that:

- (1) The city commission shall hold a public hearing in accordance with the provisions of section 22-143 prior to acting on the application for conditional use.
- (2) In the event the city planning board disapproved the application for conditional use or in case of a protest against said application signed by twenty (20) per cent of the owners within five hundred (500) feet of the area included in said application, such application shall not be approved except by a four-fifths vote by the city commission.
- (3) In permitting a conditional use or the modification of an existing conditional use, the city commission may impose, in addition to those standards and requirements expressly specified in this chapter, any condition which it finds to be necessary to protect the best interest of the surrounding property of the city.

Application Outlook





- LEGEND:**
- CATCH BASIN
  - ⊕ FIRE HYDRANT
  - ⊕ LIGHTS • 30'-0" ABOVE GRADE
  - POLE LIGHT • 10'-0" ABOVE GRADE
  - ⊕ FIRE DEPT CONNECTION

PARKING SPACES REQUIREMENT		
38 Classrooms @ 2 per Classroom	REQUIRED 76	PROVIDED 85

Proposed Site Plan



## St. James Christian Academy

Conditional Use  
Application  
Additional  
Classrooms

Orange Blossom  
Business Center

4300 North  
Okeechobee Rd.  
Fort Pierce, FL

Scale:

© 2013 Don Bergman Architecture  
This document, Sheet No. SD-10  
has been prepared specifically for  
this Project. This document is not  
suitable for use on other projects or in  
other locations without the approval  
and participation of Don Bergman  
Architecture, LLC. All rights reserved.  
Reproduction and/or reuse is  
prohibited.

Consultant:

Key Plan:

Sheet Title:  
Site Development Plan

No Scale

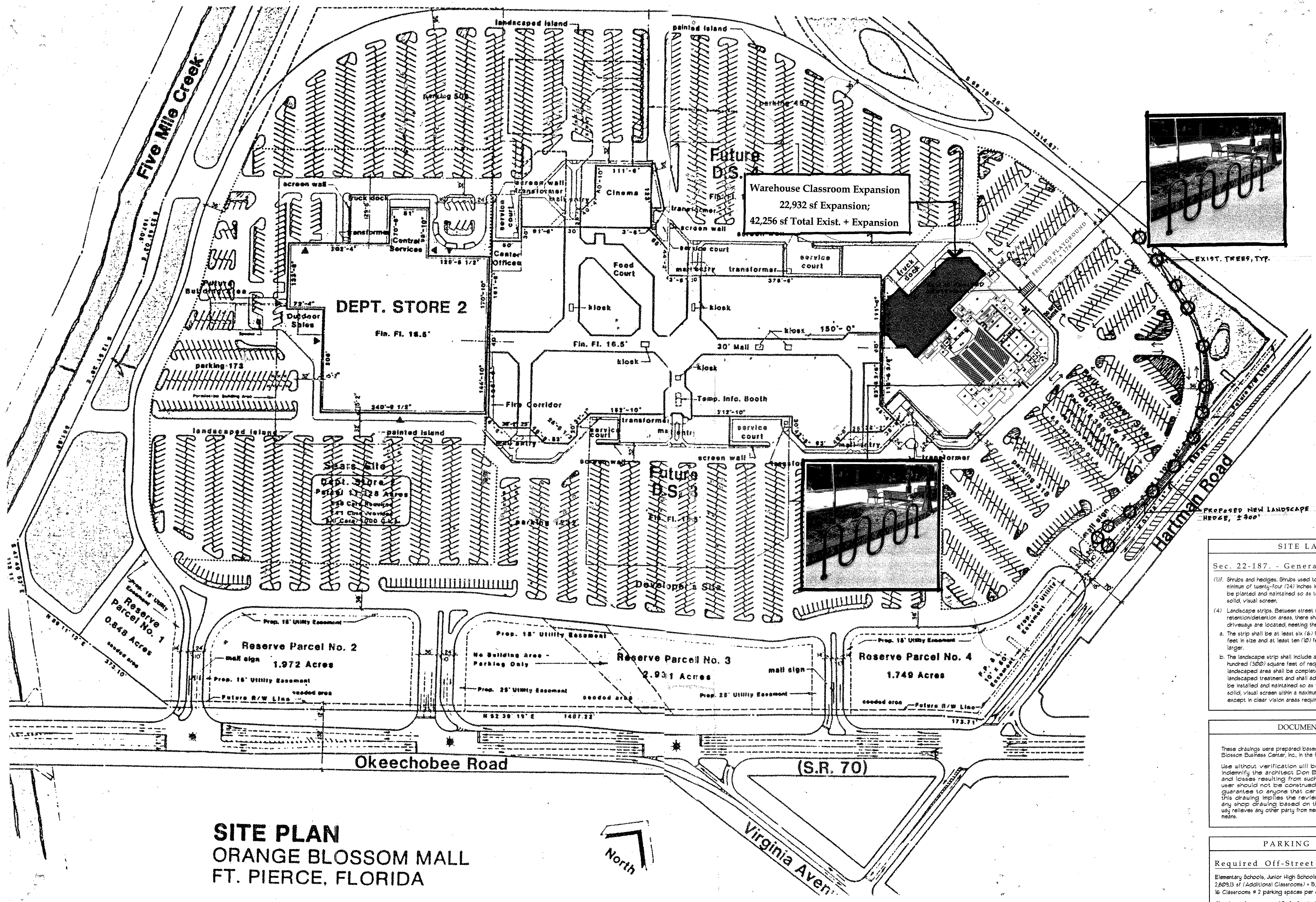
Revisions:

Comm.:	Date:
13-03	06-26-13
Drawn:	Checked:
DLB	DBA

Sheet No.

# SD-10

Of: 4



## SITE PLAN ORANGE BLOSSOM MALL FT. PIERCE, FLORIDA

### ST. JAMES CHRISTIAN ACADEMY - SITE DEVELOPMENT PLAN

NO SCALE

#### SITE LANDSCAPING

##### Sec. 22-187. - General landscaping requirements

- (1) Shrubs and hedges. Shrubs used to meet the requirements of this section shall be a minimum of twenty-four (24) inches in height when planted; hedges, where required, shall be planted and maintained so as to form a thirty-six inch or higher continuous, unbroken, solid, visual screen.
- (4) Landscape strips. Between street rights-of-way and vehicular use, building and retention/detention areas, there shall be a landscaped strip of land, except where driveways are located, meeting these requirements:
  - a. The strip shall be at least six (6) feet wide for lots under ten thousand (10,000) square feet in size and at least ten (10) feet wide for lots ten thousand (10,000) square feet or larger.
  - b. The landscape strip shall include an average of at least one tree for each three hundred (300) square feet of required landscaped area. The remainder of the required landscaped area shall be completely covered with grass, ground cover or other landscaped treatment and shall additionally contain a screen of landscaping which shall be installed and maintained so as to form a thirty-six-inch or higher continuous, unbroken, solid, visual screen within a maximum of one year after the landscaping takes place, except in clear vision areas required in Section 22-53.

#### DOCUMENT QUALIFICATION

These drawings were prepared based on information provided by the Owner, Orange Blossom Business Center, Inc., in the form of a site plan.  
Use without verification will be at the user's sole risk. The user shall indemnify the architect, Don Bergman Architecture, LLC, from all claims and losses resulting from such use. The delivery of this drawing to the user should not be construed to provide an express warranty or a guarantee to anyone that certain conditions exist or that the use of this drawing implies the review and the approval by the architect of any shop drawing based on this information. Use of this drawing in no way relieves any other party from meeting requirements imposed by contract or other means.

#### PARKING CALCULATIONS

**Required Off-Street Parking**  
Elementary Schools, Junior High Schools and Day-Care Centers - 2 spaces per classroom  
2,829.13 sf (Additional Classrooms) + 15,282.98 sf (Existing Educational Occupancy) = 18,112.11 sf  
16 Classrooms @ 2 parking spaces per classroom = 32 parking spaces  
Churches - 1 space per 40 sf of actual Assembly area for non-fixed seating facility  
984.1 sf (Altar) + 9,955.1 sf (Sanctuary) = 10,939.2 sf  
10,939.2 sf / 40 sf of Assembly area per parking space = 274 parking spaces  
Total = 306 Off-street parking spaces

**Required Short-Term Bicycle Parking**  
Commercial, Public and Civic: 1/10 total vehicle spaces - 2 spaces minimum req'd.  
School - 32 required parking spaces x 21 = 32 = 4 Short-term Bicycle spaces  
Church - 274 required parking spaces x 21 = 274 = 78 Short-term Bicycle spaces  
Total = 82 Short-term Bicycle spaces



# DRAFT



## CITY OF FORT PIERCE PLANNING BOARD

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### Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, **NOVEMBER 10, 2015**, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Present: **Marcia Baker; Tim O'Connell; Brian Paul; Eduardo Mujica; Charles Hayek; Mike Dahan; Steve Weaver; Eloise Cumings; John George; Robert Poitier; Bob Burdge, Chairman**

Staff Present: **Rebecca Grohall, AICP, Planning Manager  
James Walker, Assistant City Attorney  
Kori Benton, Senior Planner  
Clarissa Davis, Planner  
Alicia Rosenthal, Administrative Assistant**

4. **CONSIDERATION OF ABSENCES**

All Board members were present.

5. **CERTIFICATION OF ALTERNATE MEMBER VOTING STATUS**

All regular members were present.

6. **APPROVAL OF MINUTES**

- a. Approval of minutes from the October 13, 2015 meeting.

**Motion was made by Tim O'Connell, and seconded by John George to approve the minutes from the October 13, 2015 meeting.**

**AYE: Mike Dahan, Steve Weaver, Eloise Cumings, John George, Marcia Baker, Tim O'Connell, Brian Paul, Eduardo Mujica, Charles Hayek, Chairman Bob Burdge**

Passed

## 7. NEW BUSINESS

### a. Voluntary Annexation - Oleander Avenue South of Edwards Road

Ms. Davis gave an overview of the annexation and answered questions from the Board. Rich Laventure, Representative from Laventure and Weiss Engineering, provided concept plans and answered questions from the Board.

**Motion was made by John George, and seconded by Marcia Baker to forward a recommendation of approval to the City Commission.**

**AYE: Tim O'Connell, Brian Paul, Eduardo Mujica, Charles Hayek, Mike Dahan, Steve Weaver, Eloise Cumings, John George, Marcia Baker, Chairman Bob Burdge**

Passed

### b. Conditional Use - Dwelling Rental - 1916 Rio Vista Drive

Mr. Benton gave an overview of the Conditional Use application and answered questions from the Board.

Jeff Sarasin and Dale Sarasin, Representatives, provided additional information on the home and answered questions from the Board.

Mr. Walker stated it is not apparent that the line of questioning regarding the idea that people can buy single family homes in residential neighborhoods and turn them into short term vacation rentals falls within the scope of the code of ordinances which describes standards for Board consideration of Conditional Use applications.

Al Griffin spoke in favor of the application.

Mr. Walker stated it would be helpful in maintaining focus by focusing on this application and not applications in general. The task is to determine whether the use applied for is appropriate in the neighborhood for which approval is sought.

Carol Mashir, South Beach President, Charlene Adair, Carol Luscher and Carol Evans spoke in opposition of the application.

Mr. Sarasin stated the applicant is willing to rent the home for a minimum of 30 days and addressed comments made from the public.

**Motion was made by Brian Paul, and seconded by Marcia Baker to forward a recommendation to the City Commission to deny the request.**

**AYE: Charles Hayek, Mike Dahan, Steve Weaver, Eloise Cumings, John George, Marcia Baker, Tim O'Connell, Brian Paul, Eduardo Mujica, Chairman Bob Burdge**

Passed

### c. Conditional Use - Sailfish Brewery & Taproom -130 N 2nd Street

Mr. Hayek asked Mr. Walker if there is a reason for him to recuse himself from the vote since he is the landlord of Sailfish's present location at 407 N. 2nd Street. Mr. Walker read the code and stated since Mr. Hayek is not specifically being retained in this matter and he is not acting for the entity there did not appear to be a conflict of interest requiring Mr. Hayek to submit form 8b.

Mr. Benton gave an overview of the application and answered questions from the Board.

Nick Bischoff, Co-owner and Founder of Sailfish Brewery, spoke briefly about the building and his love for the City of Fort Pierce.

**Motion was made by Brian Paul, and seconded by John George to forward a recommendation of approval to the City Commission of the requested Conditional Use with the following conditions:**

- 1) The applicant establishes a shared dumpster agreement, or authorized refuse collection location, prior to Certificate of Occupancy;**
- 2) The applicant integrates compatible fenestration on the northern façade that reveals interior activity and encourages interest in the products or services provided, consistent with City Code Section 22-59(g)(3) & (4) prior to occupancy of the taproom.**

**AYE: Brian Paul, Eduardo Mujica, Charles Hayek, Mike Dahan, Steve Weaver, Eloise Cumings, John George, Marcia Baker, Tim O'Connell, Chairman Bob Burdge**

Passed

**d. Conditional Use - Harbor Community Bank - 600 Edwards Road**

Ms. Cumings recused herself from voting since she works at Harbor Community Bank.

Ms. Davis gave an overview of the application and answered questions from the Board.

J. Hal Roberts Jr., President of Harbor Community Bank, spoke about the growth of Harbor Community Bank and the need to move into a larger administrative office and he also answered questions from the Board.

**Motion was made by Steve Weaver, and seconded by John George to forward a recommendation of approval to the City Commission of the requested Conditional Use application with the following conditions:**

- 1. Sidewalks are required along the Edwards Road right-of-way. Please coordinate with Saint Lucie County Engineering department if payment in lieu of is pursued.**
- 2. Please provide shrubs along the front property line.**
- 3. The site needs three additional parking spaces to become code compliant. Please provide these spaces or "payment in lieu of".**

**AYE: Marcia Baker, Tim O'Connell, Brian Paul, Eduardo Mujica, Charles Hayek, Mike Dahan, Steve Weaver, John George, Chairman Bob Burdge**

**Other: Eloise Cumings (RECUSE)**

Passed

e. **Conditional Use - St. James Christian Academy - 4300 Okeechobee Road**

Mr. Benton gave an overview of the application and answered questions from the Board. Board discussion ensued.

Chris Robertson, Assistant Principal of St. James Christian Academy addressed questions about the playground area and landscaping.

**Motion was made by John George, and seconded by Charles Hayek to forward a recommendation of approval to the City Commission with the following conditions:**

**1) The applicant adheres to the proposed landscape improvements to install a vegetative hedge along Hartman Road. City Code Section 22-194 d(4) requires installation within 60 days after conditional use approval; and**

**2) Provide an updated traffic report displaying any traffic impacts of the school expansion.**

**AYE: Eduardo Mujica, Charles Hayek, Mike Dahan, Steve Weaver, Eloise Cumings, John George, Marcia Baker, Tim O'Connell, Brian Paul, Chairman Bob Burdge**

Passed

f. **Zoning Text Amendment - Fueling Stations**

Mr. Benton gave an overview of the application and answered questions from the Board. No one spoke for or against the Zoning Text Amendment.

**Motion was made by Marcia Baker, and seconded by Charles Hayek to forward a recommendation of approval of the proposed Amendment to the City Commission.**

**AYE: John George, Eloise Cumings, Steve Weaver, Mike Dahan, Charles Hayek, Eduardo Mujica, Brian Paul, Tim O'Connell, Marcia Baker, Chairman Bob Burdge**

Passed

8. **BOARD COMMENTS**

Ms. Baker asked for an annexation map showing the holes south of Edwards Road on US Highway 1.

Mr. Weaver addressed concerns about the state law on vacation rentals.

Mr. Hayek stated it is way to easy to circumvent the law and he does not know how short term rentals are going to be regulated.

9. **ADJOURNMENT**

**City Commission Regular Meeting**

**Agenda Item # 10. c.**

**Meeting Date:** 12/07/2015

**Re:** Comprehensive Plan Text Amendment - Future Land Use Element

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

---

**SUBJECT:**

Ordinance No. 15-049 - Comprehensive Plan Text Amendment to eliminate the 40% total floor area minimum requirement for residential uses, reduce the required number of uses from three (3) to two (2) and modify the open and green space requirements. (Staff recommends postponement of this Second Reading to the January 4, 2016 meeting)

**SUMMARY:**

Comprehensive Plan Text Amendment to eliminate the 40% total floor area minimum requirement for residential uses, reduce the required number of uses from three (3) to two (2) and modify the open and green space requirements.

**RECOMMENDATION:**

Staff recommends that the City Commission postpone the item until the January 4th meeting. The Treasure Coast Regional Planning Council must review the item prior to the final City Commission hearing and they have scheduled it for their regular meeting in December. The applicants are aware and accept that the application will be reviewed at this time.

**ALTERNATIVES:**

Approve with conditions; Deny

**RESPONSIBLE STAFF:**

Clarissa Davis, Planner

**COORDINATED WITH:**

Rebecca Grohall, AICP, Planning Manager

---

**Fiscal Impact**

**Budgeted Y/N:**

**Fiscal Year:**

**Account:**

**Amount:**

**OTHER INFORMATION:**

n/a

---

**Attachments**

Staff Report

Applications  
Project Narrative  
15-049  
State Comments

---

### Form Review

<b>Inbox</b>	<b>Reviewed By</b>	<b>Date</b>
City Manager	Rebecca Grohall	08/07/2015 08:55 AM
City Manager	rbradshaw	08/12/2015 09:02 AM
City Manager	rbradshaw	08/31/2015 02:28 PM
City Manager	Clarissa Davis	12/02/2015 11:43 AM
City Manager	Rebecca Grohall	12/02/2015 12:06 PM
City Manager	Clarissa Davis	12/02/2015 02:38 PM
City Manager	Nick Mimms	12/02/2015 04:43 PM
City Manager	Nick Mimms	12/02/2015 04:45 PM
Form Started By: Clarissa Davis		Started On: 08/06/2015 03:53 PM
Final Approval Date: 12/02/2015		



# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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

---

**TO:** Members of the City of Fort Pierce Planning Board

**THROUGH:** Rebecca Grohall, AICP, Planning Manager

**FROM:** Clarissa Davis, Planner

**RE:** **Comprehensive Plan –Text Amendment to the Future Land Use Element**

**DATE:** August 5<sup>th</sup>, 2015

---

### STAFF REPORT

This is a transmittal hearing initiated by the applicant, Walton Acquisitions FL, LLC, to propose changes within the City of Fort Pierce Comprehensive Plan regarding the Future Land Use Element (FLU) MXD, Mixed-Use Development designation. The requested amendment seeks to:

- 1) eliminate the 40% total floor area minimum requirement for residential uses
- 2) reduce the required number of uses from three (3) to two (2)
- 3) modify the open and green space requirements

On March 2<sup>nd</sup>, 2015, the Planned Development zoning district was enacted. This revised the prior Planned Unit Development (PUD) zoning district to give applicants flexibility where other zoning districts may not. Code section 22-40(a)1 states that an applicant is able to have “one or a combination of residential, commercial, public and industrial land uses not otherwise allowed under general zoning districts.” The modification of the MXD, Mixed-Use Development land use in regards to the number of uses will allow this designation to coincide with not only the Planned Development zoning district, but other zoning districts that allow vertical mixed-use projects. To better align the MXD Future Land Use designation with the newly revised PD Zoning, the applicant is requesting three amendments. These three amendments affect Table 1.1 The Summary Table (page 1-3) and the land use category descriptions that follow Policy 1.1.4.

The intention of the MXD, Mixed-Use Development designation is “to promote intensification, redevelopment, and revitalization of the areas targeted for live/work environments. This area is characterized by development that promotes the creation of well-planned centers designed to integrate a variety of complementary uses”. Currently within this designation, it is required to choose a minimum of three (3) of the following land uses: Residential (single-family and/or multifamily), Commercial (General and/or Neighborhood), Commercial (Town Center), Hotel, Office Uses (Professional and/or medical), Industrial and Institutional. The applicant is proposing to reduce the minimum from three (3) land uses to two (2) land uses.

Additionally, the Applicant is requesting to eliminate the requirement that residential uses shall comprise a minimum of 40% of the total floor area. Staff concurs with both requests as to provide the MXD the flexibility that the PD Zoning Designation allows.

Currently within the Comprehensive Plan, development and redevelopment projects have a requirement of providing a minimum of 25% to improve groundwater recharge. To reflect requirements set forth within the PD, Planned Development and the Downtown Business and Entertainment Overlay District, the open space requirement for development and redevelopment projects is proposed to be amended, and require a minimum of 20%. Staff supports this change and recommends approval to better align with the zoning regulations.

None of these three proposed amendments affect the FAR or the maximum density, both remain at 1.5 FAR and 15 dwelling units per acre.

Staff concurs that these three amendments are consistent with the goals of the Comprehensive Plan and will not adversely affect the City. The amendments outlined are consistent with statutory requirements for Comprehensive Plans for consistency, compatibility and conformity and *shall provide a balance of uses that foster vibrant, viable communities and economic development opportunities and address outdated development patterns, such as antiquated subdivisions.* (F.S. Sec. 163-3177 (6)(a)4). Once ordinance number 15-049 is adopted by the City Commission, this amendment will be transmitted to the Department of Economic Opportunity for review. If comments are rendered or if the state agency determines that the amendment is compliant, notice will be sent to staff within 45 days.

***Technical Review Committee (TRC Comments):***

Written comments were received only from the Engineering Department who recommend the revisions for approval.

***Planning Board***

At their July 14<sup>th</sup> meeting, the Planning Board voted to approve the Comprehensive Plan Text Amendment unanimously.

***Staff Recommendation***

Staff recommends that the City Commission table the item until the January 4<sup>th</sup>, 2016 meeting. The Treasure Coast Regional Planning Council must review the item prior to the final City Commission hearing and they have scheduled it for their regular meeting in December.



# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

Rebecca Grohall, AICP, Planning Manager  
COMPREHENSIVE PLANNING ♦ DEVELOPMENT REVIEW  
HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING

### Text Amendment

Property address or Location NW quadrant of I-95 and Midway Road

Parcel ID #(s) 2334-340-0000-000-7 / 2334-410-0000-000-1

Project description Proposed mixed-use development

Walton Acquisitions FL, LLC

**Property Owner(s)**

8390 Championsgate Blvd., Suite 315

Street Address

Championsgate FL 33896

City State Zip

727.744.7283

Phone Number

mjacobson@walton.com

Email Address

Mark E. Jacobson, Sr. Planning & Development Mgr, WDM

**Applicant/Representative, Title, Company**

8390 Championsgate Blvd., Suite 315

Street Address

Championsgate FL 33896

City State Zip

727.744.7283

Phone Number

mjacobson@walton.com

Email Address

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

Please see attached signature page

Property Owner(s) Signature(s) \_\_\_\_\_

STATE OF FLORIDA -- COUNTY

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by

\_\_\_\_\_ who is personally known to me or has produced

\_\_\_\_\_ as identification.

Signature of Notary \_\_\_\_\_

(seal)

**INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 46j<sup>2</sup>tjfe**

**TO BE COMPLETED BY STAFF**

Zoning	Future Land Use	Total Acres	Historic District	Historic Designation	
				Contributing	Individual
				Non-Contributing	None

Pre-Application Meeting Date \_\_\_\_\_

Fees \_\_\_\_\_ Control # \_\_\_\_\_ B. Permit # \_\_\_\_\_

Intake Planner \_\_\_\_\_

Planner Assigned \_\_\_\_\_

Approved By \_\_\_\_\_ Date \_\_\_\_\_

Comments \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Intake Date Stamp

# TEXT AMENDMENT

*Submit one (1) original & seven (7) hard copies and one (1) CD of the following. Additional copies will be required of subsequent submittals.*

- Complete notarized application
- Narrative describing the reason for the proposed amendment
- Draft Ordinance specifying changes

Application Type:

- Text Amendment to the Land Development Regulations (Zoning Code)
- Text Amendment to the Comprehensive Plan

---

### Sec. 22-131. - Basic amendment standards.

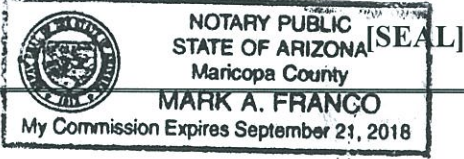
Before an amendment is approved, findings will be made that the following standards are satisfied:

- (1) The amendment is consistent with the comprehensive plan;
  - (2) The amendment will not have an adverse affect on the ability of the city to:
    - a. Satisfy land and water use needs; and
    - b. Meet transportation demands and provide community facilities and services; and
  - (3) The amendment will promote and protect the public health, safety and general welfare.
- 

#### Application Outlook



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

<b>WALTON ACQUISITIONS FL, LLC</b> a Florida limited liability company	<b>STATE OF ARIZONA</b> <b>COUNTY OF MARICOPA</b>
By: <b>Walton International Group, Inc.</b> , a Nevada Corporation, Its Manager	The foregoing instrument was acknowledged before me this <u>21<sup>st</sup></u> day of May, 2015, by <u>Carey Herbert</u> and <u>Gordon A. Price</u> , who are personally known to me.
By: <u>Carey Herbert</u> Name: <u>Carey Herbert</u> Its: <u>Authorized Signatory</u>	<u>[Signature]</u> Signature of Notary
By: <u>Gordon A. Price</u> Name: <u>GORDON A. PRICE</u> Its: <u>AUTHORIZED SIGNATORY</u>	 NOTARY PUBLIC [SEAL] STATE OF ARIZONA Maricopa County MARK A. FRANCO My Commission Expires September 21, 2018



June 8, 2015

Rebecca Grohall, AICP  
Planning Manager, City of Fort Pierce  
City Hall  
100 N US 1  
Fort Pierce, FL 34950

**Re:** Village at Midway – Comprehensive Plan Text Amendment  
**Our Reference Number:** 15-130 (fka 14-290)  
**Parcel ID Number:** 233434000000007 / 2334-410-0000-000-1

Dear Ms. Grohall,

On behalf of *Walton Acquisitions FL, LLC* (“Walton”), *Lucido & Associates* presents to you on the attached Application for a Text Amendment (Amendment) to the Future Land Use Element of the current City of Fort Pierce Comprehensive Plan (Comp Plan). The Amendment, in short, proposes to:

- 1.) Remove the requirement that developments within MXD-designated lands provide residential uses comprising a minimum of 40% of the total floor area of the MXD future land use designation (**SEE INSERT #1, Below**), and;
- 2.) Reduce from three (3) to two (2) the requirement for a minimum number of uses within developments occurring in MXD-designated lands (**SEE INSERT #2, below**), and;
- 3.) Decreased general open and green space requirements from 25% to 20% for development and redevelopment within Planned Development Zoning District and Downtown Business and Entertainment Overlay District (**SEE INSERT #3, below**).

INSERT #1: N/A

INSERT #2: two (2)

INSERT #3: provided however, that development and redevelopment in the Planned Development (PD) Zoning District or the Downtown Business and Entertainment Overlay District shall only be required to provide a minimum of 20% pervious open and green space, in accordance with requirements more specifically set forth in the Code of Ordinances.

The pages from the Comprehensive Plan containing the affected language can be found on the attached documentation.

The intent of the proposed amendments is to promote more flexible, innovative and efficient site design than would be currently allowed under the current language of the Comprehensive Plan. Furthermore, we believe that the proposed amendments are in keeping with the spirit and intent of the recent amendments

to the City's land development code set forth in the new Sec. 22-40 - Planned Development Zone (PD). According to Sec. 22-40 (a), the new PD zoning provisions are intended to "promote flexibility of design and permit planned diversification and integration of uses and structures".

Again, it is our pleasure to submit to you the proposed text amendments to the City of Fort Pierce Comprehensive plan and we look forward to working with you further on this matter.

Respectfully,

A handwritten signature in blue ink, appearing to read "BN", with a stylized flourish at the end.

Brian Nolan, ASLA, APA  
Senior Project Manager

C/c: file

Mark Jacobson, P.E. – Walton Acquisitions FL, LLC  
Chris Forbes – Walton Acquisitions FL, LLC  
Howard Ehram, P.E. – Bowman Consulting  
Lee Dobbins, Esq. – Dean Mead



June 8, 2015

Rebecca Grohall, AICP  
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Dear Ms. Grohall,

On behalf of *Walton Acquisitions FL, LLC* (“Walton”), *Lucido & Associates* presents to you on the attached Application for a Text Amendment (Amendment) to the Future Land Use Element of the current City of Fort Pierce Comprehensive Plan (Comp Plan). Please find attached herewith, five (5) copies of the application material, which includes the following:

- Cover Letter;
- Executed Text Amendment Application and Application fee check in the amount of \$3,960.00;
- Excerpts of affect Comprehensive Plan text with mark-ups.

Additionally, please find attached two (2) CD-ROM disks with the above in .pdf format.

Again, it is our pleasure to submit to you the proposed text amendments to the City of Fort Pierce Comprehensive plan and we look forward to working with you further on this matter.

Respectfully,

A handwritten signature in blue ink, appearing to read "Brian Nolan".

Brian Nolan, ASLA, APA  
Senior Project Manager

C/c: file

Mark Jacobson, P.E. – Walton Acquisitions FL, LLC  
Chris Forbes – Walton Acquisitions FL, LLC  
Howard Ehram, P.E. – Bowman Consulting  
Lee Dobbins, Esq. – Dean Mead

Land Use Category	Residential Density (dwelling units per gross acre)* (Also refer density bonus outlined in Policy 1.1.5)*	Non-Residential Floor Area Ratio (FAR)*	Land Use Breakdown
Central Business District (CBD)	30 du/ac*	3.0	Residential uses shall comprise a minimum of 25% of the total floor area of the Central Business District future land use designation.
Marine Commercial (MC)	15 du/ac	1.0	Residential uses may comprise up to 20% of the total floor area of the Marine Commercial future land use designation.
Urban Neighborhood (UN)	15 du/ac	1.2	Residential uses may comprise up to 35% of the total floor area of the Urban Neighborhood future land use designation.
<b>MIXED USE</b>			
Hutchinson Island Mixed Use (HIMU)	8 du/ac	1.0	Non-residential uses may comprise no more than 20% of the total floor area of the Hutchinson Island Mixed Use future land use designation. <i>SEE MISER #1</i>
Mixed Use Development (MXD)	15 du/acre	1.5	Residential uses shall comprise a minimum of 40% of the total floor area of the Mixed Use Development future land use designation.

Residential uses shall comprise a minimum of 25% of the total floor area of the Central Business District future land use designation.

**Marine Commercial (MC):** The Marine Commercial designation is intended to promote commercial and industrial uses with a focus on marine related establishments along the waterfront. Uses allowed within this designation include marine-related light industrial activities and tourist activities, marinas, boat stores/boat repair, restaurants, retail shops, hotels, and offices. Multifamily residences also allowed in this designation. This land use designation allows a maximum density of 15 dwelling units per acre and a maximum FAR of 1.0. Residential uses may comprise up to 20% of the total floor area of the Marine Commercial future land use designation.

**Mixed Use Development (MXD):** The MXD designation is intended to promote intensification, redevelopment, and revitalization of the areas targeted for live/work environments. This area is characterized by development that promotes the creation of well-planned centers designed to integrate a variety of complementary uses. This land use designation allows a maximum density of 15 dwelling units per acre and a maximum FAR of 1.5. All MXD designated areas shall contain a minimum of ~~three (3)~~ of the following general land uses:

- SEE INSERT # 2*
- Residential (single-family and/or multifamily)
  - Commercial – General and/or Neighborhood
  - Commercial – Town Center
  - Hotel (minimum 100 units)
  - Office Uses – Professional and/or medical
  - Industrial
  - Institutional

*SEE INSERT # 1*  
~~Residential uses shall comprise a minimum of 40% of the total floor area of the Mixed Use Development future land use designation.~~

**Offices – Professional and Business Services (OP):** The OP designation provides for office and limited commercial developments or horizontal and vertical mixed-use developments. Commercial uses that do not directly sell, store, or display goods, and generate limited auto trips are allowed within this district. Permitted uses allowed within this designation include limited convenience commercial uses, restaurants, and hotels/motels, parks and recreation, along with compatible public, quasi-public, and special uses. Multifamily residences also allowed. This land use designation allows a maximum density of 18 dwelling units per acre and a maximum FAR of 1.0. Residential uses shall comprise up to 20% of the total floor area of the OP future land use designation.

**Urban Neighborhood (UN):** The Urban Neighborhood designation is characterized by established pedestrian-oriented neighborhoods that allow for low-intensity boutique-scale commercial uses that support the nearby residential uses within the neighborhood; low-intensity workshops for fabrication may be appropriate as an accessory use. Design and performance standards will be based upon adopted individual neighborhood plans. This land use designation allows a maximum density of 15 dwelling units per acre and a maximum FAR of 1.2. Residential uses shall comprise up to 35% of the total floor area of the Urban Neighborhood future land use designation.

existing water supply and replacement of facilities using the Capital Improvements Program and the Capital Improvements Element.

3.16.2 Policy:

The City shall implement the 10-Year Water Supply Plan addressing water supply facilities necessary to serve existing and future development within the City consistent with the water service districts' consumptive use permit.

## NATURAL GROUNDWATER AQUIFER RECHARGE

### Goal 3.5

#### Protect the function of natural ground water/aquifer recharge areas and natural drainage features.

3.16 Objective:

*Manage the natural ground water aquifer recharge conditions in a safe, effective and reliable manner as required by current design standards and codes.*

3.16.1 Policy:

Improve groundwater recharge by requiring all construction projects to meet or exceed the City of Fort Pierce Site Development Technical Regulations and Stormwater Management Requirements, including:

- Requiring development and redevelopment to provide a minimum of 25% of pervious open and green space; and ← SEE INSERT # 3
- Amending the Land Development Regulations to limit the stormwater runoff for new gravity connections to the volumetric equivalent of not more than 2.0 inches of depth over the area served for any 24-hour period from the 10-year frequency, 72-hour duration rainfall. The City shall amend the Land Development Regulations to limit the total pump capacity of new connections to surface waters (canals or bay) to not more than the volumetric equivalent of 2.0 inches of depth per day from the area to be served by the pump.

3.16.2 Policy:

The City will promote the use of reclaimed water through citywide efforts to educate residents and business community on the merits of using reclaimed water to diminish groundwater withdrawals. The City shall coordinate with FPUA to assess the viability of providing reclaimed water to new developments and if feasible, will require new developments to utilize reclaimed water for irrigation once the MWRP is constructed and operating.

3.16.3 Policy:

The City shall continue to require that all development and redevelopment codes at a minimum, comply with SFWMD environmental protection rules for stormwater disposal methods.



June 8, 2015

Rebecca Grohall, AICP  
Planning Manager, City of Fort Pierce  
City Hall  
100 N US 1  
Fort Pierce, FL 34950

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- 3.) Decreased general open and green space requirements from 25% to 20% for development and redevelopment within Planned Development Zoning District and Downtown Business and Entertainment Overlay District (**SEE INSERT #3, below**).

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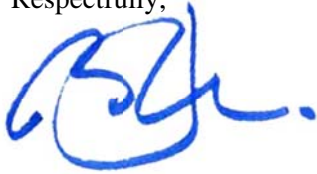
The pages from the Comprehensive Plan containing the affected language can be found on the attached documentation.

The intent of the proposed amendments is to promote more flexible, innovative and efficient site design than would be currently allowed under the current language of the Comprehensive Plan. Furthermore, we believe that the proposed amendments are in keeping with the spirit and intent of the recent amendments

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Again, it is our pleasure to submit to you the proposed text amendments to the City of Fort Pierce Comprehensive plan and we look forward to working with you further on this matter.

Respectfully,

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Brian Nolan, ASLA, APA  
Senior Project Manager

C/c: file

Mark Jacobson, P.E. – Walton Acquisitions FL, LLC  
Chris Forbes – Walton Acquisitions FL, LLC  
Howard Ehram, P.E. – Bowman Consulting  
Lee Dobbins, Esq. – Dean Mead

**ORDINANCE NO. 15-049**

AN ORDINANCE AMENDING THE TEXT OF THE COMPREHENSIVE PLAN OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING FUTURE LAND USE ELEMENT, GOALS, OBJECTIVES AND POLICIES, GOAL 1, OBJECTIVE 1.1(B)(MIXED USE DEVELOPMENT)(MXD); ELIMINATING MINIMUM RESIDENTIAL FLOOR AREA FOR MIXED USE DEVELOPMENT FUTURE LAND DESIGNATION; REDUCING MINIMUM GENERAL USES REQUIRED; AMENDING INFRASTRUCTURE ELEMENT GOALS, OBJECTIVE AND POLICIES, GOAL 3.1, OBJECTIVE 3.16, POLICY 3.16.1; REDUCING REQUIRED AMOUNT PERVIOUS OPEN AND GREEN SPACE; REPEALING ORDINANCES IN PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, the City of Fort Pierce has adopted a Comprehensive Plan known as the City of Fort Pierce Comprehensive Plan adopted by Ordinance No. L-136, as subsequently amended; and

**WHEREAS**, the Fort Pierce City Planning Board having been duly designated as the Local Planning Agency pursuant to section 163.3174 et seq., Florida Statutes, and having held a public hearing thereon, has considered this proposed amendment to the Comprehensive Plan and submitted its recommendations thereon to the City Commission; and

**WHEREAS**, Staff finds that the amendment is consistent with other parts of the Comprehensive Plan.

**WHEREAS**, two (2) public hearings with due notice have been held by the City Commission to inform the public and receive comments and objections; and

**WHEREAS**, the City of Fort Pierce desires to hereby formally adopt this amendment to the City's Comprehensive Plan.

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

**SECTION 1.** The preceding "whereas" clauses are ratified and incorporated as the legislative intent of this ordinance.

**SECTION 2.** The Future Land Use Element, Goals, Objectives and Policies are hereby amended as shown in Exhibit "A":

1.1.4 Policy: The MXD designation is intended to promote intensification, redevelopment, and revitalization of the areas targeted for live/work environments. This area is characterized by development that promotes the creation of well-planned centers designed to integrate a variety of complementary uses. This land use designation allows a maximum density of 15 dwelling units per acre and a maximum

FAR of 1.5. All MXD designated areas shall contain a minimum of ~~three (3)~~ two (2) of the following general land uses: Residential (single-family and/or multifamily), Commercial – General and/or Neighborhood, Commercial – Town Center, Hotel (minimum 100 units), Office Uses – Professional and/or medical, Industrial, Institutional. ~~Residential uses shall comprise a minimum of 40% of the total floor area of the Mixed Use Development future land use designation.~~

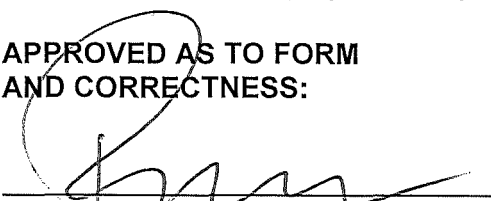
**SECTION 3.** The Infrastructure Element Goals, Objectives, and Policies are hereby amended as shown in Exhibit “B”:

3.16.1 Policy: Improve groundwater recharge by requiring all construction projects to meet or exceed the City of Fort Pierce Site Development Technical Regulations and Stormwater Management Requirements, including: Requiring development and redevelopment to provide a minimum of ~~25%~~ 20% of pervious open and green space.

**SECTION 4.** Conflicts. All ordinances or parts of ordinances, resolution or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

**SECTION 5.** Effective Date. This Ordinance is and the same shall become effective immediately upon final passage hereof, or as otherwise provide for by law.

**APPROVED AS TO FORM  
AND CORRECTNESS:**

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

\_\_\_\_\_  
Linda Hudson,  
Mayor Commissioner

\_\_\_\_\_  
Linda W. Cox,  
City Clerk



Marva Johnson, *Chair*  
John R. Padget, *Vice Chair*  
*Members*  
Gary Chartrand  
Rebecca Fishman Lipsey  
Michael Olenick  
Andy Tuck

October 29, 2015

Ms. Rebecca Grohall, AICP, Planning Manager  
City of Fort Pierce Planning Department  
100 North U.S. Highway 1  
Fort Pierce, Florida 34954  
Via E-mail: [rgrohall@city-ftpierce.com](mailto:rgrohall@city-ftpierce.com)

Re: Fort Pierce 15-2ESR:

Dear Ms. Grohall:

Thank you for the opportunity to review the City of Fort Pierce's 15-2ESR amendment package, which the Florida Department of Education received October 8, 2015. According to the department's responsibilities under section 163.3184(3)(b), Florida Statutes, I reviewed the amendment package considering the provisions of chapter 163, part II, F.S., and to determine whether the proposal, if adopted, would have the potential to create adverse effects on public school facilities.

The proposal would revise the city's Mixed-Use Development designation to eliminate the minimum floor area ration standard for residential uses, reduce the number of required uses, and modify the open space and green space requirements. The amendment would not have the effect of increasing residential density. Because the amendment does not appear to have the potential to create adverse effects on public school facilities, I offer no comment.

Again, thank you for the opportunity to review and comment. If you have questions about this letter, or if I may be of assistance, please contact me at 850-245-9312 or [Tracy.Suber@fldoe.org](mailto:Tracy.Suber@fldoe.org).

Sincerely,

Tracy D. Suber  
Growth Management and Facilities Policy Liaison

TDS/

cc: Mr. Marty Sanders, School Board of St. Lucie County  
Mr. James Stansbury, DEO/State Land Planning Agency

Thomas H. Inserra  
Director, Office of Educational Facilities



**Fw: City of Fort Pierce, DEO #15-2ESR Comments on Proposed Comprehensive Plan Amendment Package <Watchdog: Virus checked>**

**Rebecca Grohall** to: Clarissa Davis

10/27/2015 09:12 AM

----- Forwarded by Rebecca Grohall/cfp on 10/27/2015 09:12 AM -----

From: "Oblaczynski, Deborah" <doblaczy@sfwmd.gov>  
To: "Rebecca Grohall AICP (RGrohall@city-ftpierce.com)" <RGrohall@city-ftpierce.com>  
Date: 10/27/2015 09:08 AM  
Subject: FW: City of Fort Pierce, DEO #15-2ESR Comments on Proposed Comprehensive Plan Amendment Package <Watchdog: Virus checked>

Hello Ms. Grohall,  
I apologize, I sent the response to the wrong email address. I have updated my contacts accordingly. Please find the District's response the City's amendment #15-2ESR. Please let me know if you have any questions.  
Thank you,  
Deb Oblaczynski

**From:** Oblaczynski, Deborah  
**Sent:** Tuesday, October 27, 2015 8:51 AM  
**To:** Rebecca.Grohall@Osceola.org  
**Cc:** Michael J Busha (mbusha@tcrpc.org); 'CDavis@city-ftpierce.com'; Ray Eubanks (DCPexternalagencycomments@deo.myflorida.com); James Stansbury (James.stansbury@deo.myflorida.com)  
**Subject:** City of Fort Pierce, DEO #15-2ESR Comments on Proposed Comprehensive Plan Amendment Package

Dear Ms. Grohall:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from the City of Fort Pierce (City). The proposed amendment includes three text amendments to the Future Land Use designation Mixed Use Development. There appear to be no regionally significant water resource issues; therefore, the District has no comments on the proposed amendment package.

The District offers its technical assistance to the City and the Department of Economic Opportunity in developing sound, sustainable solutions to meet the City's future water supply needs and to protect the region's water resources. Please forward a copy of the adopted amendments to the District. Please contact me if you need assistance or additional information.

Sincerely,

Deb Oblaczynski  
Policy & Planning Analyst  
Water Supply Implementation Unit  
South Florida Water Management District  
3301 Gun Club Road

West Palm Beach, FL 33406  
(561) 682-2544 or [doblaczy@sfwmd.gov](mailto:doblaczy@sfwmd.gov)

We value your opinion. Please take a few minutes to share your comments on the service you received from the District by clicking on this [link](#).



Fort Pierce 15-2 ESR – Proposed <Watchdog: Virus checked>

Stahl, Chris

to:

'cdavis@city-ftpierce.com'

10/20/2015 09:51 AM

Cc:

"Craig, Kae", DEO Agency Comments

Hide Details

From: "Stahl, Chris" <Chris.Stahl@dep.state.fl.us>

To: "'cdavis@city-ftpierce.com'" <cdavis@city-ftpierce.com>

Cc: "Craig, Kae" <Kae.Craig@dep.state.fl.us>, DEO Agency Comments  
<DCPexternalagencycomments@deo.myflorida.com>

Security:

Some images were prevented from loading. Show Images

To: Clarissa Davis, Planner

Re: Fort Pierce 15-2ESR – Expedited Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Feel free to contact me at [Chris.Stahl@dep.state.fl.us](mailto:Chris.Stahl@dep.state.fl.us) or (850) 245-2169 for assistance or additional information. Please send all amendments, both proposed and adopted, to [Plan.review@dep.state.fl.us](mailto:Plan.review@dep.state.fl.us)

Florida Department of Environmental Protection  
Office of Intergovernmental Programs, Plan Review  
3900 Commonwealth Blvd., MS 47  
Tallahassee, FL 32399-3000

[DEP Internet Feedback Survey](#)

[Dep Customer Survey](#)



Fort Pierce 15-2ESR - FDOT District Four Review <Watchdog: Virus checked>

Hymowitz, Larry

to:

DCPexternalagencycomments, Rebecca Grohall

10/27/2015 03:04 PM

Cc:

"Bush, Lois", "Pennington, Dan" , Clarissa Davis

Hide Details

From: "Hymowitz, Larry" <Larry.Hymowitz@dot.state.fl.us>

To: DCPexternalagencycomments <DCPexternalagencycomments@deo.myflorida.com>, Rebecca Grohall <RGrohall@City-FtPierce.Com>

Cc: "Bush, Lois" <Lois.Bush@dot.state.fl.us>, "Pennington, Dan"

<Dan.Pennington@deo.myflorida.com>, Clarissa Davis <CDavis@City-FtPierce.Com>

I am writing to advise you that the Department will not be issuing formal comments for the proposed City of Fort Pierce comprehensive plan amendment with DEO reference number 15-2ESR.

We request that the City give additional consideration to the adequacy of the proposed 20 % minimum pervious area requirement vs the existing 25 % minimum requirement for applicability to both the MXD future land use designation and the PD/PUD zoning designations. Reduced pervious area could result in additional storm water runoff with potentially less surface area to store and treat the runoff before discharge to other drainage systems. The rate of runoff and discharge could also be affected, potentially causing flooding and impacting off site drainage and roadway facilities.

The Department requests one copy, which may be on CD ROM in Portable Document Format (PDF), of all adopted comprehensive plan amendment materials, including graphic and textual materials and support documents.

Thank you.

Larry Hymowitz  
Planning Specialist – Policy Planning & Growth Management  
Planning & Environmental Management - FDOT District Four  
3400 West Commercial Boulevard  
Fort Lauderdale, Florida 33309-3421  
Phone: (954) 777-4663; Fax: (954) 677-7892  
[larry.hymowitz@dot.state.fl.us](mailto:larry.hymowitz@dot.state.fl.us)

Rick Scott  
GOVERNOR



Jesse Panuccio  
EXECUTIVE DIRECTOR

October 28, 2015

Ms. Clarissa Davis, Planner  
City of Fort Pierce  
100 N US Highway 1  
Post Office Box 1480  
Fort Pierce, Florida 34954

Dear Ms. Davis:

Thank you for submitting copies of the Small Scale Development Plan Amendment for FORT PIERCE adopted by Ordinance No(s). 15-050 on October 5, 2015 for our records. The reference number for this amendment package is 15S01.

The Department of Economic Opportunity **will not** conduct a compliance review or issue a Notice of Intent regarding the adopted small scale development plan amendment in accordance with procedures contained in Section 163.3187(1), Florida Statutes.

If you have any questions, please feel free to contact Donna Harris of my staff by phone at 850.717.8491 or by e-mail at [donna.harris@deo.myflorida.com](mailto:donna.harris@deo.myflorida.com).

Sincerely,

D. Ray Eubanks, Administrator  
Plan and DRI Processing Unit

DRE/dh

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM \_\_

From: Staff

Date: December 11, 2015 Council Meeting

Subject: Local Government Comprehensive Plan Review  
Draft Amendment to the City of Fort Pierce Comprehensive Plan  
Amendment No. 15-2ESR

Introduction

The Community Planning Act, Chapter 163, *Florida Statutes*, requires that the regional planning council review local government comprehensive plan amendments prior to their adoption. The regional planning council review and comments are limited to adverse effects on regional resources or facilities identified in the strategic regional policy plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. Council must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the state land planning agency.

The amendment package from the City of Fort Pierce includes text changes to the Future Land Use and Infrastructure elements of the comprehensive plan. This report includes a summary of the proposed amendment and Council comments.

Summary of Proposed Amendment

The proposed amendment modifies the description of the Mixed Use Development (MXD) future land use designation listed in Table 1-1, Future Land Use Density/Intensity Summary Table, and described in Policy 1.1.4 in the Future Land Use Element. The change deletes the requirement that residential uses shall comprise a minimum of 40 percent of the total floor area of the MXD designation. Also, the proposed amendment modifies a requirement that allows MXD designated areas to contain a minimum of two, rather than three, of the following general land uses: Residential; Commercial – General and/or Neighborhood; Commercial – Town Center; Hotel; Office Uses – Professional and/or Medical; Industrial; and Institutional. The purpose of the proposed changes is to provide greater flexibility consistent with the Planned Unit Development zoning district and other zoning districts that allow vertical mixed-use projects.

Additionally, the proposed amendment modifies Policy 3.16.1 in the Infrastructure Element to allow all new projects to provide a minimum of 20 percent, rather than 25 percent, of pervious open and green space. This change is proposed in order to better align with zoning regulations. None of the proposed changes affect the floor-to-area ratio (FAR) or the maximum density, which remain at 1.5 FAR and 15 dwelling units per acre.

Regional Impacts

No adverse effects on regional resources or facilities have been identified.

Extrajurisdictional Impacts

Council requested comments from local governments and organizations expressing an interest in reviewing the proposed amendment on October 8, 2015. No extrajurisdictional impacts have been identified.

Conclusion

No adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified.

Recommendation

Council should approve this report and authorize its transmittal to the City of Fort Pierce and the Florida Department of Economic Opportunity.

Attachments

## **List of Exhibits**

### **Exhibit**

- 1 General Location Map
- 2 Text Changes in Underline and Strikethrough Format

# Exhibit 1 General Location Map



## Exhibit 2

### Text Changes in Underline and Strikethrough Format

Ordinance 15-049 Exhibit A

<i>Land Use Category</i>	<i>Residential Density (dwelling units per gross acre)* (Also refer density bonus outlined in Policy 1.1.5)*</i>	<i>Non-Residential Floor Area Ratio (FAR)*</i>	<i>Land Use Breakdown</i>
Central Business District (CBD)	30 du/ac*	3.0	Residential uses shall comprise a minimum of 25% of the total floor area of the Central Business District future land use designation.
Marine Commercial (MC)	15 du/ac	1.0	Residential uses may comprise up to 20% of the total floor area of the Marine Commercial future land use designation.
Urban Neighborhood (UN)	15 du/ac	1.2	Residential uses may comprise up to 35% of the total floor area of the Urban Neighborhood future land use designation.
<b>MIXED USE</b>			
Hutchinson Island Mixed Use (HIMU)	8 du/ac	1.0	Non-residential uses may comprise no more than 20% of the total floor area of the Hutchinson Island Mixed Use future land use designation.
Mixed Use Development (MXD)	15 du/acre	1.5	<del>Residential uses shall comprise a minimum of 40% of the total floor area of the Mixed Use Development future land use designation.</del>

## Ordinance 15-049 Exhibit A

Residential uses shall comprise a minimum of 25% of the total floor area of the Central Business District future land use designation.

**Marine Commercial (MC):** The Marine Commercial designation is intended to promote commercial and industrial uses with a focus on marine related establishments along the waterfront. Uses allowed within this designation include marine-related light industrial activities and tourist activities, marinas, boat stores/boat repair, restaurants, retail shops, hotels, and offices. Multifamily residences also allowed in this designation. This land use designation allows a maximum density of 15 dwelling units per acre and a maximum FAR of 1.0. Residential uses may comprise up to 20% of the total floor area of the Marine Commercial future land use designation.

**Mixed Use Development (MXD):** The MXD designation is intended to promote intensification, redevelopment, and revitalization of the areas targeted for live/work environments. This area is characterized by development that promotes the creation of well-planned centers designed to integrate a variety of complementary uses. This land use designation allows a maximum density of 15 dwelling units per acre and a maximum FAR of 1.5. All MXD designated areas shall contain a minimum of ~~three (3)~~ two (2) of the following general land uses:

- Residential (single-family and/or multifamily)
- Commercial - General and/or Neighborhood
- Commercial - Town Center
- Hotel (minimum 100 units)
- Office Uses - Professional and/or medical
- Industrial
- Institutional

~~Residential uses shall comprise a minimum of 40% of the total floor area of the Mixed Use Development future land use designation.~~

**Offices - Professional and Business Services (OP):** The OP designation provides for office and limited commercial developments or horizontal and vertical mixed-use developments. Commercial uses that do not directly sell, store, or display goods, and generate limited auto trips are allowed within this district. Permitted uses allowed within this designation include limited convenience commercial uses, restaurants, and hotels/motels, parks and recreation, along with compatible public, quasi-public, and special uses. Multifamily residences also allowed. This land use designation allows a maximum density of 18 dwelling units per acre and a maximum FAR of 1.0. Residential uses shall comprise up to 20% of the total floor area of the OP future land use designation.

**Urban Neighborhood (UN):** The Urban Neighborhood designation is characterized by established pedestrian-oriented neighborhoods that allow for low-intensity boutique-scale commercial uses that support the nearby residential uses within the neighborhood; low-intensity workshops for fabrication may be appropriate as an accessory use. Design and performance standards will be based upon adopted individual neighborhood plans. This land use designation allows a maximum density of 15 dwelling units per acre and a maximum FAR of 1.2. Residential uses shall comprise up to 35% of the total floor area of the Urban Neighborhood future land use designation.

## Ordinance 15-049 Exhibit B

existing water supply and replacement of facilities using the Capital Improvements Program and the Capital Improvements Element.

### 3.16.2 Policy:

The City shall implement the 10-Year Water Supply Plan addressing water supply facilities necessary to serve existing and future development within the City consistent with the water service districts' consumptive use permit.

## NATURAL GROUNDWATER AQUIFER RECHARGE

### Goal 3.5

**Protect the function of natural ground water/aquifer recharge areas and natural drainage features.**

#### 3.16 Objective:

*Manage the natural ground water aquifer recharge conditions in a safe, effective and reliable manner as required by current design standards and codes.*

#### 3.16.1 Policy:

Improve groundwater recharge by requiring all construction projects to meet or exceed the City of Fort Pierce Site Development Technical Regulations and Stormwater Management Requirements, including:

- Requiring development and redevelopment to provide a minimum of ~~25%~~ 20% of pervious open and green space; and
- Amending the Land Development Regulations to limit the stormwater runoff for new gravity connections to the volumetric equivalent of not more than 2.0 inches of depth over the area served for any 24-hour period from the 10-year frequency, 72-hour duration rainfall. The City shall amend the Land Development Regulations to limit the total pump capacity of new connections to surface waters (canals or bay) to not more than the volumetric equivalent of 2.0 inches of depth per day from the area to be served by the pump.

#### 3.16.2 Policy:

The City will promote the use of reclaimed water through citywide efforts to educate residents and business community on the merits of using reclaimed water to diminish groundwater withdrawals. The City shall coordinate with FPUA to assess the viability of providing reclaimed water to new developments and if feasible, will require new developments to utilize reclaimed water for irrigation once the MWRP is constructed and operating.

#### 3.16.3 Policy:

The City shall continue to require that all development and redevelopment codes at a minimum, comply with SFWMD environmental protection rules for stormwater disposal methods.

**City Commission Regular Meeting**

**Agenda Item # 10. d.**

**Meeting Date:** 12/07/2015

**Re:** Section 5-267 "Permit Fee Schedule"

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

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**SUBJECT:**

Ordinance No. 15-056 amending section 5-267 "Permit Fee Schedule". SECOND READING (Staff recommends postponement of this Second Reading to the January 4, 2016 meeting.)

**SUMMARY:**

Staff requests postponement of the Second Reading in order to complete research and comparative analysis.

We have discussed this amendment during our Strategic Planning meeting and Budget hearing. We also reached out to the Treasure Coast Builders Association, Realtors Association, and the Chamber of Commerce regarding this amendment.

**RECOMMENDATION:**

Approve proposed amendments.

**ALTERNATIVES:**

Provide other suggestions.

**RESPONSIBLE STAFF:**

Marc Meyers, Building Official

**COORDINATED WITH:**

Paul Thomas, Building Department Coordinator  
Kristie Kirstein, Senior Permit Specialist

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**Fiscal Impact**

**Budgeted Y/N:**

**Fiscal Year:**

**Account:**

**Amount:**

**OTHER INFORMATION:**

We expect a 10% increase in revenue for the 2015/16 fiscal year.

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**Attachments**

Ordinance

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## Form Review

**Inbox**

City Manager

Form Started By: Kristie Kirstein

Final Approval Date: 11/17/2015

**Reviewed By**

rbradshaw

**Date**

11/10/2015 10:04 AM

Started On: 10/28/2015 11:09 AM

**ORDINANCE NO. 15-056**

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, BY AMENDING ARTICLE VII OF THE CODE OF ORDINANCES ENTITLED "**PERMIT FEES**"; **AMENDING SECTION 5-267, SCHEDULE OF FEES FOR BUILDING PERMITS**, TO UPDATE FEE COLLECTION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

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

**SECTION 1.** Article VII, Chapter 5 Section 5-267, of the Code of Ordinances, is hereby amended to read as follows:

Sec. 5-267. Same—Schedule.

		Fee:
(1)	New buildings and additions	Fee is based on multiplying the value of the building or addition by <del>.0125</del> . Such value shall be determined by using the most recent Building Valuation Data for Florida as compiled by the International Code Council (ICC) or on the contract price given by the applicant for the project, whichever is higher. <u>See item #10 for Subcontractor Agreement Fees.</u>
(2)	All other construction except as noted below:	<del>Fee is based on multiplying the value of the work by .010. The value is determined by the building official. The minimum fee is \$75.00. \$100.00 flat fee up to \$8000 in value. Any construction value over \$8000 the fee is based on multiplying the value of the work by .0125</del> See item #10 for Subcontractor Agreement Fees.
(3)	Demolitions:	<del>Fee is based on multiplying the value of the work by .010. The minimum fee is:</del> <del>\$275.00</del> 300: Single family or 1 & 2 family structures \$500.00: Commercial structures \$150.00: Miscellaneous residential structures including but not limited to: Interior demolition, fences, outbuildings, pools, other attached structures \$250.00: Miscellaneous commercial structures including but not limited to: Interior demolition, fences, outbuildings under 500 sq. ft., pools, signs, other attached structures
(4)	Special inspections after working hours:	Fee is \$100.00 per hour minimum two (2) hours. <u>Per Permit Per Trade</u>
	<u>Special inspection: Expired Permits – confirmation of no work</u>	<u>\$75</u>
(5)	Reinspections: First	Fee is: Residential \$50.00 Commercial \$100.00
	Reinspections: Second	Fee is: Residential \$75.00 Commercial \$150.00
	Reinspections: Third	Fee is: Residential \$100.00 Commercial \$200.00
	Reinspections: Forth and	<del>\$25.00</del> <u>250.00</u> for each inspection

	thereafter	
(6)	Manufactured mobile homes:	Fee: New buildings and additions
(7)	Certificate of occupancy or certificate of completion	\$50.00
(8)	Miscellaneous trade and construction permits including, but not limited to: **plumbing, **mechanical, **electrical, gas, remodeling, addition, fences, pools, sheds, signs, docks, site work, etc., shall be on a valuation basis according to the following schedule: <del>**Also</del> See item #9 for Flat Rated Permit Fees. See item #10 for Subcontractor Agreement Fees.	
	<del>Fee is based on multiplying the value of the work by .010. The value is determined by the building official. The minimum fee is \$75.00. \$100.00 flat fee up to \$8000 in value. Any construction value over \$8000 the fee is based on multiplying the value of the work by .0125.</del>	
(9)	Flat Rated Permit Fees	Moving of structure \$300.00
		Temporary permit without inspection \$20.00
		Temporary permit with an inspection \$75.00
		Electrical Residential \$100.00
		Mechanical Residential—Per unit \$150.00
		*Plumbing Residential \$75.00
		*water heater replacements and re-pipes only *does not include "Insta-Hots" "Tankless water heater"
(10)	Subcontractor Agreements	\$25.00 Residential per agreement \$50.00 Commercial per agreement
<del>(40)</del> (11)	Generator Installation	<del>Fee is based on multiplying the value of the work by .010. The value is determined by the building official. The minimum fee is \$75.00. \$100.00 flat fee up to \$8000 in value. Any construction value over \$8000 the fee is based on multiplying the value of the work by .0125. A separate permit shall be required for LP/Gas connection.</del>
(12)	Development Permit:	\$100.00 for values under \$5,000.00 \$200.00 for values \$5,000.00 or more
<del>(41)</del> (13)	Building Code Surcharge Per F.S. §§ 468.631 & 553.721 FS	A total of 3% on all Plan Review and Permit Fees. Minimum fee of \$4.00
<del>(42)</del> (14)	Plan Review Fee: Separate from the building permit fee, to the building official at the time of submittal of the building permit application. Said plan review fee shall be figured as shown below. Fee based on total valuation. **See item #17 21 for revision fees **See item #12 15 for single opening replacements in multi-family dwelling units	
	a. Fee Minimum	\$75.00
		Multiply the value of the work by .0053
<del>(43)</del> (15)	Plan Review for single opening replacement in a multi-family dwelling	When only 1 opening (window or door) is being replaced in a multi-family building or development of 10 units or more, only 1 plan review fee will be charged for a Florida product approval or Miami Dade Notice of Acceptance. Each different PA/NOA will have a separate plan review fee.
<del>(44)</del> (16)	Work commencing prior to obtaining permit:	Double fee, figured by using twice the fee obtained by this article.

<del>(15)</del> <u>(17)</u>	Stop work order:	\$100.00 before any further work may commence.
<del>(16)</del> <u>(18)</u>	Stocking Permit	Fee is \$200.00
<del>(17)</del> <u>(19)</u>	Appeal or variance request fee: Construction Board of Adjustments and Appeals	Fee is \$200.00
<del>(18)</del> <u>(20)</u>	Emergency Plan Review	\$250.00 for the 1st hour \$150.00 for every hour after that
<del>(19)</del> <u>(21)</u>	Plan Review Fee (Revisions)	
	1st Re-Review	<del>\$400.00</del> <u>25.00 per page</u>
	2nd & 3rd Re-Review	\$50.00 per page
	4th and additional thereafter	1/3 of the building permit fee
<del>(20)</del> <u>(22)</u>	Change of contractor	\$50.00
	<u>Change of sSubcontractor</u>	\$20.00
<del>(21)</del> <u>(23)</u>	Research—Fee Lien/Permit Search (computer search)	\$20.00 per request
	<u>Research – Fee Roof/Shutter information (computer search)</u>	<u>\$10.00 per request</u>
	Research—Fee Plan Search	Staff's time plus copies
<del>(22)</del> <u>(24)</u>	Research Copies	
	Permit Copy	\$20.00 per card
	Copy of C.O. or C.C.	\$20.00 per page
	Copy Fee Letter/Legal	\$0.15 per page
	Color Copies	\$0.50 per page
	Plan Size Copies	\$1.50 per page
	Copies on CD	\$5.00 per CD
	Re-Stamping of Plans	\$75.00 plus copies
<del>(23)</del>	<del>Wind Mitigation</del>	<del>\$100.00 per inspection</del>
<del>(24)</del> <u>(25)</u>	Permit Extension	\$100.00 per approved extension. Extension is valid for 30 days.
<del>(25)</del> <u>(26)</u>	Renewal Fees	\$50.00 plus current cost of permit
<del>(26)</del> <u>(27)</u>	Routing Fee	<del>\$40.00</del> <u>15.00 per required department - excluding Building Department - Due at submittal of each permit. Fee will be due each time the permit is routed to required department (initial review and subsequent revisions)</u>
<del>(28)</del>	<u>Flood Review</u>	<u>\$15 Routing fee for all applications within a Special Flood Hazard Area (SFHA)</u> <u>If over 50% substantial improvement or damage or if new construction within SFHA, multiply the value of</u>

		the work by .005 to determine the flood review fee.
(29)	Pre-Construction Meeting	\$200
(30)	Threshold Inspector/Private Provider	\$200
(27) (31)	Business Tax Inspection	\$75.00 per inspection
(32)	Abandoned Properties	
	Annual Registration Fee	Residential fee is \$100.00 Multi-Family/Commercial Structure fee is \$150.00
(33)	Flood Letters	\$25.00
<p>Note: Value of the work means the value of all labor, material, overhead, profit, etc. regardless of whether the labor or materials are donated or obtained at discounted rates. The building official shall make final determination. <del>In the event the review fees do not reasonably and fairly reflect the actual value in specific instances, the Building Official shall possess discretion to impose a fee which more appropriately matches the workload imposed by the permit.</del> If there is a dispute regarding the <del>fees charged</del> <u>construction value</u>, appeal may be made to the <u>C</u>onstruction <u>B</u>oard of <u>A</u>adjustments and <u>A</u>ppeals</p>		

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further course or effect whatsoever.

**SECTION 3.** This ordinance is and the same shall become effective upon final passage hereof.

APPROVED AS TO FORM AND CORRECTNESS:

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

STATE OF FLORIDA  
ST. LUCIE COUNTY

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. 15-056 was duly advertised by title only in the St. Lucie News Tribune on November 6, 2015; 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 16, 2015; and was duly introduced, read by title only, and passed on second and final reading on December 7, 2015, 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 ity of City Fort Pierce, Florida, this the 7<sup>th</sup> day of December 2015.

\_\_\_\_\_  
Linda Hudson, Mayor

\_\_\_\_\_  
Linda Cox, City Clerk

(CITY SEAL)

**City Commission Regular Meeting**

**Agenda Item # 10. e.**

**Meeting Date:** 12/07/2015

**Re:** Voluntary Annexation - Oleander Avenue

---

**SUBJECT:**

Ordinance No. 15- 057 voluntarily annexing property located on Oleander Avenue just north of Kanner Drive (parcel number 2427-601-0010-000-5). FIRST READING

**SUMMARY:**

The property is 1.07 acres and has the St. Lucie County zoning designation of RM-11, Residential, Multiple-Family with a RH, Residential High future land use. Staff is proposing to grant the property a R-5, High Density Residential zoning and RH, High Density flu once annexed into City limits.

**RECOMMENDATION:**

Approval.

**ALTERNATIVES:**

Approval with conditions.

**RESPONSIBLE STAFF:**

Clarissa Davis, Planner

**COORDINATED WITH:**

Rebecca Grohall, AICP, Planning Manager

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**Fiscal Impact**

**Budgeted Y/N:**

**Fiscal Year:**

**Account:**

**Amount:**

**OTHER INFORMATION:**

With a millage rate of 6.5786%, the taxable revenue for the property located on Oleander Avenue is estimated at \$2460.

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**Attachments**

Staff Report

Application

Warranty Deed

Survey

Ordinance 15-057

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## Form Review

**Inbox**

City Manager

Form Started By: Clarissa Davis

Final Approval Date: 12/02/2015

**Reviewed By**

Nick Mimms

**Date**

12/02/2015 04:46 PM

Started On: 11/25/2015 10:25 AM



# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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

---

**TO:** The Honorable Mayor and Members of the City Commission

**THROUGH:** Rebecca Grohall, AICP, Planning Manager

**FROM:** Clarissa Davis, Planner

**RE:** **Voluntary Annexation – Oleander Avenue**

**DATE:** November 25<sup>th</sup>, 2015

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### STAFF REPORT

The applicant is requesting approval of the voluntary annexation application for a property located on Oleander Avenue south of Edwards Road. The property is 1.07 acres and has the St. Lucie County zoning designation of RM-11, Residential, Multiple-Family with a RH, Residential High future land use. The RM-11 zoning district allows for a maximum of 11 units per acre while the RH future land use designation allows 15 units per acre. When the City facilitates annexation applications, a comparable zoning and future land use is assigned to the property. Though the RM-11 designation is more comparable with the City's R4, Medium Density Residential zoning district, staff believes that the R5, High Density zoning district will be a more appropriate match with the High Residential future land use.

It has been confirmed that the property is located within an unincorporated part of St. Lucie County (SLC) and that the parcel is contiguous to the municipal boundary.

#### ***Comprehensive Plan***

Consistent with Objective 1.11 and Policies, 1.11.5 and 1.11.6 of the City Comprehensive Plan, the City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery.

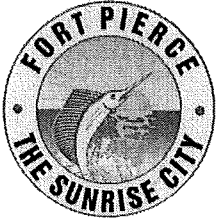
Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities and the elimination of the municipal boundary irregularities to improve service delivery. With a millage rate of 6.5786%, the taxable revenue for the property located on Oleander Avenue is estimated at \$2460.

***Planning Board Recommendation***

At their November 10<sup>th</sup> meeting, the Planning Board recommended approval of the application.

***Staff Recommendation***

Staff recommends that the City Commission hold a public hearing and approve the first reading of ordinance 15-057.



# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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

### APPLICATION FOR ANNEXATION

Annexation applications will require the adoption of an ordinance which will require a public meeting before the Planning Board and two public hearings before the City Commission.

**Application submission shall include the following:**

- **TRC (\*Initial Submission):** One (1) original and (8) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **Planning Board:** One (1) original and (16) 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.

**In addition to a complete application, packets shall include:**

- Warranty Deed
- Current Survey (completed within the last 12 months)

1. Address: TBD Oleander Avenue, (Lot 54) Maravilla Gardens, Ft. Pierce

2. Legal description of real property for which annexation is being requested:  
Beginning at the Northwest corner of Lot 154 Maravilla Gardens, Unit 3, Plat Book 6, Page 62, Public Records of St. Lucie County, Florida; Run east 300 feet; thence turn and run south 156 feet; thence turn and run west 300 feet; thence turn and run north 156 feet to the Point of Beginning.

Property Tax ID: 2427-601-0010-000-5

3. Size of described property: 1.07 Ac.

4. Project description: Oleander Avenue Apartments

5. Current St. Lucie County Future Land Use Designation: 0000

6. Current St. Lucie County Zoning: RM-1

7. Is this a Historic property? No

8. Appraised value: \$37,500.00

9. Name of Owner(s): Charles Bean/Brian Bean

Signature of Owner(s): *[Handwritten Signatures]*

Mailing Address: 5900 Silver Oak Drive

City Fort Pierce State FL Zip 34982

Phone Charles - 772-370-0578 Fax \_\_\_\_\_

10. Name of Representative: Laventure & Zeiss Engineering, Inc.

Signature of representative: \_\_\_\_\_

Mailing Address: 774 W. Midway Road

City) Fort Pierce State FL Zip 34982

Phone 772-398-1520 Fax 772-398-1521

E-mail: Gatorrr@msn.com

**OFFICE USE:**

DATE RECEIVED: \_\_\_\_\_ Signed: \_\_\_\_\_

File Number: \_\_\_\_\_ Check No: \_\_\_\_\_ Receipt No: \_\_\_\_\_

TRC Review: \_\_\_\_\_ Planning Board Review: \_\_\_\_\_ City Commission: \_\_\_\_\_

Ordinance No: \_\_\_\_\_ Date Approved: \_\_\_\_\_

RETURN TO:  
UNIVERSAL LAND TITLE, INC.  
COUNTHOUSE BOX 40

Prepared by and return to:  
Universal Land Title, Inc.  
Nancy Perella  
1908 SE Port St. Lucie Blvd.  
Port St. Lucie, FL 34952  
2427-601-0010-000-5  
File Number: 20767-07

(Space Above This Line For Recording Data)

# COPY

## Warranty Deed

*married adult*

This Warranty Deed made this 20th day of December, 2005, between Michael Hofstee whose post office address is 2017 S 10th St., Fort Pierce, FL 34950, grantor, and Charles Bean and Brian Bean, as *Single* adult, whose post office address is *5700 Silver Oak Dr, Fort Pierce, FL 34982*, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in the St. Lucie County, Florida, to-wit:

Beginning at the Northwest corner of Lot 154, MARAVILLA GARDENS, UNIT THREE, according to the Plat thereof, as recorded in Plat Book 6, Page 62, public records of St. Lucie County, Florida; run East 300 feet; thence turn and run South 156 feet; thence turn and run West 300 feet; thence turn and run North 156 feet to the Point of Beginning.

Parcel Identification Number: 2427-601-0010-000-5

Grantor herein expressly warrants this is not his homestead nor is it contiguous to his homestead, and is, in fact, vacant unimproved land

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2005, restrictions, reservations, covenants and easements of record, if any.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

*Nancy Perella*  
Witness Name: Nancy Perella

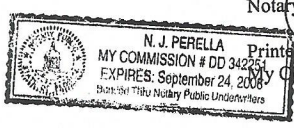
*Michael Hofstee*  
Michael Hofstee

*Jill Anderson*  
Witness Name: Jill Anderson

State of Florida  
County of St. Lucie

The foregoing instrument was acknowledged before me this 20th day of Dec, 2005, by Michael Hofstee, she ( ) is personally known to me or ( ) has produced Photo ID as identification.

*[Signature]*  
Notary Public



Printed Name: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

CERTIFIED TO:  
CHARLES BEAN AND BRIAN BEAN

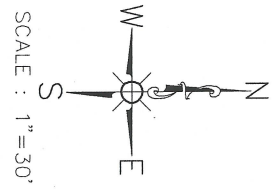
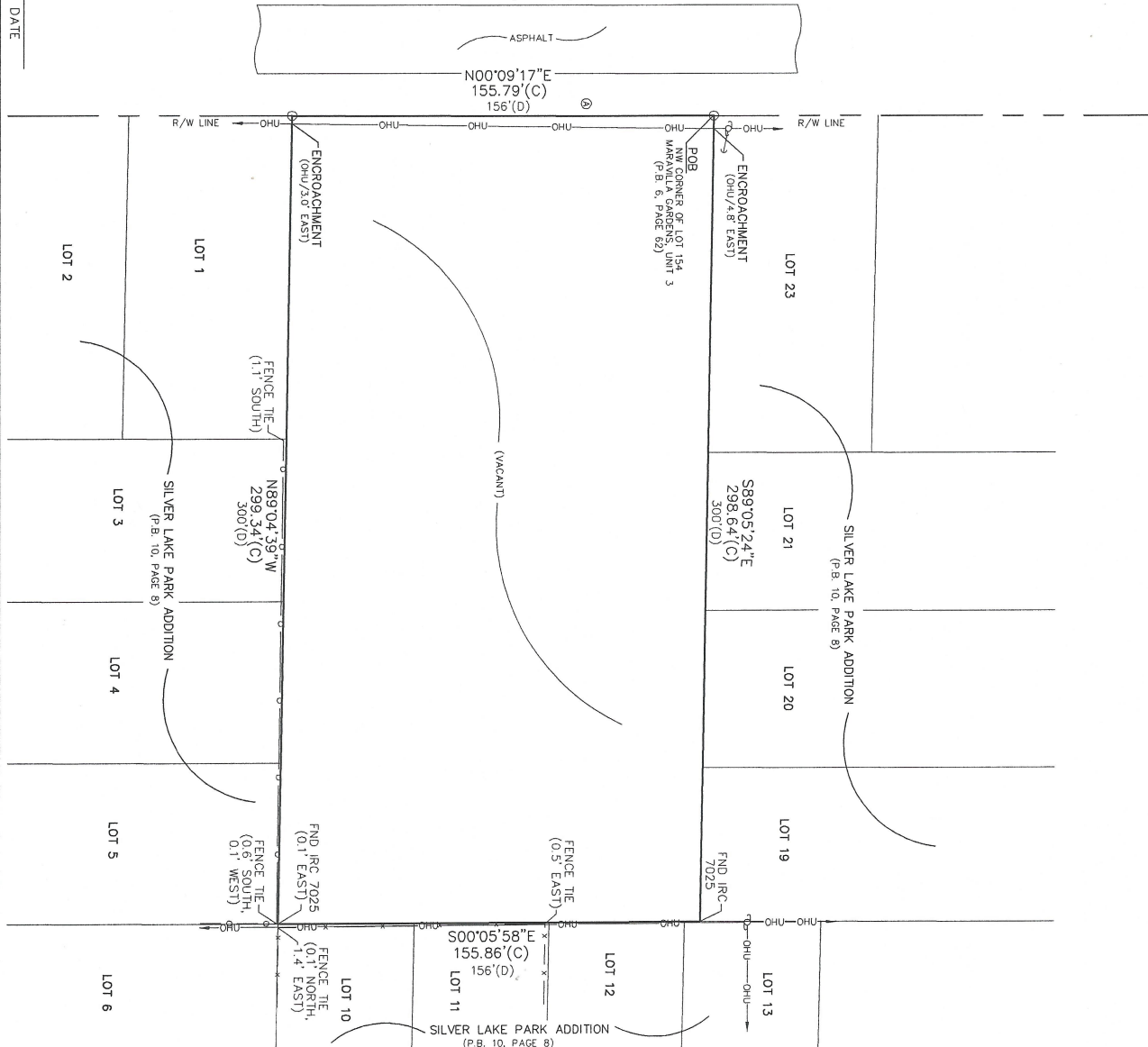
DESCRIPTION

A PARCEL OF LAND LYING WITHIN LOT 154, MARAVILLA GARDENS UNIT 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE 62 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGIN AT THE NORTHWEST CORNER OF LOT 154, MARAVILLA GARDENS UNIT 3; THENCE RUN EAST 300 FEET; THENCE RUN SOUTH 156 FEET; THENCE RUN WEST 300 FEET; THENCE RUN NORTH 156 FEET TO THE POINT OF BEGINNING. SAID LAND CONTAINS 1.07 ACRES, MORE OR LESS.

SURVEY NOTES

1. THIS SURVEY IS NOT VALID WITHOUT A SIGNATURE AND ORIGINAL EMBOSSED SEAL OF A FLORIDA PROFESSIONAL LAND SURVEYOR.
2. DESCRIPTION PROVIDED BY CLIENT AND/OR THEIR AGENT.
3. THE LAST DATE OF FIELD WORK WAS AUGUST 17, 2015.
4. UNDERGROUND IMPROVEMENTS AND FOUNDATIONS WERE NOT LOCATED AS PART OF THIS SURVEY.
5. BEARINGS SHOWN HEREON ARE BASED ON THE EAST R/W LINE OF OLEANDER AVENUE, BEARING N00°09'17"E, AS MENTIONED. ALL BEARINGS ARE RELATIVE HERETO.
6. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
7. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS, SETBACKS, RESERVATIONS AND RIGHT-OF-WAYS APPEARING IN THE PUBLIC RECORDS.
8. PROPERTY LIES IN FLOOD ZONE "X", PER MAP 12111CO187.J, DATED 2-16-12.
9. PROPERTY IS CURRENTLY VACANT.

OLEANDER AVENUE  
(75' R/W)



LEGEND

- Δ = CURVE CENTRAL ANGLE
- R = CURVE RADIUS
- L = CURVE LENGTH
- (C) = CALCULATED
- (P) = PLAT
- (D) = DEED
- ORB = OFFICIAL RECORD BOOK
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- IR = # 5 IRON ROD
- EL = ELEVATION
- IRC = # 5 IRON ROD & CAP
- MIN = MINIMUM
- FTE = FINISH FLOOR ELEVATION
- CM = CONCRETE MONUMENT
- P.L.S. = PROFESSIONAL LAND SURVEYOR
- LB = LICENSED BUSINESS
- PB = PLAT BOOK
- IP = 1/2" IRON PIPE
- N = NAIL AND DISK
- P/W = EXISTING AT-RIE HANNOLE
- ⊙ = EXISTING FIRE HYDRANT
- ⊕ = EXISTING IRIGATION WELL
- ⊖ = SETBACK TO UTILITY EASEMENT
- ⊗ = CABLE TELEVISION BOX
- ⊘ = LAMP POST
- ⊙ = WATER WETTER
- ⊙ = A&P FESTIVAL
- ⊙ = WOOD POWER POLE
- ⊙ = CONCRETE POWER POLE
- ⊙ = GUY WIRE
- ⊙ = CONCRETE FENCE
- ⊙ = CHAIN LINK FENCE
- ⊙ = TOP OF BANK
- ⊙ = OVERHEAD UTILITY
- ⊙ = PERMANENT CONTROL POINT
- ⊙ = BACKFLOW PREVENTER

BOUNDARY SURVEY

PREPARED FOR  
**CHARLES & BRIAN BEAN**

BY: RICHARD C. LAVENTURE, FLORIDA P.L.S. #5209 DATE: \_\_\_\_\_

REVISIONS

NO.	DATE	BY	DESCRIPTION

TASK	BY	DATE
FIELD <td>MMH</td> <td>8/17/15</td>	MMH	8/17/15
CALCS. <td>RCL</td> <td>8/17/15</td>	RCL	8/17/15
DRAWN <td>MMH</td> <td>9/24/15</td>	MMH	9/24/15
CHECKED <td>RCL</td> <td>9/24/15</td>	RCL	9/24/15
FILE REF. <td>FIELD BK./P/O</td> <td>15-2809</td>	FIELD BK./P/O	15-2809



**LAVENTURE & ASSOCIATES, INC.**  
PROFESSIONAL SURVEYING AND MAPPING  
CIVIL ENGINEERING CONSULTANTS  
7724 W. ANDRVA ROAD, SUITE 34082  
FORT LAUDERDALE, FLORIDA 33408  
(772) 398-6430 PHONE (772) 398-6426 FAX

DATE: 9-24-15  
HORIZ. SCALE: 1"=30'  
VERT. SCALE: N/A  
JOB No. 15-2809  
SHEET 1 OF 1

ORDINANCE NO. 15-057

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY GENERALLY LOCATED AT **EAST OF OLEANDER AVENUE (2427-601-0010-000-5) NORTH OF KANNER DRIVE** SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2016; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, Part I, Chapter 171, Florida Statutes, set forth a procedure for Municipal Annexation;

WHEREAS, in Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality, and;

WHEREAS, the owner or owners have signed an agreement with the Fort Pierce Utility Authorities for the provision of water service and/or sewer service outside the City limits of the City of Fort Pierce, and have agreed to be voluntarily annexed into the City of Fort Pierce and;

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

**SECTION 1.** The territorial limits of the City of Fort Pierce, Florida, be and they are hereby extended to annex the following described lands:

Oleander Avenue; Parcel ID: 2427-601-0010-000-5  
Legal Description: MARAVILLA GARDENS S/D-UNIT THREE- BEG AT NW COR OF LOT 154, TH RUN E 300 FT, S 156 FT, TH W 300 FT, TH N 156 FT TO POB (MAP24/27N) (1.07 AC) (OR 2454-1322)

**SECTION 2.** That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land above described and in Exhibit A as of January 1, 2016 and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

**SECTION 3.** That upon this ordinance becoming effective, the land herein described on Exhibit A and annexed to the territorial limits of the City of Fort Pierce shall be zoned R-5, High Density Residential, and assigned a future land use designation RH, High Density Residential.

**SECTION 4.** All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

**SECTION 5.** This Ordinance shall be and 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)  
ST. LUCIE COUNTY) <sup>SS</sup>

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. 15-057 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on \_\_\_\_\_, and on \_\_\_\_\_; 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 \_\_\_\_\_; and was duly introduced, read by title only and passed on second and final reading on December 21<sup>st</sup>, 2015, 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 21<sup>st</sup> of December, 2015.

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Mayor Commissioner

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Linda W. Cox, City Clerk

(CITY SEAL)

**Exhibit A to Ordinance 15-057**

**Parcel ID and Legal Description of Parcel Included in Annexation**

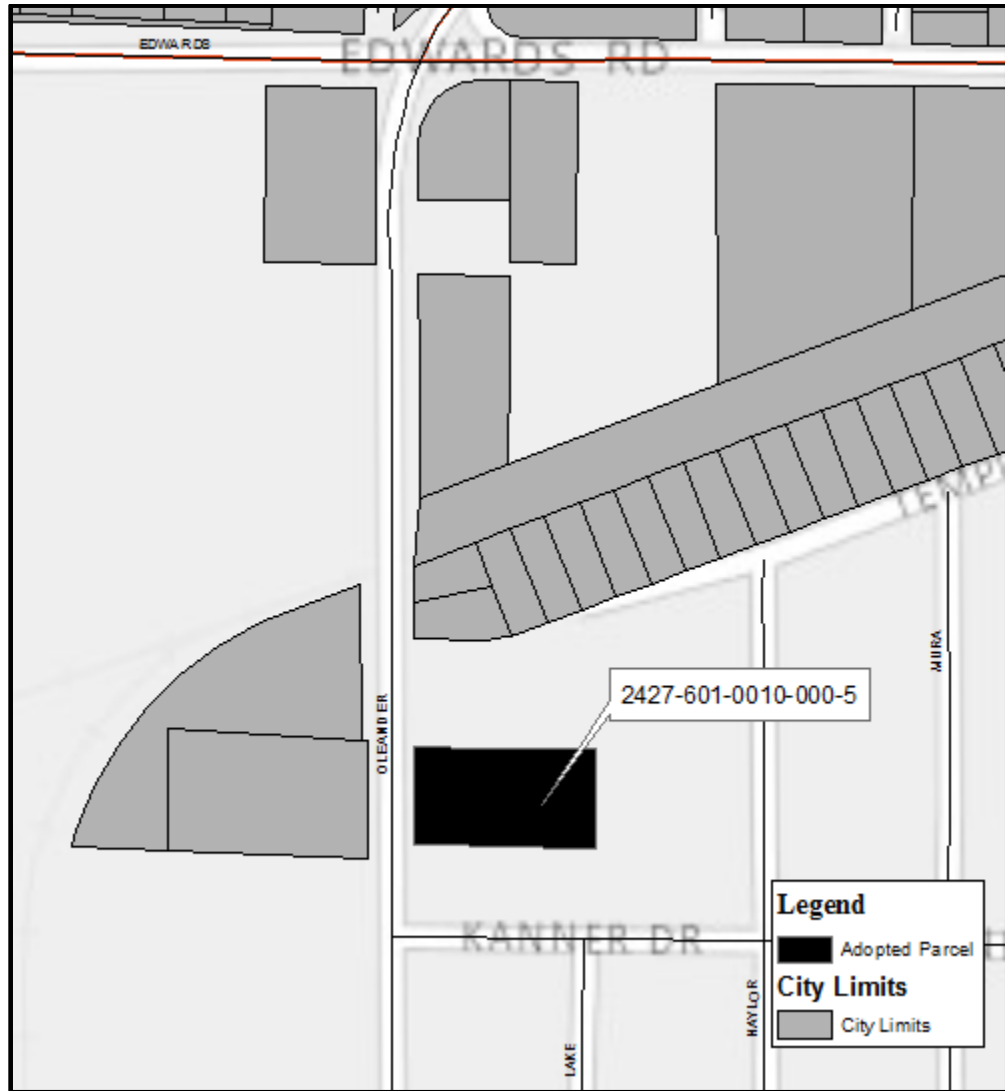
1. Parcel ID: 2427-601-0010-000-5

Legal Description: MARAVILLA GARDENS S/D-UNIT THREE- BEG AT NW COR OF LOT 154, TH RUN E 300 FT, S 156 FT, TH W 300 FT, TH N 156 FT TO POB (MAP24/27N) (1.07 AC) (OR 2454-1322)

**Exhibit B to Ordinance 15-057**

**Maps**

**Proposed Annexation Area**



\*The selected parcel is currently zoned RM-11, Residential, Multiple-Family - 11 with a FLU of RH, High Density Residential. Once annexed, these parcels will have a City zoning of R-5, High Density Residential and have a FLU of RH, High Density Residential.

**City Commission Regular Meeting**

**Agenda Item # 11. a.**

**Meeting Date:** 12/07/2015

**Re:** Greenway & Trails Update by St. Lucie County Environmental Resource Team

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

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**SUBJECT:**

Greenway & Trails Update by St. Lucie County Environmental Resource Team

**SUMMARY:**

- The Greenways & Trails initiative implements pedestrian, bicycle, and equestrian greenways and trails throughout St. Lucie County to connect natural resources, parks, and neighborhoods.
- The Greenways & Trails Master Plan provides long range goals and objectives to coordinate the acquisition of land, easements, and funding to complete the connection preserves via public greenways and trails.
- The St. Lucie County Environmental Resource Team is providing an update on the initiative, current challenges, and long range plans.

**RECOMMENDATION:**

None.

**ALTERNATIVES:**

None.

**RESPONSIBLE STAFF:**

Rebecca Grohall, AICP, Planning Manager

Kori Benton, Senior Planner

**COORDINATED WITH:**

Charles Barrowclough, Environmental Lands Coordinator

Amy Griffin, Division Director SLC ERD

---

**Fiscal Impact**

**Budgeted Y/N:**

**Fiscal Year:**

**Account:**

**Amount:**

**OTHER INFORMATION:**

No Fiscal Impact from this update.

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**Attachments**

Greenways & Trails Project Overview  
East Coast Greenway & Trail - Fort Pierce  
Overview - Greenways & Trails

---

**Form Review**

**Inbox**

City Manager

Form Started By: Kori Benton

Final Approval Date: 12/02/2015

**Reviewed By**

Nick Mimms

**Date**

12/02/2015 04:46 PM

Started On: 11/25/2015 09:01 AM



# Greenways & Trails Update 2015

- "Old Dixie" Trail
- North Savannahs Greenway
- Ten Mile Creek Greenway
- East Coast Greenway



## "Old Dixie" Trail

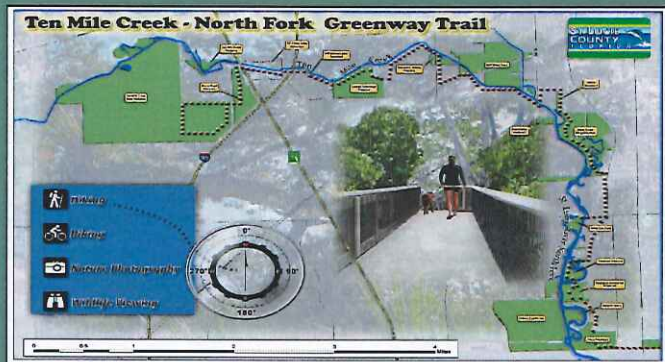
- J.D. Wilcox Preserve to Indian River County-line
- Connection to North Indrio Savannahs Greenway

# North Savannahs Greenway

- Taylor Creek to Indrio Savannahs Preserve



# Ten Mile Creek



# East Coast Greenway



- Urban Appalachian Trail
- Calais, Maine to Key West, Florida
- Connecting Communities
- Office of Greenways & Trails Priority Corridor



# East Coast Greenway

- Urban Appalachian Trail
- Calais, Maine to Key West, Florida
- Connecting Communities
- OGT Priority Regional Trail Corridor



# East Coast Greenway

## Opportunities

- Savannah Recreation Area
- Indian Hills



# Filling the Gaps



# Public Access Priority



2016

- North Savannahs Trail (Indrio Preserve to 25<sup>th</sup> Street - 3.5 miles)
- North Fork Trail (Gordy Road Rec Area to Becker Preserve – 2.7 miles)
- East Coast Greenway (Midway Road to South 3<sup>rd</sup> Street)

2017

- North Savannah Trail (25<sup>th</sup> Street to Taylor Creek – 2.5 miles)
- North Fork Trail (Becker to Platt's Creek – 2.6 miles)

2018

- North Fork trail (Platt's Creek to White City Park – 2.8 miles)

## SUN – Trail

Shared-Use/Non-motorized

- \$25 million/year for Regional Trails
- Authorized in a FDOT work plan
- Adopted by OGT as a Regional Trail





### Legend

Existing Trail

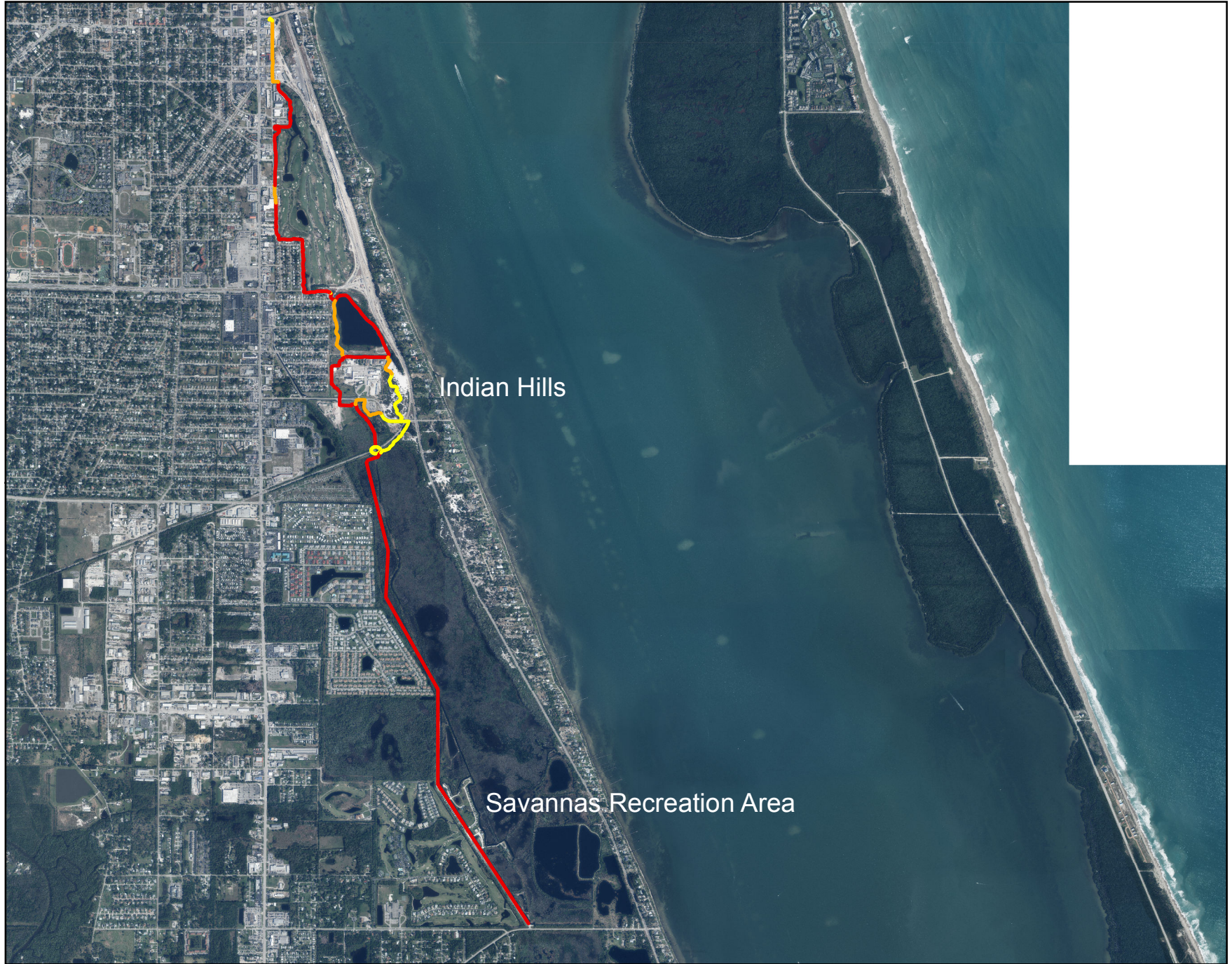
Easement Requested

Loop Trail & Route Connections

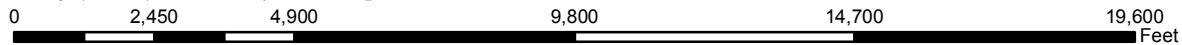


**Disclaimer:**

This map is intended for reference only. For more information please contact the Environmental Resources Department Lands Division at 772-462-2897.



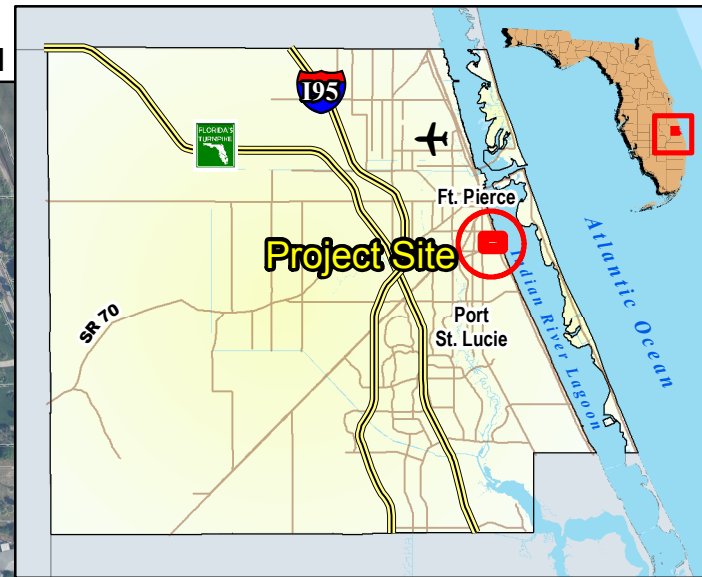
BarrowcloughC | 10/28/2015 | S:\erd\Lands\Greenways & Trails\ECG\PSL\_Ft Pierce ECG.mxd





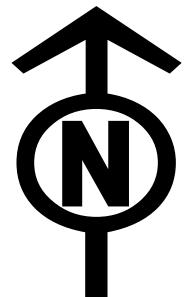
# Eastcoast Greenway - Indian Hills Connection

2014 Ortho - Aerial



## Legend

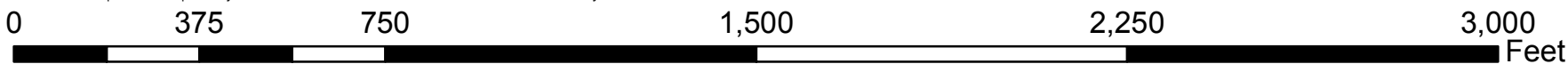
- Parks & Preserves BDY
- FEC\_Parcels
- Parcels
- Current Greenway
- Alternative Connection
- St. Lucie County Streets
- Railroads









### Disclaimer:

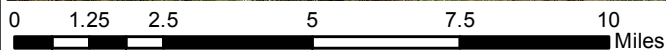
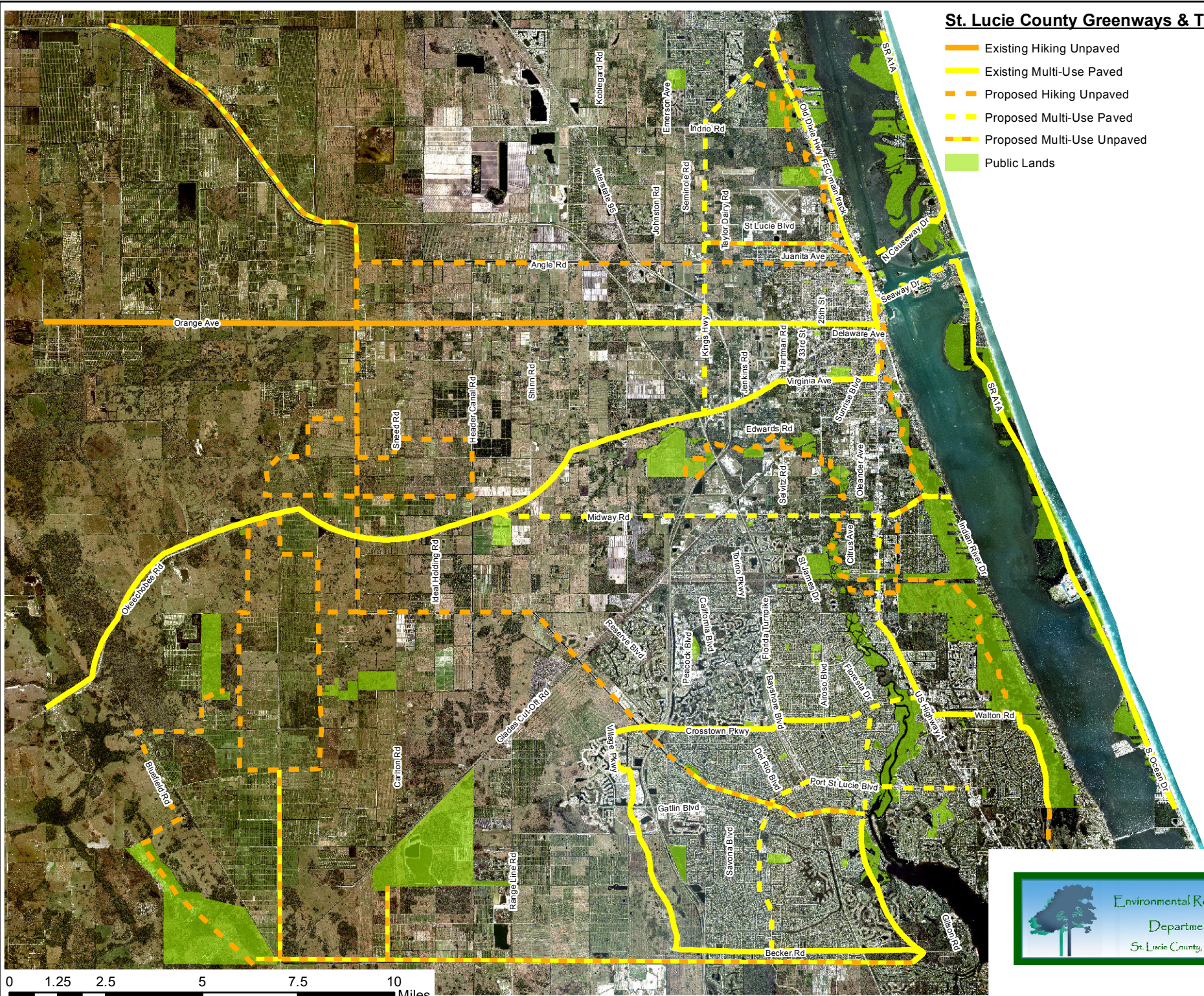
This map is intended for reference only. For more information please contact the Environmental Resources Department Lands Division at 772-462-2897.

MiddlebrookM | 8/26/2015 | V:\Project Files\ERD Lands\Heathcote\MXD\Eastcoast Greenway - Indian Hills Connection.mxd



# St. Lucie County Greenways & Trails System

-  Existing Hiking Unpaved
-  Existing Multi-Use Paved
-  Proposed Hiking Unpaved
-  Proposed Multi-Use Paved
-  Proposed Multi-Use Unpaved
-  Public Lands





INDIAN RIVER

1237 - All Aboard Florida Rail with Trail Corridor

1742 - Kings Highway Corridor

1554 - East Coast Greenway - St. Lucie Corridor

726 - East Coast Greenway - St. Lucie Corridor

969 - Treasure Coast Loop Trail Corridor

1740 - Western Greenway Corridor

721 - East Coast Greenway - St. Lucie Corridor

1234 - Florida Cracker Trail Corridor

719 - East Coast Greenway - St. Lucie Corridor

971 - Midway Road Connector Corridor

1550 - Midway Road Connector Corridor

1738 - Western Greenway Corridor

1549 - Midway Road Connector Corridor

720 - East Coast Greenway - St. Lucie Corridor

970 - Okeechobee Road Trail Corridor

ST. LUCIE

1551 - Crosstown Parkway Corridor

1553 - East Coast Greenway - St. Lucie Corridor

1548 - East Coast Greenway - St. Lucie Corridor

1741 - Western Greenway Corridor

589 - East Coast Greenway - St. Lucie Corridor

1556 - East Coast Greenway - St. Lucie Corridor

973 - Crosstown Parkway Corridor

1552 - Crosstown Parkway Corridor

1739 - Western Greenway Corridor


974 - Robert B. Jenkins C-23 Trail Corridor

MARTIN

# Florida Greenways & Trails System

2015 Draft Opportunity Update:  
St. Lucie County

**Legend**

 PRIORITY CORRIDOR



**City Commission Regular Meeting**

**Agenda Item # 11. b.**

**Meeting Date:** 12/07/2015

**Re:** Monthly Financial Report for Month Ending October 31, 2015

**Submitted For:** Johnna Morris, Interim Finance Director, Finance Department

---

**SUBJECT:**

Monthly Financial Report for the Month Ending October 31, 2015

**SUMMARY:**

The Finance Director prepares and presents to the City Commission and Citizens a monthly report on the financial status of the different funds of the City. The financial report for the month ending October 31, 2015, encompasses General, Marina, Solid Waste, Golf Course, Sunrise Theatre, Building & Code, and Fort Pierce Redevelopment Agency Funds.

**RECOMMENDATION:**

The Finance Department welcomes any suggestions and/or changes to the format.

**ALTERNATIVES:**

The report can be enhanced or changed.

**RESPONSIBLE STAFF:**

Finance Director

**COORDINATED WITH:**

Finance Department & City Manager

---

**Fiscal Impact**

**Budgeted Y/N:** Y

**Fiscal Year:** 2016

**Account:**

**Amount:**

**OTHER INFORMATION:**

Monthly Report on budgeted Revenue and Expenditures

---

**Attachments**

October 2015 Monthly Financial Report

---

**Form Review**

**Inbox**

City Manager

Finance Department (Originator)

Form Started By: Johnna Morris

**Reviewed By**

Nick Mimms

Johnna Morris

**Date**

11/30/2015 09:35 AM

11/30/2015 03:44 PM

Started On: 10/26/2015 04:17 PM

Final Approval Date: 11/30/2015

City of Fort Pierce  
 Monthly Financial Report  
**For the Month Ending October 31, 2015 (Preliminary)**  
 (8% Year Lapse)

General Fund				
Revenue	Budget		FYTD	%
<b>Beginning Available Resources</b>		\$	<b>4,245,533</b>	
<b>Revenue:</b>				
Taxes	\$ 18,943,496	\$	323,355	1.71%
Licenses & Permits	348,000		238,410	68.51%
Intergovernmental	2,994,000		238,045	7.95%
Charges for Services	201,600		21,078	10.46%
Fines & Forfeitures	167,500		24,857	14.84%
Miscellaneous Revenue	1,821,952		50,746	2.79%
Interfund Transfers	2,882,437		0	0.00%
Contribution from Enterprise	7,170,772		0	0.00%
Capital Projects Loan	1,400,000		1,400,000	100.00%
Appropriated Fund Balance	550,000		0	0.00%
Restricted Revenue	(626,494)		0	0.00%
<b>Total Revenue</b>	<b>\$ 35,853,263</b>	<b>\$</b>	<b>2,296,491</b>	<b>6.41%</b>
<b>Expenditures:</b>				
City Commission	\$ 208,361	\$	14,972	7.19%
City Manager	606,019		36,896	6.09%
City Attorney	605,108		16,988	2.81%
City Clerk	284,796		18,782	6.59%
Administrative Services	590,176		38,358	6.50%
Finance	736,272		40,031	5.44%
MIS	994,642		31,956	3.21%
Planning	451,837		23,560	5.21%
Code Enforcement	880,723		201,061	22.83%
Police	12,864,723		715,677	5.56%
Public Works/Director	93,729		9,432	10.06%
Public Works/Fleet Maint.	492,552		27,370	5.56%
Public Works/Facilities Maint.	879,181		61,387	6.98%
Public Works/Parks & Grounds	1,908,734		89,745	4.70%
Public Works/Streets	1,704,576		69,397	4.07%
Engineering	1,099,251		48,358	4.40%
Riverwalk	150,397		8,397	5.58%
Administrative	11,302,186		248,633	2.20%
<b>Total Expenditures</b>	<b>\$ 35,853,263</b>	<b>\$</b>	<b>1,700,999</b>	<b>4.74%</b>
<b>Net Resources</b>			<b>\$ 595,492</b>	
<b>Total Available Resources</b>			<b>\$ 4,841,025</b>	
<b>Less:</b>				
10% Budget Reserve			(3,585,326)	
Reserve			(626,494)	
<b>Unrestricted Resources</b>			<b>\$ 629,205</b>	

## Special Revenue Funds

FPRA	Budget	FYTD	%
<b>Beginning Available Resources</b>		<b>\$ 69,040</b>	
<b>Revenue:</b>			
Taxes	4,445,548	0	0.00%
Licenses & Permits	0	0	0.00%
Intergovernmental	75,000	4,197	5.60%
Miscellaneous Revenue	160,500	8,988	5.60%
Transfers	1,676,422	0	0.00%
<b>Total Revenue</b>	<b>6,357,470</b>	<b>13,185</b>	<b>0.21%</b>
<b>Expenses:</b>			
Operating	323,500	20,221	6.25%
Capital Outlay	0	0	0.00%
Other Programs & Projects	20,000	958	4.79%
Transfers	6,013,970	0	0.00%
<b>Total Expenses</b>	<b>6,357,470</b>	<b>21,179</b>	<b>0.33%</b>
<b>Net Resources</b>		<b>(7,994)</b>	
<b>Unrestricted Resources</b>		<b>\$ 61,046</b>	

CDBG	Budget	FYTD	%
<b>Beginning Available Resources</b>		<b>\$ 724,363</b>	
<b>Revenue:</b>			
Intergovernmental Revenue	1,360,105	32,067	2.36%
Misc. Revenue	0	0	0.00%
Transfers	0	0	0.00%
<b>Total Revenue</b>	<b>1,360,105</b>	<b>32,067</b>	<b>2.36%</b>
<b>Expenses:</b>			
Administrative	180,902	13,729	7.59%
Rehabilitation Department	50,000	0	0.00%
Capital Outlay	0	0	0.00%
Economic Development	265,318	4,879	1.84%
Public Service	70,000	4,400	6.29%
Unencumbered	71,377	0	0.00%
Roll Over Expenditures	722,508	0	0.00%
<b>Total Expenses</b>	<b>1,360,105</b>	<b>23,008</b>	<b>1.69%</b>
<b>Net Resources</b>		<b>9,059</b>	
<b>Unrestricted Resources</b>		<b>\$ 733,421</b>	

Grant Administration	Budget	FYTD	%
<b>Beginning Available Resources</b>		<b>\$ 200,710</b>	
<b>Revenue:</b>			
Program Income	50,000	3,405	6.81%
Misc. Revenue	193,250	1,835	0.95%
Interfund Transfers	0	0	0.00%
<b>Total Revenue</b>	<b>243,250</b>	<b>5,241</b>	<b>2.15%</b>
<b>Expenses:</b>			
Personnel Services	0	0	0.00%
Operating	243,250	45,998	18.91%
Transfers	0	0	0.00%
<b>Total Expenses</b>	<b>243,250</b>	<b>45,998</b>	<b>18.91%</b>
<b>Net Resources</b>		<b>(40,758)</b>	
<b>Unrestricted Resources</b>		<b>\$ 159,952</b>	

SHIP	Budget	FYTD	%
<b>Beginning Available Resources</b>		<b>\$ 62,431</b>	
<b>Revenue:</b>			
SHIP	204,112	0	0.00%
Program Income	0	0	0.00%
Misc. Revenue	0	0	0.00%
Carry Over Funding	44,506	0	0.00%
<b>Total Revenue</b>	<b>248,618</b>	<b>0</b>	<b>0.00%</b>
<b>Expenses:</b>			
Operating	20,411	47	0.23%
Grants/Programs & Projects	228,207	433	0.19%
<b>Total Expenses</b>	<b>248,618</b>	<b>479</b>	<b>0.19%</b>
<b>Net Resources</b>		<b>(479)</b>	
<b>Unrestricted Resources</b>		<b>\$ 61,952</b>	

## Enterprise Funds

Marina	Budget	YTD	%
<b>Beginning Available Resources</b>			
	\$	291,581	
<b>Revenue:</b>			
Grants	470,000	0	0.00%
Charges for Services	1,539,348	75,047	4.88%
Misc. Revenue	1,526,800	95,465	6.25%
Debt Proceeds	0	0	0.00%
Approp Retained Earnings	27,122	0	0.00%
<b>Total Revenue</b>	<b>3,563,270</b>	<b>170,511</b>	<b>4.79%</b>
<b>Expenses:</b>			
Personnel Services	351,859	23,865	6.78%
Operating	2,714,454	152,427	5.62%
Capital	498,000	4,773	0.96%
Debt Service	451,114	2,725	0.60%
Non Operating	305,626	0	0.00%
<b>Total Expenses</b>	<b>4,321,053</b>	<b>183,789</b>	<b>4.25%</b>
<b>Plus Depreciation</b>		<b>63,149</b>	
<b>Net Resources</b>		<b>49,870</b>	
<b>Unrestricted Resources Available</b>	<b>\$</b>	<b>341,451</b>	

Golf Course	Budget	YTD	%
<b>Beginning Available Resources</b>			
	\$	(24,053)	
<b>Revenue:</b>			
Charges for Services	1,327,500	67,492	5.08%
Misc. Revenue	130,750	7,535	5.76%
Approp Retained Earnings	0	0	0.00%
<b>Total Revenue</b>	<b>1,458,250</b>	<b>75,028</b>	<b>5.15%</b>
<b>Expenses:</b>			
Personnel Services	633,868	40,377	6.37%
Operating	925,055	55,690	6.02%
Capital	7,000	0	0.00%
Non Operating	32,641	13	0.04%
<b>Total Expenses</b>	<b>1,598,564</b>	<b>96,080</b>	<b>6.01%</b>
<b>Plus Depreciation</b>		<b>11,693</b>	
<b>Net Resources</b>		<b>(9,359)</b>	
<b>Unrestricted Resources Available</b>	<b>\$</b>	<b>(33,412)</b>	

Building	Budget	YTD	%
<b>Beginning Available Resources</b>			
	\$	329,834	
<b>Revenue:</b>			
Licenses & Permits	1,180,000	116,956	9.91%
Charges for Services	37,000	1,877	5.07%
Fine & Forfeits	3,000	200	6.67%
Misc. Revenue	24,000	3,110	0.00%
Transfers	0	0	0.00%
Approp Retained Earnings	(14,679)	0	0.00%
<b>Total Revenue</b>	<b>1,229,321</b>	<b>122,143</b>	<b>9.94%</b>
<b>Expenses:</b>			
Personnel Services	716,730	49,698	6.93%
Operating	444,766	24,677	5.55%
Capital	70,000	0	0.00%
Non Operating	0	0	0.00%
<b>Total Expenses</b>	<b>1,231,496</b>	<b>74,375</b>	<b>6.04%</b>
<b>Plus Depreciation</b>		<b>226</b>	
<b>Net Resources</b>		<b>47,994</b>	
<b>Unrestricted Resources Available</b>	<b>\$</b>	<b>377,828</b>	

Solid Waste	Budget	YTD	%
<b>Beginning Available Resources</b>			
	\$	52,854	
<b>Revenue:</b>			
Charges for Services	6,107,000	534,660	8.75%
Misc. Revenue	4,000	13	0.33%
Approp Retained Earnings	191,280	0	0.00%
<b>Total Revenue</b>	<b>6,302,280</b>	<b>534,673</b>	<b>8.48%</b>
<b>Expenses:</b>			
Personnel Services	2,017,627	131,144	6.50%
Operating	3,084,653	156,692	5.08%
Capital	350,000	6	0.00%
Non Operating	1,200,000	0	0.00%
<b>Total Expenses</b>	<b>6,652,280</b>	<b>287,842</b>	<b>4.33%</b>
<b>Plus Depreciation</b>		<b>27,254</b>	
<b>Net Resources</b>		<b>274,085</b>	
<b>Unrestricted Resources Available</b>	<b>\$</b>	<b>326,939</b>	

Sunrise Theatre	Budget	YTD	%
<b>Beginning Available Resources</b>			
	\$	(51,292)	
<b>Revenue:</b>			
Grants	0	17,235	0.00%
Charges for Services	3,125,000	1,043,404	33.39%
Misc. Revenue	297,600	5,399	1.81%
Transfers	450,000	0	0.00%
<b>Total Revenue</b>	<b>3,872,600</b>	<b>1,066,038</b>	<b>27.53%</b>
<b>Expenses:</b>			
Personnel Services	586,481	31,554	5.38%
Operating	3,823,297	101,621	2.66%
Capital	1,000	0	0.00%
Non Operating	0	0	0.00%
<b>Total Expenses</b>	<b>4,410,778</b>	<b>133,176</b>	<b>3.02%</b>
<b>Plus Depreciation</b>		<b>44,844</b>	
<b>Net Resources</b>		<b>977,706</b>	
<b>Unrestricted Resources Available</b>	<b>\$</b>	<b>926,415</b>	

**City Commission Regular Meeting**

**Agenda Item # 12. a.**

**Meeting Date:** 12/07/2015

**Re:** Communitywide Council Appointment Application

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

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**SUBJECT:**

Resolution 15-R34 Appointing Gwendolyn Taylor to the Communitywide Council.

**SUMMARY:**

Application for Appointment to Communitywide Council recently received from Ms. Gwendolyn Taylor, residence 610 Palm Avenue, Apt. #A.

**RECOMMENDATION:**

Approve appointment of Ms. Gwendolyn Taylor to serve on the Communitywide Council.

**ALTERNATIVES:**

Do not approve Ms. Taylor's appointment to the Communitywide Council.

**RESPONSIBLE STAFF:**

Libby Woodruff, Grants Administrator

**COORDINATED WITH:**

Nicholas Mimms, Deputy City Manager

---

**Fiscal Impact**

**Budgeted Y/N:** N

**Fiscal Year:** N/A

**Account:** N/A

**Amount:** N/A

**OTHER INFORMATION:**

There will be no fiscal impact from this agenda item.

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**Attachments**

15-R34

Taylor CWC Application

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**Form Review**

**Inbox**

City Manager

Form Started By: Libby Woodruff

Final Approval Date: 11/17/2015

**Reviewed By**

rbradshaw

**Date**

11/11/2015 03:57 PM

Started On: 10/26/2015 09:30 AM



**RESOLUTION NO. 15-R34**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **CERTIFYING THE APPOINTMENT OF MEMBERS TO THE COMMUNITYWIDE COUNCIL**; PROVIDING FOR AN EFFECTIVE DATE.

**BE IT RESOLVED** By the City Commission of the City of Fort Pierce, Florida, that the following be and are hereby appointed and/or reappointed by the City Commission to serve as members of the Communitywide Council in accordance with the Citizens Participation Plan adopted by Resolution No. 88-84; said terms to commence upon adoption of this resolution and to expire December 6, 2017, or when a successor has been duly appointed.

<u>Name</u>	<u>Represents</u>	<u>Term Expires</u>
Gwendolyn Taylor	Target/CDBG	December 6, 2017

**BE IT FURTHER RESOLVED** that this Resolution shall become effective upon adoption.

**IN WITNESS WHEREOF**, this Resolution has been duly adopted this 7<sup>th</sup> day of December, 2015.

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

ATTEST:

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

(CITY SEAL)

APPROVED AS TO FORM  
AND CORRECTNESS:

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



CLERK'S OFFICE, 3rd Floor  
**CITY OF FORT PIERCE**

100 NORTH US HWY 1  
 FORT PIERCE, FLORIDA 34950  
 (772) 467-3000 FAX (772) 467-3841

**APPLICATION FOR APPOINTMENT/REAPPOINTMENT**

Name of Board or Boards for which you are applying: COMMUNITY WIDE COUNCIL

Name: <u>Gwendolyn Taylor</u>	Phone: <u>772-209-8129</u>
Home Address: <u>610 Palm Ave APT A</u>	How long at this address? <u>3 yrs</u>
Are you a citizen of the United States? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Occupation: <u>Small parts repair (For Boats)</u>	
Do you own a business that operates within the City of Fort Pierce? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list the address and nature of said business:	
Do you now or in the future plan to do business with the City of Fort Pierce? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, in what capacity? <u>I would like to Now</u>	
Are you employed by a business that is located within the City of Fort Pierce? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, state the business and location: <u>Pursuit Boats 3901 St Lucie Blvd</u>	
Do you have special training or knowledge in the area of: Architecture: <input type="checkbox"/> Yes <input type="checkbox"/> No    Engineering: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    Real Estate Brokering: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Contracting: <input type="checkbox"/> Yes <input type="checkbox"/> No    Land Development: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    Other: Describe your education, background, training and knowledge in the above area(s):	
Are you currently a member of a Commission-appointed board/committee? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please specify:	
Have you ever been convicted of a crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, what was the nature of the crime(s) you were convicted of:	
Referred by: <u>Ellen MANCINI</u>	Email Address: <u>Power2Peep@yahoo.com</u>
Date: <u>10-14-15</u>	Applicant's Signature: <u>Gwendolyn Chandler Taylor</u>

APPLICATIONS EXPIRE 6 MONTHS FROM THE DATE OF SUBMISSION. PLEASE REAPPLY AS OFTEN AS DESIRED.  
 Please return form to: City Clerk's Office - 100 North US Hwy 1, Fort Pierce, Florida 34950  
 fax (772) 468-3841 or via email at lcox@city-ftpierce.com

**City Commission Regular Meeting**

**Agenda Item # 12. b.**

**Meeting Date:** 12/07/2015

**Re:** Submittal of applications for appointment to the Planning Board (Alternate member)

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

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**SUBJECT:**

Resolution 15-R35 Appointing Frank Creyaufmiller to the Planning Board as an alternate.

**SUMMARY:**

Submittal of five (5) applications for appointment to one (1) open alternate member position on the Planning Board. The five applicants are: Mr. Al Bernetti, Mr. Michael Broderick, Mr. Frank Creyaufmiller, Mr. James Flynn and Ms. Diane McKee.

**RECOMMENDATION:**

Staff recommends that the City Commission select one of the applicants, the City Clerk will bring the selected appointee back as a formal Resolution appointing that person to the Planning Board.

**ALTERNATIVES:**

Not make a selection and continue to solicit applications.

**RESPONSIBLE STAFF:**

Rebecca Grohall, AICP

**COORDINATED WITH:**

Linda Cox, City Clerk

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**Fiscal Impact**

**Budgeted Y/N:**

**Fiscal Year:**

**Account:**

**Amount:**

**OTHER INFORMATION:**

N/A

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**Attachments**

Staff Memo

15-R35

Bernetti Application

Broderick Application

Creyaufmiller Application

Flynn Application

McKee Application

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### Form Review

<b>Inbox</b>	<b>Reviewed By</b>	<b>Date</b>
City Manager	Rebecca Grohall	11/06/2015 03:43 PM
City Manager	rbradshaw	11/10/2015 10:01 AM
Form Started By: Rebecca Grohall		Started On: 11/06/2015 02:28 PM
Final Approval Date: 11/17/2015		



# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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

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**TO:** The Honorable Mayor and City Commissioners

**THRU:** Robert J. Bradshaw, City Manager

**FROM:** Rebecca Grohall, AICP, Planning Manager

**SUBJECT:** Planning Board – Appointment of Alternate

**DATE:** November 6, 2015

---

There is currently one Alternate position available to be filled on the Planning Board, the current open seat has a term expiring February 29, 2016.

To date, five applications have been received and are attached: Mr. Al Bernetti, Mr. Michael Broderick, Mr. Frank Creyaufmiller, Mr. James Flynn and Ms. Diane McKee.

Please select one (1) alternate so that the City Clerk may bring back a Resolution for the December 7<sup>th</sup>, 2015 meeting.

**RESOLUTION NO. 15-R35**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **CERTIFYING THE APPOINTMENT OF MEMBERS TO THE CITY PLANNING BOARD**; PROVIDING FOR AN EFFECTIVE DATE.

**BE IT RESOLVED** By the City Commission of the City of Fort Pierce, Florida, that the following be and are hereby appointed and/or reappointed by the City Commission to serve as members of the City Planning Board; said terms to commence upon adoption of this resolution and to expire as indicated below, or when a successor has been duly appointed.

<u>Name</u>	<u>Type</u>	<u>Term Expires</u>
Frank Creyaufmiller	Alternate #2	February 29, 2016

**BE IT FURTHER RESOLVED** that this Resolution shall become effective upon adoption.

**IN WITNESS WHEREOF**, this Resolution has been duly adopted this 7th day of December, 2015.

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

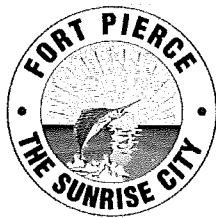
ATTEST:

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

(CITY SEAL)

APPROVED AS TO FORM  
AND CORRECTNESS:

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



# CITY OF FORT PIERCE

100 NORTH US HWY 1  
FORT PIERCE, FLORIDA 34950  
(772) 467-3000 FAX (772) 467-3841

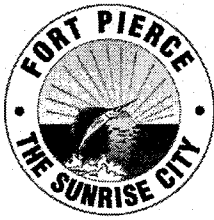
## APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Name of Board or Boards for which you are applying: PLANNING BOARD

Name: <u>AL BEAVERI</u>	Phone: <u>772-519-0482</u>
Home Address: <u>1771 BAYSHORE DR. #207 Ft. Pierce 34949</u>	How long at this address? <u>17 YEARS</u>
Are you a citizen of the United States? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Occupation: <u>REAL ESTATE BROKER</u>	
Do you own a business that operates within the City of Fort Pierce? If yes, list the address and nature of said business:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Do you now or in the future plan to do business with the City of Fort Pierce? If yes, in what capacity?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are you employed by a business that is located within the City of Fort Pierce? If yes, state the business and location:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>McCurdy &amp; Co.</u>
Do you have special training or knowledge in the area of: Architecture: <input type="checkbox"/> Yes <input type="checkbox"/> No    Engineering: <input type="checkbox"/> Yes <input type="checkbox"/> No    Real Estate Brokering: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Contracting: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    Land Development: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    Other: Describe your education, background, training and knowledge in the above area(s): <u>CREATED &amp; OWNED MAGIE HOMES AND DEVELOPMENTS IN OSCEOLA COUNTY FROM 1987 TO 2005</u>	
Are you currently a member of a Commission-appointed board/committee? If yes, please specify:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>CODE BOARD</u>
Have you ever been convicted of a crime? If yes, what was the nature of the crime(s) you were convicted of:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Referred by: <u>KORI BENSON</u>	Email Address: <u>CAPITALBEAVERI@GMAIL.COM</u>
Date: <u>9/23/15</u>	Applicant's Signature: <u>Al Beaveri</u>

APPLICATIONS EXPIRE 6 MONTHS FROM THE DATE OF SUBMISSION. PLEASE REAPPLY AS OFTEN AS DESIRED.

Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950  
fax (772) 467-3841 or via email at [lcox@city-ftpierce.com](mailto:lcox@city-ftpierce.com)



# CITY OF FORT PIERCE

100 NORTH US HWY 1  
FORT PIERCE, FLORIDA 34950  
(772) 467-3000 FAX (772) 467-3841

## APPLICATION FOR APPOINTMENT/REAPPOINTMENT

### Planning Board Alternate

Name of Board or Boards for which you are applying: \_\_\_\_\_

Name: Michael Broderick		Phone: 561-719-3356	
Home Address: 1127 Granada St. Ft. Pierce		How long at this address? 13 years	
Are you a citizen of the United States?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Occupation: Commercial real estate management, leasing, rehabilitation			
Do you own a business that operates within the City of Fort Pierce?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, list the address and nature of said business: Trident Properties Management 1221 Delaware Ave., Fort Pierce commercial real estate property management, leasing, rehabilitation Anytime Fitness Of Fort Pierce 111 Orange Ave. Fort Pierce gym			
Do you now or in the future plan to do business with the City of Fort Pierce?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, in what capacity?			
Are you employed by a business that is located within the City of Fort Pierce?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, state the business and location:			
Do you have special training or knowledge in the area of:			
Architecture: <input type="checkbox"/> Yes <input type="checkbox"/> No		Engineering: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Contracting: <input type="checkbox"/> Yes <input type="checkbox"/> No		Land Development: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
		Real Estate Brokering: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Other:			
Describe your education, background, training and knowledge in the above area(s): State Of Florida licensed real estate broker, licensed property manager. Twenty five years of commercial real estate management, leasing, construction and rehabilitation experience.			
Are you currently a member of a Commission-appointed board/committee?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, please specify:			
Have you ever been convicted of a crime?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, what was the nature of the crime(s) you were convicted of:			
Referred by:		Email Address: tridentproperty@bellsouth.net	
Date: 10/30/15	Applicant's Signature		

APPLICATIONS EXPIRE 6 MONTHS FROM THE DATE OF SUBMISSION. PLEASE REAPPLY AS OFTEN AS DESIRED.  
Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950  
fax (772) 468-3841 or via email at lcox@city-ftpierce.com



# CITY OF FORT PIERCE

100 NORTH US HWY 1  
FORT PIERCE, FLORIDA 34950  
(772) 467-3000 FAX (772) 467-3841

## APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Planning Board

Name of Board or Boards for which you are applying: \_\_\_\_\_

Name: Frank A.J. Creyaufmiller		Phone: 919-345-8080
Home Address: 4320 Gator Trace Circle Fort Pierce 34982		How long at this address? Jan 2012
Are you a citizen of the United States? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Occupation: Retired - Independent Business Owner		
Do you own a business that operates within the City of Fort Pierce? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list the address and nature of said business:		
Do you now or in the future plan to do business with the City of Fort Pierce? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, in what capacity?		
Are you employed by a business that is located within the City of Fort Pierce? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, state the business and location:		
Do you have special training or knowledge in the area of: Architecture: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    Engineering: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    Real Estate Brokering: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Contracting: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    Land Development: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    Other: Describe your education, background, training and knowledge in the above area(s): I have been a member of many business related boards and two of the Homeowners boards of Gator Trace		
Are you currently a member of a Commission-appointed board/committee? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please specify:		
Have you ever been convicted of a crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, what was the nature of the crime(s) you were convicted of:		
Referred by: Mr. Ed Cox		Email Address:
Date: October 28, 2015	Applicant's Signature	

APPLICATIONS EXPIRE 6 MONTHS FROM THE DATE OF SUBMISSION. PLEASE REAPPLY AS OFTEN AS DESIRED.

Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950  
fax (772) 468-3841 or via email at lcox@city-ftpierce.com



# CITY OF FORT PIERCE

100 NORTH US HWY 1  
 FORT PIERCE, FLORIDA 34950  
 (772) 467-3000 FAX (772) 467-3841

ALSO INTERESTED IN  
 CONST. BOARD OF ADJ &  
 APPEALS  
~~PLANNING~~ BOARD OF ADJUSTMENTS  
 PLANNING BOARD

## APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Name of Board or Boards for which you are applying: CODE ENFORCEMENT

Name: <u>JAMES (Jim) FLYNN</u>	Phone: <u>813-777-0021</u>
Home Address: <u>1906 S. OCEAN DR FT. PIERCE, FL.</u>	How long at this address? <u>14 months</u>
Are you a citizen of the United States? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Occupation: <u>RETIRED</u>	
Do you own a business that operates within the City of Fort Pierce? If yes, list the address and nature of said business: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Do you now or in the future plan to do business with the City of Fort Pierce? If yes, in what capacity? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Are you employed by a business that is located within the City of Fort Pierce? If yes, state the business and location: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Do you have special training or knowledge in the area of: Architecture: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    Engineering: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    Real Estate Brokering: <input type="checkbox"/> Yes <input type="checkbox"/> No Contracting: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    Land Development: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    Other: Describe your education, background, training and knowledge in the above area(s): <u>BS in Building Construction from Northeast Louisiana Univ.</u> <u>50 yrs in the construction business</u>	
Are you currently a member of a Commission-appointed board/committee? If yes, please specify: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Have you ever been convicted of a crime? If yes, what was the nature of the crime(s) you were convicted of: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Referred by:	Email Address: <u>Jim.Flynn101@gmail.com</u>
Date: <u>10/12/15</u>	Applicant's Signature: <u>[Signature]</u>

APPLICATIONS EXPIRE 6 MONTHS FROM THE DATE OF SUBMISSION. PLEASE REAPPLY AS OFTEN AS DESIRED.  
 Please return form to: City Clerk's Office - 100 North US Hwy 1, Fort Pierce, Florida 34950  
 fax (772) 468-3841 or via email at lcox@city-ftpierce.com

# **WORK HISTORY**

Page 1

## **James Patrick Flynn**

813.645.9505 jpximmy101@verizon.net

### **Gresham, Smith and Partners**

May 2006-Jan. 2009

Sr. Construction Administrator, manager of field inspection, submittal, RFI, document control for as many as 6 different projects under construction at one time at over 10 hospital facility's in the Florida region of HCA. Lead representative for state inspections during construction and for final approval prior to patient move ins. Equipment coordination for delivery and installation. Final punch list of projects and verification upon completion.

### **Wal-Mart Stores Inc.**

Dec. 1999-April 2006

Construction Manager over new supercenters and projects for the conversion of Division One retail stores to supercenters as well as take-over conversions to clubs for the world's largest retailer. Worked projects in a multi state region. Opened 19 stores in '03 in one state.

### **Moses Engineers**

March 1999-Nov.1999

Construction Manager on mechanical and electrical renovation project for the GSA at the Federal Courthouse and Post Office building in Alexandria, LA. The building was built in 1934 and this was the first major HVAC and electrical renovation since the systems were installed.

### **Gresham, Smith, and Partners**

April 1997-January 1999

Construction Administrator, \$62M construction cost/\$98M move-in, new 246 bed replacement facility with 2 MOB (497,000sq ft total). Florence, SC. Architects on site representative, review and approval of all submittals, approval of monthly pay applications, supervision of site day to day work for compliance with project dwgs. and specs., review of and input in schedule changes and work sequencing, logged /reviewed/answered all RFI's for project which included mechanical, electrical, civil, and architectural issues. \$24M construction cost, new 50 bed facility with 1 MOB (125,000sq ft total) Columbia, SC. Reviewed progress on weekly bases, approval of pay applications, review of in-place work for contract compliance, evaluation of field problems, reviewed owner's changes for constructability, cost and schedule.

### **META and Assoc.**

January 1997-April 1997

Contract was canceled, merger between Galen Health and HCA. Meta became outside construction manager.

# WORK HISTORY

Page 2

## **James Patrick Flynn**

813.645.9505 jppjimmy101@verizon.net

### **Columbia/HCA Corp.**

August 1994-January 1997

Aurora Regional Medical Center 250 bed facility over site/facility maintenance and construction Aurora Presbyterian Hospital projects. Additional 200 bed facility acquired in merger, same responsibilities. Developed scope and specifications for all construction projects.

### **META and Assoc.**

May 1993-August 1994

Snellville Hospital \$35M construction cost replacement facility, 125 bed facility, Owner's on site representative, Supervision and direction of owner furnished and installed equipment and finishes, approval of pay application, supervision of daily work compliance to contract and guidance for corrective action to make compliant.

### **Humana Hosp. Corp.**

April 1983-May 1993

Lake Charles Women's Hospital 80 bed new women's facility, Humana Hospital Kissimmee, St. Petersburg Women's, Lucerne Hospital, Northside Hospital, Sebastian Inlet Hospital, and Daytona Hospital -- central Florida projects ranged from generator/switch gear replacement to 3 story cast-in-place addition, major renovations, change of services, new equipment, ER updates, etc.  
Richland General Hospital MRI and Linear Accelerator addition to existing facility.  
Aurora Medical Center Major ER/Surgery addition/renovations

### **S and B Engineers**

December 1980-April 1983

Gulf Refinery Plastic Pellets, storage and distribution addition

### **Parsons-Gilbane**

March 1979-December 1980

Two oil storage sites in south-west Louisiana

### **J. A. Jones Construction Co.**

January 1978-March 1979

Taft Nuclear facility

### **Union Carbide Corp.**

April 1976-January 1978

Chemical Refinery addition

### **H B Zachary Construction**

January 1975-April 1976

Union Carbide chemical refinery



# CITY OF FORT PIERCE

100 NORTH US HWY 1  
 FORT PIERCE, FLORIDA 34950  
 (772) 467-3000 fax (772) 467-3841

## APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Name of Board or Boards for which you are applying: Alternate on Planning

Name: Dianne S. McKee	Phone: 772-882-9326/ 540-847-4778
Home Address: 801 S. Ocean Dr. #306 Fort Pierce, FL 34949	How long at this address? 2.5 years
Are you a citizen of the United States? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Occupation: Retired from health care management	
Do you own a business that operates within the City of Fort Pierce? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list the address and nature of said business:	
Do you now or in the future plan to do business with the City of Fort Pierce? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, in what capacity?	
Are you employed by a business that is located within the City of Fort Pierce? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, state the business and location:	
Do you have special training or knowledge in the area of: Architecture: <input type="checkbox"/> Yes <input type="checkbox"/> No    Engineering: <input type="checkbox"/> Yes <input type="checkbox"/> No    Real Estate Brokering: <input type="checkbox"/> Yes <input type="checkbox"/> No Contracting: <input type="checkbox"/> Yes <input type="checkbox"/> No    Land Development: <input type="checkbox"/> Yes <input type="checkbox"/> No    Other: Contracts and Purchasing, business management Describe your education, background, training and knowledge in the above area(s): RRT with BS in Health Care Administration. Worked for 31 years for same health care organization, Mary Washington Healthcare. Responsibilities included lean management and partnering, build out of programs and departments, contracts, annual budget, HR, and project management. Responsible for four departments at three separate locations and up to 80 FTE's. Elected to National GPO (group purchasing organization) Novation for 3 year term. Worked with Cardinal Health on design of respiratory equipment for 2 year term. Named to J Sargeant Reynolds Community College Advisory Boards for both Respiratory and Sleep/Neuro	

Board for total of seven years. Designed and implemented Intern training programs for Registered Respiratory Therapy and Polysomnography.

Are you currently a member of a Commission-appointed board/committee?  Yes  No If yes, please specify:

Have you ever been convicted of a crime?  Yes  No  
If yes, what was the nature of the crime(s) you were convicted of:

Referred by: Ronald Farmer Email Address: Soccermomshadow4@yahoo.com

Date: 10/28/15

Applicant's Signature: signed electronically by Dianne Sawyer McKee

**APPLICATIONS EXPIRE 6 MONTHS FROM THE DATE OF SUBMISSION. PLEASE REAPPLY AS OFTEN AS DESIRED.**  
Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950 fax (772) 468-3841  
or via email at lcox@city-ftpierce.com

**City Commission Regular Meeting**

**Agenda Item # 12. c.**

**Meeting Date:** 12/07/2015

**Re:** Housing Authority Appointment

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

---

**SUBJECT:**

Resolution 15-R36 re-appointing JoAnn Parrish to the Housing Authority Board.

**SUMMARY:**

The Mayor is recommending the reappointment of JoAnn Parrish to the Housing Authority Board.

**RECOMMENDATION:**

Approve resolution.

**ALTERNATIVES:**

n/a

**RESPONSIBLE STAFF:**

Linda Cox, City Clerk

**COORDINATED WITH:**

Mayor Linda Hudson

---

**Fiscal Impact**

**Budgeted Y/N:**

**Fiscal Year:**

**Account:**

**Amount:**

**OTHER INFORMATION:**

No fiscal impact.

---

**Attachments**

15-R36

Letter with attendance

---

**Form Review**

**Inbox**

City Manager

Form Started By: Linda Cox

Final Approval Date: 12/02/2015

**Reviewed By**

Nick Mimms

**Date**

12/02/2015 04:52 PM

Started On: 11/18/2015 11:05 AM



**RESOLUTION NO. 15-R36**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE MAYOR'S REAPPOINTMENT OF **JOANN PARRISH AS A COMMISSIONER OF THE HOUSING AUTHORITY** OF THE CITY OF FORT PIERCE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED By the City Commission of the City of Fort Pierce, Florida, in regular session assembled, pursuant to the provisions of Chapter 421, "Housing Authority Law", Florida Statutes, that the Mayor's reappointment of JoAnn Parrish as a Commissioner of the Housing Authority of the City of Fort Pierce, Florida, be and the same is hereby approved; said term to commence upon adoption of this resolution, and to expire on February 2, 2020, or when her successor has been duly appointed.

BE IT FURTHER RESOLVED that this Resolution shall become effective upon adoption.

IN WITNESS WHEREOF, this Resolution has been duly adopted this 7th day of December, 2015.

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

ATTEST:

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

(CITY SEAL)

APPROVED AS TO FORM  
AND CORRECTNESS:

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



511 Orange Avenue, Fort Pierce, Florida 34950  
(772) 461-7281 TDD: (800) 545-1833 ext. 902

---

November 12, 2015

The Honorable Linda Hudson, Mayor  
City of Fort Pierce, Florida  
City Hall  
100 North US Highway 1  
Fort Pierce, Florida 34950

Via Hand Delivery

**Re: The Housing Authority of the City of Fort Pierce, Florida (FPHA)  
Reappointment of Board of Commissioner, JoAnn Parrish**

Dear Mayor Hudson:

It has come to my attention that my present term as a FPHA Commissioner expires on February 2, 2016. It is the intent of this correspondence to request reappointment to the position for another term.

I would be grateful for the opportunity as I believe the Authority has and is making great strides in providing decent, safe and affordable housing options to the constituents of the City of Fort Pierce. I have thoroughly enjoyed my experiences on the Board and would welcome the honor of serving my fellow residents in the same capacity, if you so desire me to.

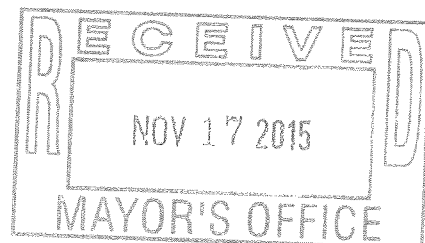
Additionally, I have attended every Board Meeting that has been held this year.

I appreciate your consideration of this request and am happy to answer any questions you might have concerning such.

Thank you.

Sincerely,

JoAnn Parrish  
FPHA Commissioner



cc: Mr. William Nunn, Chairman, FPHA  
Ms. Andrea Kochanowski, Executive Director, FPHA

William Nunn  
Board Chairperson

Sheila Bradley  
Commissioner

James H. Brown  
Vice-Chair

Linda Cutler  
Commissioner

JoAnn Parrish  
Commissioner

---

Andrea Kochanowski  
Executive Director

**City Commission Regular Meeting**

**Agenda Item # 12. d.**

**Meeting Date:** 12/07/2015

**Re:** Appointment of City Manager

---

**SUBJECT:**

Discussion and consideration of the appointment of Nicholas Mimms as City Manager.

**SUMMARY:**

At its meeting on November 16, 2015, following the appointment of Nicholas Mimms as Interim City Manager, the Mayor and Commission requested that consideration be given to the immediate appointment of Nicholas Mimms as City Manager.

**RECOMMENDATION:**

n/a

**ALTERNATIVES:**

n/a

**RESPONSIBLE STAFF:**

Linda Cox, City Clerk

**COORDINATED WITH:**

n/a

---

**Fiscal Impact**

**Budgeted Y/N:**

**Fiscal Year:**

**Account:**

**Amount:**

**OTHER INFORMATION:**

Fiscal impact not known at this time.

---

**Form Review**

**Inbox**

City Manager

Form Started By: Linda Cox

Final Approval Date: 12/02/2015

**Reviewed By**

Nick Mimms

**Date**

12/02/2015 04:52 PM

Started On: 11/17/2015 10:44 AM

**City Commission Regular Meeting**

**Agenda Item # 12. e.**

**Meeting Date:** 12/07/2015

**Re:** Advertising Policy

---

**SUBJECT:**

Discussion on city policy regarding the advertising of job descriptions at the request of Commissioner Becht.

---

**Attachments**

Hiring Policies

---

**Form Review**

**Inbox**

City Manager

Form Started By: Linda Cox

Final Approval Date: 11/17/2015

**Reviewed By**

Jennifer Robinson

**Date**

11/11/2015 06:12 PM

Started On: 11/05/2015 02:56 PM



# INTEROFFICE MEMORANDUM

FROM THE OFFICE OF THE

Director of Administrative Services

---

TO: Honorable Mayor and Commission of the City of Fort Pierce

FROM: Tony Barnes, Director of Administrative Services

RE: Hiring Policies of the City of Fort Pierce

DATE: November 23, 2015

---

Section 6 (Certification and Appointment) explains the process of advertising a position. Section 6.01 (Procedure for filling vacancies) Subsection A explains the various ways positions can be filled.

Subsection B states that whenever a vacancy is to be filled the Department Head shall make a request to the Administrative Service Department to advertise the vacancy. Request may be in writing or by phone. For the Finance Director and MIS Manager positions, I received a phone call from the Deputy City Manager to advertise at the discussed ranges of 83 (Finance) and 74 (MIS). The HR Manager who reports directly to me was approved by Deputy City Manager to advertise at Range 67 (see **Exhibit B**).

It has been policy of the Human Resources Department to advertise in the Treasure Coast Newspapers, Treasure Coast Internet, Monster.com and Channel 27. We also advertise in the Hometown News. All of these sources reference the City of Fort Pierce website. All cost for these sites come out of the Administrative Services Budget. If a department head request to advertise in another newspaper, trade periodical or an on-line site, they must pay any additional cost incurred by the Human Resources Department (see **Exhibit B1**).

Subsection C states if the position is other than entry-level a promotional opportunity announcement shall be sent to all departments for posting on bulletin boards. This is accomplished by sending emails to the "City of Fort Pierce Group" and to FPUA to post for their employees. All open vacancies are posted in the Human Resources Department for all walk in citizens. In addition, we accept applications via fax, email, and regular mail. All applications received are verified by email, fax receipts, phone call and applicant's receipt postcard (see **Exhibit C**).

Subsection D states if the position is a regular position the Director of Administrative Services shall certify to the Department Head the proper number of names from the

appropriate list. When a vacancy is closed the Director of Administrative Services forwards a list of ALL applicants to the Department Head for review. It is reviewed and a list of candidates are chosen for interviews (see **Exhibit D**).

I was asked via email from Deputy City Manager to give an update on the search for the City Attorney. As of November 20, 2015, the City had advertised in ten (10) different sources (see **Exhibit E**). As of the date of this memorandum we have received eleven (11) applications.

As of October 1, 2015, the City will be upgrading from a manual process only to a new Applicants and Employee Self-Serve applications that will be located within the Human Resources Applications and Hiring Process tab on the City's website. Staff training is schedule for December 14 – 16, 2015. After discussions with the Interim City Manager, all job vacancies will be advertised both internally and externally moving forward from the date of this memorandum.

# EXHIBIT “B”



# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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



RECEIVED

TIME \_\_\_\_\_

FEB 27 2015

CITY OF FT. PIERCE  
CITY MANAGER'S OFFICE

**TO:** Robert Bradshaw, City Manager  
Nicholas Mimms, Deputy City Manager

**CC:** Tony Barnes, Director  
Gena Spivey, Human Resources Manager

**FROM:** Rebecca Grohall, Planning Manager

**RE:** Request to Advertise/Fill Senior Planner Position

**DATE:** February 26, 2015

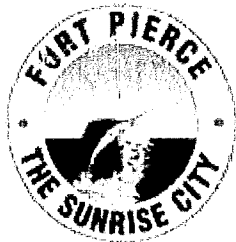
I am seeking approval to start the recruitment process to fill the Senior Planner position being vacated by Sandy Ramseth.

I have attached the most recent job description and would like to get started. Please let me know if you have any questions and forward an approval to the HR Department.

Thank you!

RECEIVED  
MAR 02 2015  
HUMAN RESOURCES  
CITY OF FORT PIERCE

Attachments: Job Description  
Sandy's Resignation



# CITY OF FORT PIERCE


## PLANNING DEPARTMENT

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

RECEIVED  
TIME \_\_\_\_\_  
APR 28 2015  
CITY OF FT. PIERCE  
CITY MANAGERS OFFICE

**TO:** Robert Bradshaw, City Manager  
Nicholas Mimms, Deputy City Manager

**CC:** Tony Barnes, Director

**FROM:** Rebecca Grohall, Planning Manager 

**RE:** Request to Advertise/Fill Historic Preservation Planner ✓

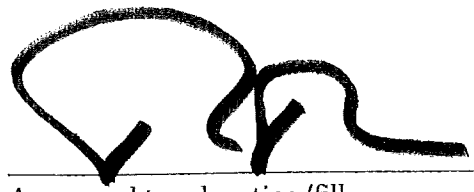
**DATE:** 4/28/15

APR 29 2015

I am seeking approval to start the recruitment process to fill the Historic Preservation Planner position recently vacated by an internal promotion.

I have attached an updated job description and would like to get started to advertise and fill the Historic Preservation Planner position. Please let me know if you have any questions and forward an approval to the HR Department.

Thank you!




Approved to advertise/fill  
City Manager or Designee

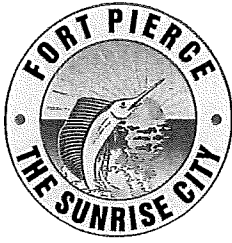
RECEIVED  
MAY 04 2015

**APPROVED**  
ADMINISTRATIVE SERVICES  
CITY OF FORT PIERCE  
MAY 07 2015

Attachments: Job Description

RECEIVED  
MAY 07 2015  
CITY OF FORT PIERCE

  
TONY BARNES, Director of Administrative Services



# CITY OF FORT PIERCE DEPARTMENT OF ENGINEERING

Roadway Design, Engineering Reviews, Stormwater Utility Management,  
Project Management, Traffic Control and Maintenance



## INTEROFFICE MEMORANDUM

**TO:** Tony Barnes, Director of Administrative Services

**FROM:** John R. Andrews, P.E., City Engineer *JRA*

**SUBJECT:** Stormwater Engineer / Manager Position

**DATE:** October 5, 2015

**cc:** City Manager

**Attachment(s):** Job Description

Attached please find the job description narrative for the Stormwater Engineer Manager position. We are requesting this position be placed as a classified ad with the local paper and posting of the position on the City's website. Also, since the city is a member of the Florida Stormwater Association, we are entitled to 30 days of posting to the FSA Career Center website. We are requesting this position to be filled as soon as possible.

If you have any questions, or require additional information, please feel free to contact this office.

JRA/jra

*Make sure that no cost is involved with FSA.*

*TJB*  
*10/6/15*

OCT 06 2015

**APPROVED**  
ADMINISTRATIVE SERVICES  
CITY OF FORT PIERCE

*TJB*

TONY BARNES, Director of Administrative Services

# EXHIBIT "B1"

Sales Rep: Lane Farmer (T9102)

Phone: (772) 692-8951

Email: lane.farmer@tcpalm.com

> Account Information

Date: 09/16/15

Account Number: 435246 (T11505711)

Name: CITY OF FT PIERCE/CLASS

Contact:

Email: NatashaKing@City-FtPierce.Com

Address: P O BOX 1480, FT PIERCE, FL, 34954

Phone: (772) 460-2200

Fax: (000) 000-0000

> Insertion Information

This is a proof of your ad scheduled to run on the dates indicated below.

Please confirm placement prior to deadline by contacting your account rep at (772) 692-8951 .

Ad Id: 685654

P.O. No.:

Total Cost: \$486.82

Tag Line: City of Fort Pierce Finance Director

Start Date: 09/16/15

Stop Date: 09/16/15

Number of Times: 4

Class: 3460 - Help Wanted

Publications: TC-TC News-Press-Tribune, TC-Internet tcpalm.com, TC-Monster

> Ad Proof

I agree this ad is accurate and as ordered.

**CITY OF FORT PIERCE  
Finance Director**

Salary \$66,809.60 - \$124,092.60

**Management & Information Systems Mgr -**

Salary - \$53,497.60 - \$99,361.60

**Human Resources Mgr**

Salary - \$45,011.20 - \$83,595.20

Open September 4, 2015

Close September 24, 2015 at

5 pm; (View Job on Website)

EOE Apply: HR Dept. 100 N US

1 Ft Pierce, FL City's Web-

site: Cityoffortpierce.com

Thank you for your business. Our commitment to a quality product includes the advertising in our publications. As such, Journal Media Group reserves the right to categorize, edit and refuse certain classified ads. Your satisfaction is important. If you notice errors in your ad, please notify the classified department immediately so that we can make corrections before the second print date. The number to call is 877-247-2407. Allowance may not be made for errors reported past the second print date. The Treasure Coast Newspapers may not issue refunds for classified advertising purchased in a package rate; ads purchased on the open rate may be pro-rated for the remaining full days for which the ad did not run.

Sales Rep: Lane Farmer (T9102)

Phone: (772) 692-8951

Email: lane.farmer@tcpalm.com

> Account Information

Date: 09/09/15

Account Number: 435246 (T11505711)

Name: CITY OF FT PIERCE/CLASS

Contact:

Email: NatashaKing@City-FtPierce.Com

Address: P O BOX 1480, FT PIERCE, FL, 34954

Phone: (772) 460-2200

Fax: (000) 000-0000

> Insertion Information

This is a proof of your ad scheduled to run on the dates indicated below.

Please confirm placement prior to deadline by contacting your account

rep at (772) 692-8951 .

Ad Id: 685654

P.O. No.:

Total Cost: \$551.24

Tag Line: City of Fort Pierce Finance Director

Start Date: 09/12/15

Stop Date: 10/11/15

Number of Times: 33

Class: 3460 - Help Wanted

Publications: TC-TC News-Press-Tribune, TC-Internet tcpalm.com, TC-Monster

> Ad Proof

I agree this ad is accurate and as ordered.

**CITY OF FORT PIERCE  
Finance Director**

Salary \$66,809.60 - \$124,092.60

**Management & Information Systems Mgr -**

Salary - \$53,497.60 - \$99,361.60

**Human Resources Mgr**

Salary - \$45,011.20 - \$83,595.20

Open September 4, 2015

Close September 24, 2015 at

5 pm; (View Job on Website)

EOE Apply: HR Dept. 100 N US

1 Ft Pierce, FL City's Web-

site: Cityoffortpierce.com

Thank you for your business. Our commitment to a quality product includes the advertising in our publications. As such, Journal Media Group reserves the right to categorize, edit and refuse certain classified ads. Your satisfaction is important. If you notice errors in your ad, please notify the classified department immediately so that we can make corrections before the second print date. The number to call is 877-247-2407. Allowance may not be made for errors reported past the second print date. The Treasure Coast Newspapers may not issue refunds for classified advertising purchased in a package rate; ads purchased on the open rate may be pro-rated for the remaining full days for which the ad did not run.

Toi  
Mistaking  
From  
Carol

Your proof  
for this  
fri  
Thanks  
Carol



### City of Fort Pierce

Positions Currently Vacant

#### FINANCE DEPARTMENT

Finance Director

\$66,809.60 - \$124,092.80 Annually

#### MIS DEPARTMENT

Management & Information Systems Manager

\$53,497.60 - \$99,361.60 Annually

#### HR DEPARTMENT

Human Resources Manager

\$45,011.20 - \$83,595.20 Annually

Open - September 4, 2015

Close - September 24, 2015 at 5 PM

(View Job on Website)

E.O.E.

Apply: HR Dept

100 North US 1, Ft Pierce, FL

City's Website: [Cityoffortpiercc.com](http://Cityoffortpiercc.com)

058978

Sales Rep: Lane Farmer (T9102)

Phone: (772) 692-8951

Email: lane.farmer@tcpalm.com

> Account Information

Date: 10/07/15

Account Number: 435246 / T11505711

Company Name: CITY OF FT PIERCE/CLASS

Contact Name:

Email: NatashaKing@City-FtPierce.Com

Address: P O BOX 1480, FT PIERCE, FL, 34954

Phone: (772) 460-2200      Fax: (000) 000-0000

> Ad Information

Ad Id: 733552      Ad Class: 3730

Publications: TC-TC News-Press-Tribune, TC-Internet tcpalm.com, TC-Monster

Start Date: 10/08/15      Stop Date: 10/08/15

No. of Inserts: 4      Total Cost: \$486.82

Columns Wide: 1      No. of Lines: 15

Total Cost: \$486.82

> Payments

METHOD	CARD TYPE	NAME ON CARD	LAST 4 DIGITS	EXPIRE DATE	CHECK NUMBER	AMOUNT PAID
TOTAL COST						\$486.82
PAID AMOUNT						\$0.00
AMOUNT DUE						\$486.82

> Copy of Ad

**CITY OF FT. PIERCE  
ENGINEERING DEPT.**  
 Stormwater Engineer Mngr  
 Salary \$45,011.20 - \$83,595.20  
 Annually - Open Oct 8, 2015 -  
 Close Oct. 22, 2015 at 5 pm

**POLICE DEPARTMENT**  
 Special Investigator Salary  
 \$45,011.20 - \$83,595.20  
 Annually - Open October 8,  
 2015 - Close October 15, 2015  
 at 5 pm 'View job on website  
 EOE Appy: HR Dept., 100 N  
 US 1, Ft Pierce, FL City's Site:  
 Cityoffortpierce.com

Foreign Account Number : 11505711

Ad # : 2680697

Ad Net Cost : \$406.70

Name (Primary) :

Company (Primary) : CITY OF FT PIERCE/CLASS

Street 1 (Primary) : P O BOX 1480

City (Primary) : FT PIERCE

State (Primary) : FL

ZIP (Primary) : 34954

Phone (Primary) : (772) 460-2200

Class Code : 2140 - Professional

Start Date : 3/8/2015

Stop Date : 3/8/2015

Prepayment Amount : \$0.00

Ad Sales Rep. : 07 - Lane Farmer

Width : 2

Depth : 14

-----  
**CITY OF FORT PIERCE**  
**Planning Department**  
senior Planner - Salary  
\$40,185.60 - \$60,278.40 Annually  
(Full job description can be  
reviewed on the website)  
Position Open - March 6, 2015 Close -  
March 31, 2015 at 5 pm  
E.O.E. Apply: HR Dept.  
100 North U.S. 1, Ft. Pierce, FL 34950  
City's Website: [Cityoffortpierce.com](http://Cityoffortpierce.com)



**Re: Planning Analyst Position <Watchdog: Virus checked>**  
Rebecca Grohall to: Natasha King

03/18/2015 09:09 AM

Thanks Natasha.

The Senior Planner is posted online, just wanted to confirm - on the Florida Planning Association website. You can view the ad here: <http://www.floridaplanning.org/jobmart/> (they will run it till it closes).

Here is the Word version - if you need it for the Planning Analyst



planning analyst 2015.docx

Natasha King

Good Morning Rebecca, I received the request t...

03/18/2015 09:00:03 AM

From: Natasha King/cfp  
To: Rebecca Grohall/cfp@cfp,  
Cc: barbara moore/cfp@cfp  
Date: 03/18/2015 09:00 AM  
Subject: Planning Analyst Position <Watchdog: Virus checked>

Good Morning Rebecca,

I received the request to advertise for the Planning Analyst position, I will advertise for one week

The cost for it to be advertised in the newspaper (Tribune) will be the same as it was for the Senior Planner position which is \$406.70

I will proceed today

Thank You,

*Natasha King  
Human Resources/Administrative Services  
Administrative Assistant  
Phone: 772-467-3758  
Fax: 772-489-0872  
City of Fort Pierce  
100 N .US Highway 1  
Fort Pierce, FL 34950  
Email: nking@city-ftpierce.com*



**Classified Advertising Receipt**

CITY OF FORT PIERCE/CLASSIFIED  
P.O. Box 1480  
FORT PIERCE, FL  
34954

Hometown News  
P.O. Box 850  
Fort Pierce, FL 34954  
Tel : (772) 465-5656

*For  
Metzger's  
From  
Carol*

Cust# 803  
Cust Tel# (772) 460-2200  
Ad# 1662684  
Date: 05/05/15  
Classification: Trades  
Salesperson: CD CAROL DEPREY-ZELENEK

Edition  
61 - Port St. Lucie Classified  
62 - Fort Pierce Classified

Insertion Date  
05/08/15  
05/08/15

Amount  
98.80  
98.80

Total: 197.60  
6.5T 0.00  
6TX 0.00


**Grand Total 197.60**

Ad Text

CityOfFortPierce057996

*changed* →

*Thanky  
Carol*



**City of Fort Pierce**

Positions Currently Vacant

**POLICE DEPARTMENT**  
Deputy Chief of Police  
\$60,528 - \$112,424 Annually

**PLANNING DEPARTMENT**  
Historic Preservation Planner  
\$38,251.20 - \$57,366.40 Annually

**PUBLIC WORKS/  
STREETS AND DRAINAGE**  
Equipment Operator III  
\$27,060.80 - \$40,601.60 Annually  
*(Full job description can be reviewed on the website)*

Position Open - May 4, 2015  
Close - May 14, 2015 at 5 PM

E.O.E.  
Apply: HR Dept  
100 North US 1, Ft Pierce, FL  
City's Website: [Cityoffortpierce.com](http://Cityoffortpierce.com)

057996

Foreign Account Number : 11505711

Ad # : 2691377

Ad Net Cost : \$476.14

Name (Primary) :

Company (Primary) : CITY OF FT PIERCE/CLASS

Street 1 (Primary) : P O BOX 1480

City (Primary) : FT PIERCE

State (Primary) : FL

ZIP (Primary) : 34954

Phone (Primary) : (772) 460-2200

Class Code : 2120 - General

Start Date : 5/10/2015

Stop Date : 5/10/2015

Prepayment Amount : \$0.00

Ad Sales Rep. : 07 - Lane Farmer

Width : 2

Depth : 21

-----  
**CITY OF FT. PIERCE**  
**Police Department**  
DEPUTY CHIEF OF POLICE  
Salary \$80,534 - \$100,000 Annually  
**Planning Department**  
HISTORIC PRESERVATION PLANNER  
Salary \$38,251.20 - \$57,355.40 Annually  
**Public Works/Streets and Drainage**  
EQUIPMENT OPERATOR III  
Salary \$27,060.80 - \$40,601.60 Annually  
*(Full job description can be  
reviewed on the website)*  
Position Open - May 4, 2015  
Close - May 14, 2015 at 5 pm  
E.O.E. Apply: HR Dept.  
100 North U.S. 1, Ft. Pierce, FL 34950  
City's Website: Cityoffortpierce.com

# EXHIBIT "C"



**Job Openings/Promotional Opportunities**  
**Natasha King** to: City of Fort Pierce Group  
Cc: cjohnson, rsmith

09/04/2015 05:11 PM

**Good Afternoon Everyone,**

**Please see below the current open positions , to be posted on the department's bulletin board.**



- MIS Manager.pdf



- Human Resources Manager.pdf



- Finance Director.pdf

**Thank You,**

*Natasha King  
Human Resources/Administrative Services  
Administrative Assistant  
Phone: 772-467-3758  
Fax: 772-489-0872  
City of Fort Pierce  
100 N .US Highway 1  
Fort Pierce, FL 34950  
Email: nking@city-ftpierce.com*

# **EXHIBIT “D”**





# INTEROFFICE MEMORANDUM

**TO:** Rebecca Grohall, Planning Manager

**THRU:** Tony Barnes, Administrative Services Director

**FROM:** Natasha King, HR Administrative Assistant

**RE:** **Historic Preservation Planner/Planning Department - Applicants**

**DATE:** May 15, 2015

The attached applications are forwarded for your consideration for the Historic Preservation Planner position, in the Planning Department. The closing date for this position was May 14, 2015 at 5:00 P.M.

<b>Candidates</b>	<b>Notes</b>
Cummings, Mark	
Dorn, Kaitlin	
Huntress, Katherine	
Lewicka, Maria	
Loring, Robert	
	<b>Notes</b>

**A member of the Human Resources Department must be present during all employment interviews.** Please send your available dates and list of candidates to be scheduled for an interview. Once the hiring process is complete, **return all of the applications to the Human Resources Department.**

TB/nk  
Attachments-Job Description



# INTEROFFICE MEMORANDUM

**TO:** Diane, Hobley-Burney, Chief of Police

**THRU:** Tony Barnes, Administrative Services Director *TJB*

**FROM:** Natasha King, HR Administrative Assistant

**RE:** **Police Records Specialist/Police Department- Applicants**

**DATE:** October 2, 2015

The attached applications are forwarded for your consideration for the Police Records Specialist position, in the Police Department. This position was opened on July 24, 2015 and is open "Until Filled."

<b>"In House"</b>	<b>Notes</b>
Martin, Allison	
<b>Candidates</b>	
Brooks-Young, Angela	
Brown, Jacquelyn	
Carter, Tomika	
Cirruto, Linda	
Deis, Melissa	
Flores, Celina	
Garcia, Patricia	
Gresham, Patricia	
Hare, Cinda	
Hoke, Randy	
Jean-Louis, Dyna	
Keith, Victoria	
Langfeldt, Monica	
Larkins, Sandra	
Luke, Sanquail	
Malone, Steven	
Marshall, Michelle	
Parker, Jeremy	
Patterson, Brenda	
Petit-Jean, Raven	
Ponders, Lavette	
Rolle, Shatara	
Rosado-Cuevas, Marilyn	
Schalk, Jennifer	
Scheible, Lori	
Smith, Patricia	
Smith, Shekiera	

Stevenson, Robert	
Thomas, Alexis	
Woerpell, Helen	

**A member of the Human Resources Department must be present during all employment interviews.** Please send your available dates and list of candidates to be scheduled for an interview. Once the hiring process is complete, ***return all of the applications to the Human Resources Department.***  
TB/nk - Attachments-Job Description



# INTEROFFICE MEMORANDUM

**TO:** Diane, Hobley-Burney, Chief of Police

**THRU:** Tony Barnes, Administrative Services Director

**FROM:** Natasha King, HR Administrative Assistant

**RE:** **Police Records Specialist/Police Department- Applicants**

**DATE:** October 19, 2015

The attached applications are forwarded for your consideration for the Police Records Specialist position, in the Police Department. This position was opened on July 24, 2015 and is open "Until Filled."

Candidates	Notes
Arnold, Amy	
Bareilles, Linda	
Brokaw, Kathleen	
Carey, Latasha	
Carrera, Amanda	
Castro, Patricia	
Gleason, Susanna	
Haddock, Eva	
Hawkins, May	
Henton, Kimberlee	
Hogan, Mary	
Howard, Frank	
Hoyos, Yaritza	
Kapsis, Joseph	
Lake, Rosa	
Lee Jr., Harvey	
Mefford, Robert	
Peterson, Melody	
Pressley, Gloria	
Scotfield, Michael	
Sheppard, Robert	
Taylor, Amy	

**A member of the Human Resources Department must be present during all employment interviews.** Please send your available dates and list of candidates to be scheduled for an interview. Once the hiring process is complete, **return all of the applications to the Human Resources Department.**



# INTEROFFICE MEMORANDUM

**TO:** Rebecca Grohall, Planning Manager

**THRU:** Sheritta Johnson, Interim Administrative Services Director *SJ*

**FROM:** Natasha King, HR Administrative Assistant

**RE:** **Senior Planner/Planning Department - Applicants**

**DATE:** April 01, 2015

The attached applications are forwarded for your consideration for the Senior Planner position, in the Planning Department. The closing date for this position was March 31, 2015 at 5:00 P.M.

<b>"In House"</b>	<b>Notes</b>
Benton, Kori	
Davis, Clarissa	
<b>Candidates</b>	<b>Notes</b>
Borsos, James	
Dekle, Murriah	
Guzman Jr., Jose	
Lewicka, Maria	
Migliore, Vanessa	
Price, Holly	
Tabloff, Hunter	
Vasylyk, Lieiyo	

**A member of the Human Resources Department must be present during all employment interviews.** Please send your available dates and list of candidates to be scheduled for an interview. Once the hiring process is complete, **return all of the applications to the Human Resources Department.**

TB/nk  
 Attachments-Job Description



# INTEROFFICE MEMORANDUM

**TO:** Mike Reals, Public Works Manager

**THRU:** Tony Barnes, Administrative Services Director

**FROM:** Natasha King, HR Administrative Assistant

**RE:** **Facility Program Specialist- Applicants**

**DATE:** December 26, 2014

The attached applications are for the Facility Program Specialist at the Riverwalk Center in the Public Works Department. The position open date was November 26, 2014 until Filled.

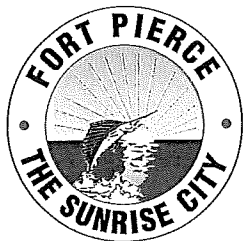
<b><u>"In House"</u></b>	<b>Notes</b>
Brunson, Delbert	
Bye, Julie	
Freudenthal, Sandy	
Kobbe, Joyce	
Pierre, Latravies	
Whitehurst, Michael	
<b><u>Candidates</u></b>	<b>Notes</b>
Albury, Chinelius	
Anderson, Rashonda	
Arocho, Victor	
Barnes, Samuel	
Belle, Tamika	
Bishop, Tami	
Brooks-Young, Angela	
Bye, Julie	
Cantave, Julie	
Carpenter, Vernicia	
Cox, Geraldine	
Crooks, Candise	
Davis, Stephen	
Desmarais, Janet	
Dirkes, Tina	
Gianna, Joseph	
Gianna, Joseph	
Gomez, Stevi	
Gonzales, Monica	
Haggard, Timothy	
Hawkins, May	
Howard, Sean	

Johnson, Sylvia	
Kosharek, Julie	
Lanigan, Susan	
Leatherwood, Gregory	
Leverity, Angel	
Little, Octavia	
Lorden, Coleen	
Lovelock, Britni	
Lundgren, Rhonda	
Matthew, Isha	
Merritt, Brian	
Mosley, Alishawn	
Nelson, Glen	
Newberry, Vernita	
Noble, Megan	
Noble-Perdue, Trulette	
Parnell, Delia	
Perry, Aundrea	
Prince, Sha-Shan	
Robinson, Gwendolyn	
Scott, Caleta	
Soesbe, Deborah	
Spivey, Tina	
Steele, Angelique	
Summerlin, Rachel	
Sutherland, Carla	
Virgin, Elliot	
Weatherington, Donna	
Williams, Fred	
Woods, Brittany	
Young, Alice	
Zwart, Raymond	

A member of the Human Resources Department must be present during all employment interviews. Please send your available dates and list of candidates to be scheduled for an interview. Once the hiring process is complete, **return all of the applications to the Human Resources Department.**

TB/nk

Attachments – Job Description



# INTEROFFICE MEMORANDUM

FROM THE OFFICE OF THE  
Director of Administrative Services

---

TO: Robert Bradshaw, City Manager  
Nick Mimms, Deputy City Manager

FROM: Tony Barnes, Director of Administrative Services *TyB*

DATE: September 30, 2015

RE: Interview Schedules ~ Director of Finance and MIS Manager

---

I have forwarded the applications for the Director of Finance and MIS Manager positions. Please review and notify Human Resources, **Nastasha King**, on dates and times (tentative) to establish interviews with the chosen candidates.

If you have any questions, please contact me at extension 3747.

TB/gc

RECEIVED  
TIME \_\_\_\_\_  
SEP 30 2015  
CITY OF FT. PIERCE  
CITY MANAGER'S OFFICE

# EXHIBIT "E"



## INTEROFFICE MEMORANDUM

**TO:** Tony Barnes, Administrative Services Director  
**FROM:** Natasha King, HR Administrative Assistant  
**RE:** City Attorney Advertisement  
**DATE:** November 4, 2015

---

I am providing you with an update on the advertisement for the City Attorney's position. Please see below the time line for the provided advertisers.

**City Website/FPTV-** Ad currently being advertised 11/1 -until filled.

**News Tribune-**Ad will run on 11/1/, 11/8, 11/15, and 11/22 as well as post on line for 30 days which includes Press Journal, TC Palm, and Monster.com.

**Hometown News-** Ad will run on 11/6, 11/13, and 11/20 in St. Lucie County, Martin County, Indian River County, Melbourne, and Palm Bay.

**Florida Today** (Melbourne local paper) – Ad will run 11/1, 11/8, 11/15, and 11/22 with 30 days online with CareerBuilder.com.

**Florida Bar News-** Ad will run on 11/15/15 with web posting (publication print every 1<sup>st</sup> and 15<sup>th</sup> of the month only).

**Florida League of Cities-** Ad will run on website until position is filled or a maximum of 60 days, posting will appear within five business days of submittal.

**Florida Municipal Attorney Association-** Ad will post with a link to our website for 30 days or until filled.

**IMLA-** Ad will run online for 30 days.

**Florida City and County Manager's Association-** Ad will run online for 30 days and post in their publication.

**Palm Beach Post-** Ad will run on 11/1, 11/08, 11/15, and 11/22 and online for 30 days on Monster.com and PalmBeachPost.com/jobs.

FPTV

Ticket: 7687 - Job Advertisiements

Ticket:	7687	Category:	FPTV
Created By:	Natasha King (CITYHALL\inking)	Subcategory:	Posting
Assigned To:	Devoshay Johnson (CITYHALL\djohnson)	Severity:	Low
Status:	Assigned	Extended Status:	Under Review
Date Opened:	10/28/2015 6:08:29 PM	Last Updated:	10/29/2015 4:23:33 PM
Description:	Police Records Supervisor- Open -October 29, 2015, Close- November 12, 2015 and City Attorney Open November 1, 2015, Close- Until Filled		
Asset:	Email Status Updates: Yes Call Me when there is an update: No		

## Custom Fields:

Name	Value
------	-------

## Notes:

Date	Written By	Notes
10/29/2015 3:25:02 PM	Devoshay Johnson (CITYHALL\djohnson)	- Both have ben posted
10/29/2015 4:23:33 PM	Devoshay Johnson (CITYHALL\djohnson)	- Updated status awaiting fullfillment.

## Attachments:

Date	Filename	Size	Type	Attached By
10/28/2015 6:08:29 PM	Police Records Supervisor Tv Ad.ppt	701952	application/vnd.ms- powerpoint	Natasha King (inking)
10/28/2015 6:08:29 PM	City Attorney tv Ad.ppt	704000	application/vnd.ms- powerpoint	Natasha King (inking)

COPY

## EMPLOYMENT OPPORTUNITIES

City Website

### Current Openings

The following positions are currently available:

Job Opportunity	Date Open	Date Closed
<u>Community Service Aide</u>	07/24/2015	Until Filled
<u>Accreditation Manager</u>	08/25/2015	Until Filled
<u>Diesel Mechanic</u>	08/17/2015	Until Filled
<u>City Attorney</u>	11/01/2015	Until Filled
Police Officer	Until Filled	Until Filled
<u>Foreman I (Streets)</u>	11/18/2015	12/04/2015
<u>Foreman I (Parks)</u>	11/18/2015	12/04/2015
<u>Equipment Operator III (Parks)</u>	11/18/2015	12/04/2015
<u>Maintenance Worker</u>	11/18/2015	12/04/2015
<u>Irrigation Specialist</u>	11/18/2015	12/04/2015
<u>Golf Greenskeeper</u>	11/18/2015	12/04/2015

### Benefits

The following benefits are available to employees of the city:

- Accrued sick leave - 3.70 hours per pay period
- Awards programs
- Basic life insurance
- Employee assistance program
- Holidays (11 per year)
- In-house training
- Jury duty
- Medical and dental insurance
- Military leave
- Pension plan
- Salary incentive
- Vacation

Sales Rep: Lane Farmer (T9102)

Phone: (772) 692-8951

Email: lane.farmer@tcpalm.com

> Account Information

Date: 10/30/15

Account Number: 435246 (T11505711)

Name: CITY OF FT PIERCE/CLASS

Contact:

Email: NatashaKing@City-FtPierce.Com

Address: P O BOX 1480, FT PIERCE, FL, 34954

Phone: (772) 467-3758

Fax: (000) 000-0000

> Insertion Information

This is a proof of your ad scheduled to run on the dates indicated below.

Please confirm placement prior to deadline by contacting your account

rep at (772) 692-8951 .

Ad Id: 771118

P.O. No.:

Total Cost: \$801.82

Tag Line: City of Fort Pierce City Attorney Sa

Start Date: 11/01/15

Stop Date: 11/22/15

Number of Times: 34

Class: 3730 - Professional

Publications: TC-TC News-Press-Tribune, TC-Internet tcpalm.com, TC-Monster

> Ad Proof

I agree this ad is accurate and as ordered.

**CITY OF FORT PIERCE**

**CITY ATTORNEY**

Salary \$99,192 - 184,214

Open Nov 1, 2015 -

Close Until Filled

(View job on website)

EOE Appy: HR Dept., 100 N US

1, Ft Pierce, FL City's

Website: Cityoffortpierce.com

COPY

Thank you for your business. Our commitment to a quality product includes the advertising in our publications. As such, Journal Media Group reserves the right to categorize, edit and refuse certain classified ads. Your satisfaction is important. If you notice errors in your ad, please notify the classified department immediately so that we can make corrections before the second print date. The number to call is 877-247-2407. Allowance may not be made for errors reported past the second print date. The Treasure Coast Newspapers may not issue refunds for classified advertising purchased in a package rate; ads purchased on the open rate may be pro-rated for the remaining full days for which the ad did not run.



Ad: 771118, City of Fort Pierce City Attorney Sa <Watchdog: Virus checked>  
lane.farmer to: NatashaKing

10/29/2015 12:00 PM

---

1 attachment



CITYOFFTPI-61-771118-1.pdf

---

The cost is to run 4 Sundays in Stuart News, St. Lucie News Tribune, Press  
Journal & 30 days online TCpalm.com/Monster.com  
Let me know when approved or if you have changes.

Thanks,  
Lane Farmer  
772-692-8951



Hometown News <Watchdog: Virus checked>  
 Carol Deprey  
 to:  
 nking  
 12/01/2015 11:58 AM  
 Hide Details  
 From: "Carol Deprey" <cdeprey@hometownnewsol.com>  
 To: <nking@city-ftpierce.com>

0 Attachment



image001.png

<b>EMPLOYMENT</b>			<b>455 Trades</b>		<b>Training &amp; Education</b>		
<b>440 Professional</b>	<b>440 Professional</b>	<b>455 Trades</b>	<b>455 Trades</b>	<b>455 Trades</b>	<b>510 Schools</b>	<b>510 Schools</b>	<b>510 Schools</b>
<b>City of Fort Pierce</b> <b>City Attorney</b> Salary \$99,192 - \$184,214 Annually Open - November 1, 2015 Close - Until Filled (View full job description on website) E.O.E. Apply: HR Dept. 100 North US 1, Ft Pierce, FL City's Website: <a href="http://CityofFortPierce.com">CityofFortPierce.com</a>		<b>"MASON, 318- 8841 HOUR"</b> Golden Lebanon Ave. Keshel's Control Souded Construction 3545451-2772 Apply: 831 NW 53rd Ct. Ft. Lauderdale, FL 33309 <b>22 DRIVER TRAINEES NEEDED!</b> Become a driver for 28weeks. Training. No Experience Needed! New drivers earn \$8200 per week! PWD. CDL. TRANSPORT. SCHEDULE. Apply to: 5-826-734-4714 <a href="http://drivetrainees.com">drivetrainees.com</a>	<b>Why not the best!</b> <b>HOMETOWN NEWS CLASSIFIEDS</b> 5 Counties Martin through East Volusia Programs for Businesses! Special Rates Private Party! Give us a call! 800-823-0466	<b>ATTN: DRIVERS</b> Average \$10800 plus Free Trip! 15% 100% APR! \$100 Holiday Bonus! - Apply For: Christmas CDL-A Reg. 877-256-8742 <a href="http://www.drivetrainees.com">www.drivetrainees.com</a>	<b>AVIATION CAREERS</b> Get FAA Approved maintenance training at our state-of-the-art job placement assistance. Financial Aid for qualified students. Military Friendly Call AIM 888-692-1704 <b>AVIATION CAREERS</b> Ready on training for career opportunities in aviation, manufacturing and more. Financial aid for qualified students. Job placement assistance. Call AIM 888-314-6833 <b>AVIATION GRADS</b> Work with JetBlue, Delta, and others. Start here with hands on training for FAA certification. Financial Aid if qualified. Call aviation graduate assistance 866-724-5404 <b>AVIATION GRADS</b> work with JetBlue, Delta, and others. Start here with hands on training for FAA certification. Financial Aid if qualified. Aviation graduate assistance 866-724-5404 <b>CAR YOU Dig IT?</b> Happy Equipment Company. Call for Offer Training and Certification. Running Businesses, Businesses, and Equipment. Lifetime Job Placement. VA Benefits. English 1-822-322-6497	<b>COL DRIVERS</b> In Demand! Jobs Available! Road School Program! <a href="http://www.thetruckerschool.com">www.thetruckerschool.com</a> 1-800-848-8888 <b>FLIGHT ATTENDANT</b> 3 weeks training in Daytona Beach. Then one week starting at Jet Blue University in Chicago. 651-445-5620	<b>MEDICAL Billing Training</b> Needed! Become a Medical Office Assistant! No Experience Needed! Online training can get you job ready! 888-848-8888 <b>MEDICAL BILLING</b> Training Needed! Train at home in your home! Medical Billing & Reception! No Experience Needed! Online training at Boston University. Call: 1-800-848-8888
<b>427 Miscellaneous Employment</b>	<b>427 Miscellaneous Employment</b>	<b>427 Miscellaneous Employment</b>	<b>450 Sales</b>	<b>450 Sales</b>	<b>510 Schools</b>	<b>510 Schools</b>	<b>510 Schools</b>
<b>ARC of Martin County</b> <b>NOW HIRING:</b> <ul style="list-style-type: none"> <li>• Direct Care Professional</li> <li>• ADT Specialist</li> <li>• Companion Care Staff</li> <li>• After School Care Staff</li> <li>• Respite Care</li> </ul> ARC of Martin County is seeking qualified Caregivers to provide assistance & support to individuals w/developmental and intellectual disabilities in a community-based setting. These positions are responsible for medication administration, personal care, meal preparation, home activities, and social skills trainings and participating with individuals on outings. Other job duties are implementing and evaluating programs for individuals, preparing meals, bathing, providing transportation and ensuring their quality of life. Submit resume on line <a href="http://www.arcmo.org">www.arcmo.org</a> or complete application at: <b>2001 S. Kanner Hwy. Stuart, FL M-F 9am-4pm</b>			<b>INSIDE SALES ADVERTISING</b> Hometown News is looking for a qualified top producer for our Inside Sales team located in Lakewood Park. We seek advertising from Martin County through Central Beach in our 16 Community Newspapers. You should have some telephone sales experience. Be able to type minimum 45wpm. Be experienced with excel, word and be able to work under deadline pressure. This is a well paced and a great place to work! We offer health, dental, vision and 401K for full time employees. Hourly* & very good commission plan. Please email your resume to <a href="mailto:Pat@HometownNewsOL.com">Pat@HometownNewsOL.com</a> HometownNewsOL.com	<b>PHOTOX</b> may it all! Photos with your art. High Definition Slide Shows and more! <b>VISIT OUR ONLINE SITE</b> <a href="http://www.hometownnewsol.com">www.hometownnewsol.com</a> 800-823-0466	<b>Unemployed Looking For An Exciting New Career?</b> Be Unique... Be Versatile Train in Cosmetology, Massage or Barbering Classes Start December 2nd • Veterans Training • Financial Aid to those who qualify <b>Ft. Pierce &amp; Port St. Lucie Beauty Academy</b> <b>772-579-9729</b> <a href="http://www.fpbeauty.com">www.fpbeauty.com</a>		
<b>230 BARGAINS UNDER \$200</b>	<b>230 BARGAINS UNDER \$200</b>	<b>230 BARGAINS UNDER \$200</b>	<b>230 BARGAINS UNDER \$200</b>	<b>230 BARGAINS UNDER \$200</b>	<b>230 BARGAINS UNDER \$200</b>	<b>230 BARGAINS UNDER \$200</b>	<b>230 BARGAINS UNDER \$200</b>
<b>FREE ADS! HOUSEHOLD MERCHANDISE UNDER \$200</b>							

Carol A. Deprey-Zelenak  
 Senior Advertising Consulting – Inside Sales

Specializing in Legal Notices, Inside Display, Classified and Florida Statewide ads

Please support our advertisers - they make this all possible!

772-465-5551 Ext 316  
 800-823-0466 Ext 316

Email: [cdeprey@hometownnewsol.com](mailto:cdeprey@hometownnewsol.com)



Hometown News space reservation confirmation <Watchdog: Virus checked>

Carol Deprey

to:

'Natasha King'

10/29/2015 11:48 AM

Hide Details

From: "Carol Deprey" <cdeprey@hometownnewsol.com>

To: "'Natasha King'" <NatashaKing@City-FtPierce.Com>

Hi Natasha:

I am confirming that you employment ad will publish on 11/6, 11/13 and 11/20. I will reserve the space accordingly as below;

2 x 2 display ad in full color (web included)

Martin County, St. Lucie County, Indian River County, Melbourne, Palm Bay would be: \$262.08/wk total for 3 weeks = \$786.24

I will be waiting for the copy and send you a proof tomorrow afternoon. thank you and have a nice day. Carol

Carol A. Deprey-Zelenak

Senior Advertising Consulting – Inside Sales

Specializing in Legal Notices, Inside Display, Classified and Florida Statewide ads

***Please support our advertisers - they make this all possible!***

772-465-5551 Ext 316

800-823-0466 Ext 316

*Hometown News*

Email: cdeprey@hometownnewsol.com



RE: City Attorney Ad <Watchdog: Virus checked>  
 Fallis, Abigail  
 to:  
 Natasha King  
 10/30/2015 10:39 AM  
 Hide Details  
 From: "Fallis, Abigail" <afallis@gannett.com>  
 To: Natasha King <NatashaKing@City-FtPierce.Com>

Florida Today  
 (Melbourne Newspaper)

Hi Natasha!

Thank you so much for your ad request today! Take a look at your ad proof below and let me know if you would like to make any changes. Once you approve one of the options, I'll be happy to set it live for you!

**CITY OF FT PIERCE**  
**City Attorney Needed**

**Salary: \$99,192- \$184,214**  
*Open: Nov 1, 2015 – Until Filled*  
*(View full description on website)*  
 Apply: HR Dept.  
 100 North U.S. 1,  
 Ft. Pierce, FL  
 Cityoffortpierce.com  
 (E.O.E)

OPTIONS:

1. 4 Sundays in Florida Today ONLY: \$296.20
2. 4 Sundays in Florida Today and 30 days on CareerBuilder.com: \$608.52

Feel free to call or email with questions! Thanks again!

*Abby Fallis*

Recruitment Sales Consultant, Florida Media

**GANNETT**

(888) 263-4927

[afallis@gannett.com](mailto:afallis@gannett.com)

**COPY**

**From:** Natasha King [<mailto:NatashaKing@City-FtPierce.Com>]  
**Sent:** Friday, October 30, 2015 10:26 AM  
**To:** Fallis, Abigail <afallis@gannett.com>  
**Subject:** City Attorney Ad <Watchdog: Virus checked>

Please see the attached for the City Attorney Ad to run 11/1, 11/8, 11/15, and 11/22.

Please advise and send confirmation.

Thank You,

*Natasha King  
Human Resources/Administrative Services  
Administrative Assistant  
Phone: 772-467-3758  
Fax: 772-489-0872  
City of Fort Pierce  
100 N .US Highway 1  
Fort Pierce, FL 34950  
Email: [nking@city-ftpierce.com](mailto:nking@city-ftpierce.com)*

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**Mail is intended for work preparation purposes only. No legal definite promise.**

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**Any form of reproduction, dissemination, copying, disclosure, modification, distribution and/or publication of this e-mail message is strictly prohibited.**

**\*\*\*\*\* LEGAL DISCLAIMER (autocreated by iQ.Suite Trailer) \*\*\*\*\***

# GANNETT

Abby Fallis sent you a document to review.

## [REVIEW DOCUMENT](#)

### **Abby Fallis**

afallis@gannett.com

Please review the documents using the link above. Thank you.

### **Do Not Share This Email**

This email contains a secure link to DocuSign. Please do not share this email, link, or access code with others.

### **Alternate Signing Method**

Visit DocuSign.com, click 'Access Documents', and enter the security code:

AF29510C916046F9B17E60609427C01D2

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 [Download the DocuSign App](#)

This message was sent to you by Abby Fallis who is using the DocuSign Electronic Signature Service. If you would rather not receive email from this sender you may contact the sender with your request.



Re: Advertisement for City Attorney <Watchdog: Virus checked>

Lisa G Shuman

to:

Natasha King

10/30/2015 10:16 AM

Hide Details

From: Lisa G Shuman <LShuman@flabar.org>

To: Natasha King <NatashaKing@City-FtPierce.Com>

History: This message has been replied to.

Hi Natasha,

This is how the ad will look. Please let me know if you need anything changed.

City Attorney Salary: \$99,192 – \$184,214 The functions of the City Attorney, as established by Section 45 of the City Charter, are: To serve as legal advisor to, and counsel for, the City and all of its officers in matters relating to their official duties; To attend all meetings of the City Commission, unless otherwise excused; To provide all contracts, bonds and other instruments in writing in which the City is concerned, endorsing on each approval of the form and correctness thereof; To prosecute and defend for and on behalf of the City, all complaints, suits, and controversies in which the City is a party, when requested by the City Manager or the City Commission. To furnish the City Commission, City Manager, department head or an officer or board included in any department, an opinion on any question of law relating to their respective offices and duties. Juris Doctorate degree (J.D.) from an Accredited law school and five to seven (5-7) years of experience as a practicing attorney in legal research and trial work preferably in a governmental agency. Valid Florida Driver's License and maintenance of clean driving record. Member in good standing of the Florida Bar Association. Please review full job description and apply on website cityoffortpierce.com under employment opportunities.

Lisa Shuman - Advertising Specialist

The Florida Bar (Journal and News)

651 East Jefferson Street

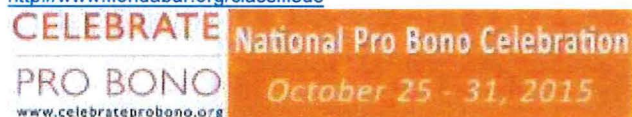
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To: Lisa G Shuman <LShuman@flabar.org>

Date: 10/30/2015 10:06 AM

Subject: Re: Advertisement for City Attorney <Watchdog: Virus checked>

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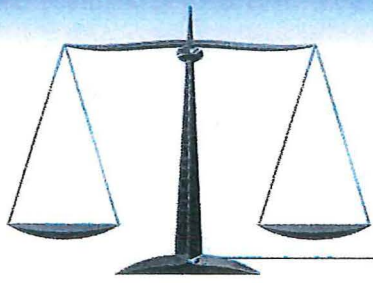
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# FMAA NEWS

*Florida Municipal Attorney Association*

November 20, 2015

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## News Clips

### Federal suit filed over Spring Break

By John Henderson  
News Herald, 10/29/15

PANAMA CITY — Several Panama City Beach businesses have sued the city in federal court, alleging the city violated numerous constitutional rights and exhibited racial bias when it passed Spring Break laws that took a financial toll on their establishments.

“This action is for inverse condemnation for the taking of private property rights...,” states the lawsuit, which was filed in the U.S. District Court for the Northern District of Florida. “Plaintiffs seek compensation for deprivation of their constitutionally protected rights.”

Clearwater attorney Luke Lirot, a First Amendment attorney who has represented adult business owners and dancers in other cases, filed the case. Lirot’s website identifies his firm as “A Law Firm For Freedom.”

“The lawsuit seeks to vindicate the plaintiff businesses’ civil rights with respect to the permanent requirements for ‘special events,’ the vagueness of the ordinances; the diminution of free speech caused by the requirement for shorter hours of operation during Spring Break; the arbitrary and capricious nature of the ordinances; and the ‘taking of the plaintiff businesses’ rights and ‘property’ through the enforcement of these ordinances,” a news release from Lirot states.

The listed plaintiffs are Funtana Village Inc., Spinnaker III of Panama City Beach Inc., Sea Watch of Panama City Inc., Harpoon Harry’s PC Properties LLC, “John Doe 1-4” and “Jane Doe 1-4,” who are not identified but described in the suit as African-Americans, and Northstar Panama City Beach Inc.

Sparky Sparkman, the owner of Spinnaker, said he would rather the lawsuit do the talking. Harpoon Harry’s owner Jack Bishop had the same comment. Club La Vela owner Patrick Pfeffer could not be reached for comment.

The lawsuit stems from the Beach Council and county passing a wide range of laws this year to try and “tone down” the Spring Break celebration, which received a barrage of negative national publicity, particularly in regular Fox News reports. The negative publicity, among other things, focused on illegal drug use, an alleged sexual assault on the Beach and a shooting at a house party involving spring breakers.

County and city officials expressed concerns the negative publicity could hurt visitation throughout the year, but so far that hasn't happened, with tourism revenues increasing each month this year.

The laws that have been passed by the city and county were wide-ranging, addressing everything from banning parking in commercial lots after the businesses close to prohibiting drinking altogether during the month of March and requiring bars to close down two hours early.

#### Alleged bias

The lawsuit alleges "racial bias" promoted the adoption of the ordinances. It states African-Americans are the predominant focus of the Fox News 2014 and 2015 reported on Spring Break.

"Fox News' coverage of Spring Break, which focused on African-American attendees to Spring Break, is described as showing 'depravity,' " the lawsuit states.

The suit states that on one occasion, Bay County Sheriff Frank McKeithen and Panama City Beach Police Chief Drew Whitman visited Patrick Pfeffer, a principal of Club La Vela, at Club La Vela on the eve of a heavily promoted, all-ages event featuring the mainstream hip-hop group Ying Yang Twins. The suit states the officers accused the club of bringing the "urban" entertainment to the area, with which they took issue "because of their belief that the audience for 'urban entertainment' is largely African-American."

The lawsuit further states that Pfeffer was threatened with arrest, forcing him to deny access to teens under 18 even though the show was promoted as an all-ages event and hundreds of tickets had been sold to younger patrons.

"Another denizen of Panama City Beach called the Spring Break visitors 'animals,' " the lawsuit states. "Since the writer twice referred to Fox News coverage of the 2015 Spring Break, and since that coverage focused disproportionately on African-Americans, there is little doubt that the 'animals' to which the writer was referring were African-Americans. The Bay County sheriff also used the word 'animals' to describe the Spring Break visitors."

McKeithen said Thursday that, for now, he has only one comment about the lawsuit.

"Just when you think you've seen it all, it's pretty obvious that money trumps morals and public safety," McKeithen told The News Herald late Thursday. "It's disturbing these businesses would attempt to extort Panama City Beach by using inflammatory racial bias claims in an effort to distort the truth and mislead the court merely for personal greed."

The suit states the legislation at issue in the complaint was supported "by the stereotype of race and the specter of racial attacks, by the 'ghetto dwellers,' 'interlopers,' 'predators' and 'animals' identified by officials and residents in Bay County and Panama City Beach."

The lawsuit states that "it was clearly with malice and the intent to inflict great reputational harm that the Bay County Sheriff's Office press release contained the specific terminology 'gang rape' without further elaboration and/or explanation of what had actually occurred. ..."

The lawsuit also states the city changed the list of permitted uses in zoning districts, and "Panama City Beach can no longer approve without any caveats the issuance of alcoholic beverage licenses to plaintiff's properties including their extended premises."

## Marsh takes over as county attorney

Daily Commercial, 11/02/15

TAVARES — Although her first official work day was Monday, Melanie Marsh has already made a smooth transition into her county attorney role.

“It is my job to help the commission accomplish their goals and objectives within the confines of the law as I interpret it,” Marsh said in a press release from Elisha Pappacoda, the county’s public information officer.

In April, commissioners decided to stay in-house to fill longtime County Attorney Sandy Minkoff’s position upon her retirement and unanimously tapped Marsh, who had served as deputy county attorney since 2004.

“Melanie is a great attorney, and, on top of that, she has the experience, and she’s got the institutional knowledge,” said Commissioner Leslie Campione, who is also a practicing attorney. “I think this is a win-win for the county commission.”

Marsh said her current office is managed much like any other law office.

“We work well together,” Marsh said. “We come to work and do what is required to help get the job done. We have a great office and working environment.”

In addition to the Board of County Commissioners and its departments, the county attorney’s office also provides legal counsel to the Clerk of Courts, Supervisor of Elections, Property Appraiser, Lake EMS, the Lake-Sumter Metropolitan Planning Organization and various advisory committees established by the commission.

Marsh is a native of the Florida public schools system, having graduated from Oviedo High School. She earned her bachelor’s degree from the University of Central Florida, majoring in social work, and her Doctor of Jurisprudence from Stetson University, where she ranked 21st in her class. She was admitted to the Florida Bar in November 1998 and started her career in Lake County as an assistant county attorney.

She has long been an active member of the community in Lake County, including volunteering for Lake County Schools, Take Stock in Children, the Kiwanis Club and more, Pappacoda said.

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## Commissioners vexed with county attorney

By Gary Pinnell

Highlands Today, 11/04/15

SEBRING — Highlands County commissioners wondered again when they would see the recycling contract with Progressive Waste Systems, denied yet another request by Commissioner Don Elwell to have night meetings, adopted flood plain maps, and approved funding that will allow CitraPac to construct a manufacturing center at Sebring Regional Airport.

“They’re going to pour the foundation next week,” commission chair Ron Handley said at the Tuesday morning meeting.

The commissioners advanced \$11,907 for the Sebring company, which flash freezes citrus and other ingredients into Fruit Pearls.

Highlands County, the City of Sebring and the airport have promised about \$1.2 million to build the plant, which will house five production lines. One is projected to start up next year, employing five dozen workers.

Commissioners were vexed again by County Attorney Ross Macbeth, who has said for the past month that he would produce the recycling contract at the next meeting.

Commissioner Jim Brooks noted that Macbeth has attributed over 60 hours to the contract, which would have Progressive pick up curbside recycling once a week.

“And that’s still not enough time,” said Macbeth, who has just moved from his private office to the County Government Center and hired an assistant attorney. “I’m working on a contract. With all the other things going on, that hasn’t work out, but I am very close. I think I’m done with it this week. I have worked on it virtually every day.”

Recycling is the number one on his priority list, but he also must attend to daily items. “Somebody has a problem, I have to go fix it.”

Commissioner Don Elwell asked if Macbeth could produce a monthly pending-items list like County Administrator June Fisher.

“I would agree with Commissioner Elwell,” Handley said.

“I do believe he’s a very busy guy,” Commissioner Greg Harris said. “I believe he’s working long and hard hours. Let’s not give him anything else to do.”

“I’ve doing that for years,” Macbeth said. “That’s how I keep track of what’s going through my office. There are loads of those things that are coming in every day. We keep up with (the list) daily. Do you want it monthly or bi-weekly?”

Twenty-four items appeared on Tuesday’s agenda, and Macbeth appeared to have been involved in a third. “Those are the little things you see at every meeting. As the junior attorney comes in, there are more things he will handle, and I won’t have to.”

Commissioners adopted the Highlands County Floodplain Management Ordinance, which could change the insurance premium paid by homeowners who live near water.

As he has asked in the past, Elwell wanted at least one of the two monthly meetings to be held at night, when he contended more citizens can attend the meeting. He got no support.

“If we have something on the agenda, perhaps,” Commissioner Jack Richie said.

“If we have something any commissioner feels should be pulled from the agenda,” Handley said. However, he objected because night meetings would require staffers to attend, costing more money.

Citizens with day jobs can’t run to be county commissioners, Bill Youngman rose from the audience to say.

Not true, Handley said. He owns a home construction company, Harris is the YMCA director, Brooks and Richie are retired.

As a commissioner, Brooks said, “I put in about 30 hours a week, on the average. If the only time you can show up is two nights a week, you don’t need to run for county commissioner.”

Brooks suggested a workshop on fifth Tuesdays, which occur four times a year. "You could have it at night, if the board wants to do that. But I don't see the need to have (a night meeting) every month."

Commissioners adopted new flood plain maps.

"If they want to talk about flood maps," planner Joedene Thayer invited local residents to call her office.

"Out of the three counties I work in, Highlands, Hardee and Polk, Highlands has the most outreach," said Southwest Florida Water Management District Government Affairs Program Manager Danny Kushmer. "We live in a flood zone in the state of Florida. At one time, everything but the ridge was under water."

gpinnell@highlandstoday.com

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### City Attorney

City of Fort Pierce

The functions of the City Attorney, as established by Section 45 of the City Charter, are: -To serve as legal advisor to, and counsel for, the City and all of its officers in matters relating to their official duties; -To attend all meetings of the City Commission, unless otherwise excused; -To provide all contracts, bonds and other instruments in writing in which the City is concerned, endorsing on each approval of the form and correctness thereof; -To prosecute and defend for and on behalf of the City, all complaints, suits, and controversies in which the City is a party, when requested by the City Manager or the City Commission. -To furnish the City Commission, City Manager, department head or an officer or board included in any department, an opinion on any question of law relating to their respective offices and duties.

-Juris Doctorate degree (J.D.) from an Accredited law school and five to seven (5-7) years of experience as a practicing attorney in legal research and trial work preferably in a governmental agency. -Valid Florida Driver's License and maintenance of clean driving record. Member in good standing of the Florida Bar Association. -A comparable amount of training, education or experience may be substituted for the minimum qualifications

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October 29, 2015

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**Salary:**

99,192.00 - 184,214.00

**Type:**

Full Time - Experienced

**Category:**

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**Required Education:**

Doctorate

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*Open- November 1, 2015 - Close - Until Filled*

*(View full job description on website)*

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Salary-\$99,192 - \$184,214

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**Dan Grace**

Media Coordinator

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**Sent:** Wednesday, October 28, 2015 12:39 PM

**To:** postajob

**Cc:** Grace, Daniel (CMG-WestPalm)

**Subject:** Job Advertisement <Watchdog: Virus checked>

Good Afternoon,

I am inquiring about putting an ad in newspaper for the City Attorney for City of Fort Pierce, we would like the ad to run 30 days (online) and run in the newspaper as well.

Please see advertisement below of the advertisement and also please give quote as soon as possible because would like the ad effective by November 1st.

Thank you,

*Natasha King*



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 Natasha King  
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 To: Natasha King <NatashaKing@City-FtPierce.Com>

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**Sent:** Thursday, October 29, 2015 9:51 AM

**To:** Chugh, Bettyann (CMG-WestPalm)

**Subject:** Fw: Job Advertisement <Watchdog: Virus checked>

*Natasha King*

*Human Resources/Administrative Services*

*Administrative Assistant*

*Phone: 772-467-3758*

*Fax: 772-489-0872*

*City of Fort Pierce*

*100 N .US Highway 1*

*Fort Pierce, FL 34950*

*Email: [nking@city-ftpierce.com](mailto:nking@city-ftpierce.com)*

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 To: "Grace, Daniel (CMG-WestPalm)" <[DGrace@pbpost.com](mailto:DGrace@pbpost.com)>  
 Date: 10/29/2015 08:55 AM  
 Subject: RE: Job Advertisement <Watchdog: Virus checked>



**CITY OF FT. PIERCE**  
**JOB DESCRIPTION**

**Job Title:** City Attorney  
**Department:** City Attorney  
**Reports To:** City Commission

**Pay Range:** 99  
**Salary:** \$99,192 – \$184,214  
**Position(s):** 1

**GENERAL DESCRIPTION:**

The functions of the City Attorney, as established by Section 45 of the City Charter, are:

- To serve as legal advisor to, and counsel for, the City and all of its officers in matters relating to their official duties;
- To attend all meetings of the City Commission, unless otherwise excused;
- To provide all contracts, bonds and other instruments in writing in which the City is concerned, endorsing on each approval of the form and correctness thereof;
- To prosecute and defend for and on behalf of the City, all complaints, suits, and controversies in which the City is a party, when requested by the City Manager or the City Commission.
- To furnish the City Commission, City Manager, department head or an officer or board included in any department, an opinion on any question of law relating to their respective offices and duties.

**ESSENTIAL DUTIES and RESPONSIBILITIES:**

Include the following duties. Other duties may be assigned:

- Performs duties or oversees legal staff in research of legal questions, preparation of resolutions, issuance of briefs and legal documents, representation of City in various civil lawsuits and rendering of legal opinions.
- Directs and reviews work of staff counsel through conferences, inspection of documents, and evaluation of results obtained.
- Gathers evidence in civil, criminal, and other cases to formulate defense or to initiate legal action.
- Prepares legal briefs, develops strategy, arguments and testimony in preparation for presentation of case.
- Works with Police Department and other City departments to enforce Florida laws and statutes within the City.
- Reviews pertinent decisions, policies, regulations, and other legal matters pertaining to case.
- Advises City Commission and City officials concerning transactions of business involving internal affairs and public relations.
- Interprets laws, rulings, and regulations for City Commission and City officials. Prepares settles labor disputes and administers other legal matters.
- Confers with colleagues with specialty in area of lawsuit to establish and verify basis for legal proceedings.
- Conducts research, interviews clients, and witnesses and handles other details in preparation for trial or adjudication.
- Represents City in court and before quasi-judicial or administrative agencies of government.
- Attends meetings and renders legal assistance, opinions and advice as requested.
- Provides written and oral legal opinions, advice and guidance.

- Participates in and supervises the conduct of the legal affairs including contract negotiations, administrative review, legislation, and litigation, drafts special legislative acts or legal documents.
- May be required to make field inspections of matters requiring legal opinions advice or guidance.
- Performs related work as requested or assigned.

**Supervisory Responsibilities:**

Manages subordinate supervisors who supervise employees in the department. Responsible for the overall direction, coordination, and evaluation of unit. Also directly supervises non-supervisory employees. Carries out supervisory responsibilities in accordance with the City's policies and applicable laws. Responsibilities include interviewing, hiring, and training employees; planning, assigning, and directing work; appraising performance; rewarding and disciplining employees; addressing complaints and resolving problems.

**Knowledge, Skills and Abilities:**

- Extensive knowledge of the statutory and constitutional law of the State of Florida, especially as these apply to Municipal Government.
- Thorough knowledge of judicial procedure and the method and practices of pleading and of effective techniques in presentation of cases.
- Considerable knowledge of operations and administration with particular emphasis relating to their legal significance and inter-related functions.
- Considerable knowledge of the principles, methods, and practices of legal research.
- Ability to draft legal instruments, propose legislation and related ordinances, resolutions, and policies.
- Ability to analyze, appraise and organize legal facts, evidence and precedents concerned in cases.
- Ability to present such material orally and in writing in clear logical form.
- Ability to establish and maintain effective working relationships with officials, employees and the general public.
- Skill in the operation of a computer and conducting computer-based legal research.
- Ability to learn the geography of the City and its physical and social characteristics.
- Ability to respond to training programs designed to develop proficiencies in work areas.
- Ability to supervise staff.
- Ability to communicate effectively in writing and orally.
- Ability to establish and maintain effective working relationships with City Commission, city officials and the public.

**Education and/or Experience:**

Juris Doctorate degree (J.D.) from an Accredited law school and five to seven (5-7) years of experience as a practicing attorney in legal research and trial work preferably in a governmental agency.

**Computer Skills**

To perform this job successfully, an individual should have knowledge of Microsoft Word word processing software.

**Certificates, Licenses, Registrations**

Valid Florida Driver's License and maintenance of clean driving record.

Member in good standing of the Florida Bar Association.

A comparable amount of training, education or experience may be substituted for the minimum qualifications.

**Physical Demands**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this Job, the employee is regularly required to sit. The employee is frequently required to talk and hear. The employee is occasionally required to stand; walk; use hands to finger, handle, or feel and reach with hands and arms. The employee must frequently lift and/or move up to 10 pounds and occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and ability to adjust focus.

**Work Environment**

The work environment characteristics described here encounters while performing the essential functions may be made to enable individuals with disabilities are representative of those an employee of this job. Reasonable accommodations to perform the essential functions.

The noise level in the work environment is usually moderate.

**IF INTERESTED IN BEING CONSIDERED FOR THIS POSITION AND YOU MEET THE MINIMUM QUALIFICATIONS, PLEASE APPLY AT THE HUMAN RESOURCES DEPARTMENT, 100 NORTH U.S. HWY #1, FORT PIERCE, FLORIDA, OR YOU MAY DOWNLOAD AN APPLICATION FROM THE CITY'S WEBSITE [cityoffortpierce.com](http://cityoffortpierce.com) AND SUBMIT TO THE HR DEPARTMENT VIA EMAIL, FAX, MAIL, OR IN PERSON ON OR BEFORE THE CLOSING DATE.**

**OPEN: NOVEMBER 1, 2015**

**CLOSE: UNTIL FILLED**

**THE CITY OF FORT PIERCE IS AN EQUAL OPPORTUNITY EMPLOYER**

**City Commission Regular Meeting**

**Agenda Item # 14. a.**

**Meeting Date:** 12/07/2015

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

**Submitted For:** Nick Mimms, Interim City Manager, City Manager

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**SUBJECT:**

Interim City Manager's Departmental Activity Report

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**Attachments**

Interim City Manager's Activity Report

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**Form Review**

Form Started By: Jennifer Robinson

Started On: 09/22/2015 09:44 AM

Final Approval Date: 09/22/2015



# INTEROFFICE MEMORANDUM

FROM THE OFFICE OF THE  
**CITY MANAGER**

**TO:** The Honorable Mayor and Members of the City Commission  
**FROM:** Nicholas C. Mimms, Interim City Manager  
**RE:** Departmental Activity Report  
**DATE:** December 2, 2015

A handwritten signature in blue ink, appearing to read "N. Mimms".

*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

- The Interim City Manager and Finance Director met with the auditors regarding the audit plan.
- The Interim City Manager and Finance Director met with the Sunrise Theatre Director to discuss the department's budget and funding of positions.
- The Interim City Manager attended a Parking Committee meeting on November 18, 2015.
- The Interim City Manager met with the Planning Manager and Code Compliance Manager to discuss an item regarding vacation rentals for the December 14, 2015 Conference Agenda meeting.
- The Interim City Manager attended a CRA Advisory Committee meeting on November 18, 2015.
- The Interim City Manager met with Mayor Hudson to discuss current City issues.
- The Interim City Manager attended a meeting with the Planning Manager, City Engineer and Senior Planner regarding Ohio Avenue signalization and roadway realignment at US 1.
- The Interim City Manager and City Engineer met with representatives from St. Lucie County and the St. Lucie County TPO to discuss potential improvements to the intersection at Ohio Avenue and US 1.
- The Interim City Manager attended a meeting regarding the Port of Fort Pierce.
- The Interim City Manager met with the Building Official and also with a local business owner regarding a building issue.
- The Interim City Manager participated in the City of Fort Pierce Update to the St. Lucie County Chamber of Commerce on December 2, 2015.

**City Clerk's Office**

- **Business Tax Receipts –**  
New: 39    Renewals: 79    Transfers: 7
- **Vendor Permits Issued –**  
New: 0    Renewals: 0
- **Contractor Licensing –**  
New: 8    New (Board): 0    Renewals: 20
- **Public Records Requests (not including Building Department) –**  
New Requests: 22
- **Animal Registrations –**  
New/Renewals/Impound Fees: 9
- **Enterprise Zone Applications –**  
Sales Tax Refund Applications: 3
- **Vehicle Tags/ Title Applications – 0**
- **Agenda Preparation and Meeting Minutes –**
  1. Conference Agenda – 11/9/2015
  2. Fort Pierce City Commission Meeting – 11/16/2015
  3. Fort Pierce City Commission Shade Meeting – 11/16/2015
  4. Fort Pierce Redevelopment Agency Meeting – 11/16/2015
  5. Fort Pierce City Commission Meeting – 11/16/2015
- **Special Projects –**
  1. Set up Task Tracker system in Agenda Quick to assign, track and report Action Items of the Mayor and City Commission
  2. Coordinating with MIS to begin scanning for permanent retention and search-ability all BTR applications
  3. Deputy City Clerks calling all businesses with unexpired BTRs to collect outstanding tax payments
  4. Coordinating holiday meeting of Treasure Coast Council of Local Governments
  5. Coordinating holiday meeting of Florida Association of Business Tax Officials
- **Meetings/Special Events Attended**
  1. 11/6/2015 City Clerk attended Fort Lauderdale Boat Show for Economic Development meetings
  2. 11/9/2015 City Clerk attended St. Lucie County Annual Update to the Chamber
  3. 11/9/2015 City Clerk attended Fort Pierce Area Council
  4. 11/11/2015 City Clerk attended Veterans Day Celebration
  5. 11/12/2015 City Clerk attended Farm City BBQ
  6. 11/12/2015 City Clerk attended Leadership St. Lucie Graduation
  7. 11/18/2015 Deputy City Clerks attended OptiView Training
  8. 11/18/2015 Deputy City Clerk attended Chamber Business After Hours
  9. 11/20/2015 City Clerk attended Coffee with the Mayor
  10. 11/24/2015 City Clerk and Deputy City Clerk attended Heathcote Botanical Gardens Lighting Ceremony

**Administrative Services Department**

- **Procurement –**
  1. Opened RFP No 2016-003 Banking Services.
  2. Processed Contact Documents for Bid No: 2015-045 Veterans Memorial Park Stormwater Improvements.
  3. Purchase Orders and day to day operations of the Purchasing Division.
  4. Processing and / or completion of Awards to vendors contractors approved by Commission.
  5. Meetings:
    - a) Director of Administrative Services, met with the Public Works Manager and staff regarding HR issues.
    - b) Director of Administrative Services and Interim City Manager met regarding HR issues.
  
- **Human Resources –**
  1. Processed Public Record Request from D. Gilroy, Keona Gardner, & George Andreassi.
  2. Processed Sick Leave Conversion Payroll.
  3. Processed November 2015 employee evaluation forms.
  4. Advertise Job Openings, New Hire P.A. Processing, New Hire Orientation and completed exit interviews for terminated/resigning employees.
  5. Distributed monthly Reports to each department such as Accrual Register, Time Sheets and payroll register to all Departments.
  6. Verified car and clothing allowance along with payroll report.
  7. Complete Verification of Employment/Loss of Income forms.
  8. Create and process retirement package for employee.
  9. Complete Family Medical Leave package for employees.
  
- **Risk Management –**
  1. Attended Harvest Food and Outreach Board Meeting.
  2. Met with Kids at Hope Coordinator regarding upcoming training sessions.
  3. Conference call with Florida Blue for Health slated January 13, 2016.
  4. Audited, Closed, and Processed WC Claims/ performed daily Risk Management duties.
  5. Processed Insurance Subrogation.
  6. Consulted with the City Carrier Regarding Liability Claim.

## Code Enforcement Division

- **Hearing –**
  1. Code Enforcement Board
    - a) 11 regular hearings
    - b) 1 lien reduction requests
    - c) 1 request for extension of time
  
- **Code Enforcement –**
  1. Issued 0 written warnings
  2. Issued 0 citations
  3. Initiated 53 new cases
    - 15 general violations
    - 36 lot clearing violations
    - 2 nuisance abatement violations
  4. Conducted 257 follow-up inspections
  5. Closed 81 cases
  
- **Animal Control –**
  1. County Court – Judge Cliff Barnes: COFP v. Lifhrad – Rabies vaccination required – dismissed by Judge
  2. Daily Animal Control activities.
  
- **Revenue –**
  1. Conducted 52 title / lien searches.
  
- **Miscellaneous –**
  1. The pre-Thanksgiving lot clearing sweep is underway. We expect to do a smaller one before Christmas to address lots that did not make the first sweep.
  2. The new Code Enforcement Officer, Mr. Mike Morabito, started work on November 23rd.
  3. Code Compliance Manager met with Interim City Manager Mimms and Rebecca Grohall, Planning Manager to discuss short term vacation rentals.
  4. Code Compliance Manager reviewed and prepared items for the monthly Technical Review Committee meeting.
  5. Code Compliance Manager met with Attorney Rob Schwerer to discuss two cases and the potential for receiving excess tax sale proceeds.
  6. All Code Enforcement and Animal Control staff attended the 1st Annual Thanksgiving Luncheon and had a wonderful (and filling) experience.
  7. Daily code enforcement and animal control activities.

**MIS Department**

- MIS senior staff is working with Swagit and Prosound to order equipment which is in progress to acquire tigtrope hardware and software for 2nd floor conference room, audio/visual, and broadcasting equipment.
- Working with the Interim City Manager, Chief of Police, & Public Works Manager regarding enhancements of City Hall Security.
- Working with Chief of Police on adding Police Department website services to the City's main website.
- Working with Marina on wireless meters and configuring the NuCore application which reads the water and electric usage.
- Working with SunGard – Public Sector to implement Click-2-Gov Employee Self Service Portal and Applicant Tracking. SunGard is scheduled provide training
- Working with Selectron Technologies, Inc. to migrate to the Interactive Voice Response (IVR) system with hosted services for the Building Department.
- Working to continue to upgrade cell phones with Text Guard application.
- Working with Diebold on upgrading hardware and software for Security System for City Hall.
- Working with Group Business Software on Transitioning Sunrise Theatre emails.
- Converting all sites to City Hall with a true WAN with River Walk, Marina, Indian Hills/Police Department and Public Works completed. Work has started on Sunrise Theatre.
- Searching for options for Commissioners to be able to engage in audio or video conferencing when not physically able to attend meetings.
- Upgrading out of lease copiers for several departments.
- Working on new switches, servers, racks and Intune software citywide.
- Exploring cloud based options for different applications.
- Working on a WorkOptiFlow pilot program with Indian Hills Department.
- Major problems with email due to virus attacks to our system (on-going).
- Servers and computer equipment 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).
- Updating MIS documentation and procedural policies (on-going).
- Received twenty-two (22) new work orders and completed sixty-three (63) work orders for the period ending November 20, 2015.

**Planning Department**

- **Administrative/Meetings –**
  1. All Staff members conducted ‘Planner of the Day’ duties on a rotating basis
  2. Walk-ins/Call-ins
  3. Historic Preservation Board Meeting
  4. Planning Board Meeting
  5. East Coast Greenways & Trails Meetings & Presentation Prep
  6. Pre-application meeting - Daycare located at 2512 Acorn St.
  
- **Development Review –**
  1. Conditional Use - Sailfish Brewery - 130 N 2nd Street - City Commission Approval
  2. Conditional Use - Dwelling Rental requests for 1916 Rio Vista Drive – Planning Board Recommendation to Deny
  3. Minor Amendment to Site Plan - Family Dollar - 1210 S 25th Street - City Commission Approval
  4. Causeway Cove - Site Plan & Conditional Use - 601 Seaway Drive – Technical Review Committee Review
  5. Mayfair at Lawnwood - Planned Development - 1801 N Lawnwood Circle - Technical Review Committee Review
  6. Hartman Road Property - FLUMA & Rezoning - Hartman & Whiteway Dairy - Technical Review Committee Review
  7. Baker Residence - Conditional Use with New Construction - 1709 Surfside Drive - Technical Review Committee Review
  8. Conditional Use - Saint James Christian Academy - City Commission Staff Report
  9. Conditional Use with New Construction - Indian River Villas - 401 S Indian River Drive
  10. Final Plat - Inlet Palms - 1502 Seaway Drive
  11. Zoning Atlas Amendment / PD, Development Plan - Indian River Commerce - 401 S Indian River Drive
  12. Conditional Use - Harbor Community Bank - 600 Edwards Road
  13. ROW Abandonment - Indian River Villas/Commerce - 401 S Indian River Dr.
  14. Zoning Atlas Amendment / PD, Development Plan / Preliminary Plat - Village at Midway - 9850 Midway Road
  15. Conditional Use with New Construction - RG Towers 2551 Jenkins Road
  
- **Comprehensive Planning, Long Range Planning –**
  1. R-5, Medium Density Residential Text Amendment
  2. Voluntary Annexation - Oleander Avenue
  
- **Historic Preservation –**
  1. 101 Seaway Dr. – Renovations – Site inspection, Administrative Certificate of Appropriateness issued
  2. 651 N 2nd St – Roof - Historic Preservation Board Report and Power Point presentation, Certificate of Appropriateness issued
  3. 605 N 8th St – Demolition - Historic Preservation Board Report and Power Point presentation, Certificate of Appropriateness issued
  4. 718 Ave E – Demolition - Historic Preservation Board Report and Power Point presentation, Certificate of Appropriateness issued
  5. 301 S 7th St – Demolition - Historic Preservation Board Report and Power Point presentation
  6. 206 N 2nd St - Sign - Historic Preservation Board Report and Power Point presentation, Certificate of Appropriateness issued
  
- **GIS Map –**
  1. Improvements and updates to zoning layer

**Engineering Department**

- **Development Reviews** – Intake of twelve (12) Building Permit, Site Plan, or Certificate of Occupancy reviews.
- **Traffic Control** – City continues maintenance of all signals. We continue system software upgrades for traffic controllers, video detection cameras and CENTRACs system controller. We have started equipment procurement for various intersection upgrades.
- **City Marina Reconstruction – Phase II – Docks** – FEMA is working to wrap up the closeout of the 2004 projects and will be scheduling a final inspection soon.
- **City Marina Dinghy Dock Construction** – Once we have the executed FIND and BIG grant contracts we will proceed with the project advertisement. RFP anticipated advertisement in January and construction start anticipated March 2016.
- **S. 21st Street / Havana Ave. Sidewalk Project** – A final inspection has been conducted and a final punch list was provided to the contractor.
- **Indian Hills Recreation Area - Stormwater Improvements** – Pile driving has begun for the observation deck and 5 pedestrian bridges in the Phase II area, south of Savannah Road. Coordination completed with contractor to be hauling material to St. Lucie County Land Fill Operations. Material that contains small amounts of construction debris will be accepted at no cost to utilize for their landfill cover. Hauling to commence the second week of November. Connecting path from Phase I to Phase 2 is under construction. Reimbursement in the amount of \$1,340,000 submitted to FDEP
- **Veterans Memorial Park Phase II Stormwater Improvements** – Construction of the stormwater improvements is scheduled to commence on November 30, 2015. A meeting with the local veteran groups to discuss the non-stormwater related items and the potential grant funding of these items has been scheduled for December 1, 2015.
- **Melody Lane Fishing Pier** – Construction underway. Completion date currently scheduled for December 21, 2015.
- **H.D. King Power Plant Clean-up** – Cardno has begun design work on the seawall replacement along Moore's Creek. Final design build costs will be provided within 60 days. Cardno has also been contacted to repair screening material along the construction fencing at the site.
- **Lincoln Park Neighborhood Improvements** – Construction complete. A preliminary walk-thru was conducted on 11-24-15 and a punch list of items has been generated.
- **13th Street and 17th Street Reconstruction** – The design professional is working on phasing the existing plans so we can proceed with advertisement of bids. The project limits along 13th Street will begin at a point 360 LF south of Avenue D, north a distance of 1,160 LF to a point 60 LF north of Avenue E. 17th Street work will extend From Orange Avenue to Avenue D.

**Police Department**

- **Staffing** – The police department has seven (7) vacancies as of this report: four (4) sworn officer positions and three (3) civilian positions (Senior Accounting Clerks, Records Supervisor, and Crime Scene Investigator).
- **Front Porch Roll Call** – Shift Commanders and Supervisors have concentrated their Front Porch Roll Calls throughout Downtown, the City Marina, and River Walk Center in response to the increase off panhandling and vagrant complaints, conducting checks of our known homeless camps. They are also conducting Roll Calls at our shopping centers for this holiday shopping season.
- **Parking Problems** – The Parking Committee met to discuss the Commission’s recommendations and directions as a result of Nicholas Mimms, Interim City Manager presentation. The Parking Committee is moving forward with these recommendations and direction.
- **Homeless Initiative** – The police department’s Crime Prevention Unit has met with each business owner to provide them with some crime prevention and safety tips when dealing with our Homeless population. The Salvation Army is still pursuing the building at 707 N. 7th Street, the old Head Start building as a temporary shelter. We are working with Pastor Hazel Hoylman, Image of Christ to expand her shelter services to assist the police department with providing an alternative to arrest.
- **“The First Step”** – The attendance by the neighborhood children and community leaders has steadily grown since the first event. As previously reported, there is talk about expanding this initiative to another location in Fort Pierce and in Port St. Lucie but there is no new update.
- **Updates** –
  1. December 6th, the Sights and Sounds Parade and Festival.
  2. December 5th, Breakfast with Santa, Fort Pierce Police Explorer Post # 477
  3. December 12th, the Boat Parade, City Marina
  4. December 13th, Fort Pierce Police PAL Toy Drive, Victory Motorcycle
  5. December 22nd, Shop with a Cop, Wal-Mart
  6. December TBA, Santa Cop.

**Urban Redevelopment Department****• Grants Administrator –**

1. Created Agenda Item for City Commission to consider award of contract to purchase playground equipment for Maravilla Park
2. Created required reports then submitted Program Year 2014-2015 Consolidated Annual Performance Report (CAPER) to HUD
3. Created packets and various materials/handouts for attendees of first quarterly small business workshop
4. Completed drawdown of funds from HUD IDIS system to reimburse the City for CDBG-eligible expenses
5. Created posters to promote downtown Christmas boat parade
6. Worked with Michelle Kubitschek to set up Percy Peek Gym for 11/18 Small Business Workshop
7. Finalized work plan for Fort Pierce Main Street for 2015 program year.
8. Continued Coordination of:
  - a) Highwaymen Heritage Trail festivities
  - b) Hurston Trail (website creation; rehab for trail markers)
  - c) Remaining commercial facade grant funded projects
  - d) Fort Pierce Authentic Tours program
  - e) Melody Lane Public Fishing Pier grant awards
  - f) Lincoln Park Mural Project
  - g) January 14 Job Fair
9. Meetings:
  - a) Customer Service Training
  - b) City Commission - 11/16 - final CAPER Public Hearing
  - c) SCORE Small Business Workshop - 11/18 - 23 businesses attended
  - d) Ironside Press, Vero Beach - Highwaymen Heritage Trail invitation
  - e) At FPHA - collaboration with FPHA, SLC Roundtable to create Juvenile Reentry Assistance Program grant application
  - f) Melody Lane Pier ribbon cutting festivities
  - g) Main Street Fort Pierce, consultant and downtown businesses - creating "Fort Pierce Snap Shot" booklet

**• Program Analyst –**

1. FEMA
  - a) Marina Project
    - Waiting on final site inspections for two project worksheets to close out Marina
    - Close out versions of PW 9399 & 438 have been written and approved by the State and forwarded to FEMA for their approval.
  - b) Windows Expansion Project
    - All close out information submitted and accepted. Expect to receive close out letter very shortly
    - Preparing power point presentation of funds expended and window installations
2. SHIP
  - a) Met with 3 applicants from 2014 waiting list and I am proceeding with verifications for eligibility under 2015-2016 requirements
  - b) Ordered and received Ownership & Encumbrance Reports for 3 applicants
  - c) SHIP presentation is complete and will present in December to commissioners
3. NSP - Received quarterly financials from Fort Pierce Housing Authority for 1116 & 1122 Orange Avenue Apartments

### Finance Department

- Met with API on transparency portal
- Interviews for Executive Assistant
- Interviews for Chief Accountant
- Met with Interim City Manager and Auditors on upcoming audit
- Met with Interim City Manager and Sunrise Theatre Director
- Met with Asst. City Attorney on Retirement Board Agenda
- Retirement Board Meeting
- Met with City Attorney, City Manager, Assistant City Attorney, & Grant Writer on loan issue
- Teleconference with Interim City Manager and RBC on Tax Credit Sale
- Met with Harbour Community Bank on sale of loans
- Preparing funds for year-end audit
- Oversee Day to Day Operations.

### Building Division

- Single Family Home, New Construction - 4411 Belle Grove Drive: Building Permit Application Received
- Single Family Home, New Construction - 2705 Oak Alley Drive: Certificate of Occupancy Issued
- Single Family Home, New Construction - 1601 Frances Avenue: Certificate of Occupancy Issued
- Commercial Renovation - Lawnwood Regional Medical Center, 1700 South 23rd Street: Plans Received for a New Angiography Suite
- Commercial Renovation - Sailfish Brewery, 130 North Second Street: Plans Received for Commercial Renovation
- New Townhomes - Inlet Palms, 1502 Seaway Drive: Plans Received for 2 Buildings.
- **Building Department Investigator –**
  - a) 7 cases seen before the Code Enforcement Board
  - b) 3 in violation
  - c) 1 extension given
  - d) 1 continued until next meeting
  - e) 2 in compliance
  - f) 1 Unlicensed Contractor brought before the Board

**Public Works Department**

- **Energy Efficiency & Conservation** – This project is nearing completion with just a few punch list items left to complete. PWD staff has received training on the HVAC controls and will begin overseeing the function of the units shortly.
- **Dan McCarty Track Resurfacing** – Resurfacing of the walking track and LED light replacement is set to begin soon. The ILA has been approved and this project will begin shortly.
- **Old Fort Park** – The mounds stabilization project is completed. Members of the Lion’s Club, Planning and Public Works Department worked together to accomplish this tasks. Stability netting was placed on the mound and approximately 6 inches of soil was spread over the mound before 600 native dune daisies were planted.
- **Multi-Family Single Stream Recycling** – The PWD is excited to implement our Multi-family Single Stream Recycling Program. Our goal is to initiate a rollout of this service during the first quarter of 2016. Our order of Multi-family carts has been placed and we should see them by the end of the year.

**Marina**

- Oversee daily operations for City Marina and Fisherman's Wharf Marina.

**Golf Course**

- Attended the Employee Appreciation Luncheon at the River Walk.
- Completed final preparations for the Thanksgiving Day Turkey shoot at Indian Hills.
- Accepted the Superintendent's resignation and discussed plans with Director of Administrative Services for his replacement.
- Completed the necessary Job Posting for one of the greenskeepers who is also retiring.
- Day-to-day operations.

**River Walk Center**

Park Permits	525.00
Programming	1,024.41
River Walk Center	1,030.31
Garden Center	535.00
Special Events	700.00
Maravilla Center	383.10
Historic City Hall	70.00
Youth Activity	275.00
<b>Total</b>	<b>\$4,542.82</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 November 10 & 17 & 24; Comedy Corner Improv on Saturday, November 14; BlueBird Educational Productions presented Sammy Figueroa on Friday, November 20; Treasure Coast Advocates for Seniors presented McCartney Mania on November 21. Performances on the Sunrise Theatre main stage included: Alpha Kappa Alpha's Fashionetta on November 8; Sunrise Theatre and St. Lucie County Public Schools presented the 3rd Annual STE@M Rap Battle; rehearsal on November 18, 10:30am School Time and evening performance on November 20.
- Assistance continues with future rental events and co-presentations with various community groups including, but not limited to: South FL Dance Company – A Christmas Carol on December 5, St Lucie Ballet's Nutcracker on December 11 & 12; St. Andrew's Academy Christmas Program on December 17; Chris MacDonald's Memories of Elvis on January 15.
- Attended Customer Service Training in Commission Chamber on November 13.
- On November 13 the following new shows were announced and tickets went on sale to members:
  - The Jive Aces – King Of The Swingers: Sunday, January 24 @ 7pm
  - Melissa Etheridge – This Is M. E. Solo: Sunday, February 21 @ 7pm
  - Gordon Lightfoot: Saturday, March 12 @ 8pm
- Contracts for artists and attractions are being received and executed for the coming season.
- Research on artists, teleconferences with agents discussing artist fees, tour routing and availability for the 2015/16 season, along with offers, artist confirmations, and contract negotiations are ongoing on a daily basis.
- Information from all departments is collected on a daily basis for the monthly report on the activities of the Sunrise Theatre, which was requested by the City Manager's office, to be delivered on a monthly basis. This report includes the schedule of in-house shows, rentals, attendance, revenue, and expenditures (tech, marketing, etc.).
- Marketing and show sponsorship packages are being put together to solicit for next season. 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.