C I T Y O F F O R T P I E R C E

CITY COMMISSION AGENDA

Regular Meeting - Monday, December 18, 2017 - 6:30 p.m.
City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **6:15 p.m. - SPECIAL PRESENTATION** - Holiday Music with the Boys and Girls Club of St. Lucie County

   6: 30 p.m. - CALL TO ORDER

2. **OPENING PRAYER -** Pastor Trevor Banks, Resurrection Life Family Worship Center

3. **PLEDGE OF ALLEGIANCE**

4. **ROLL CALL**

5. **APPROVAL OF MINUTES**

   a. Approval of Minutes from the December 4, 2017 regular meeting.

6. **PROCLAMATIONS**

   a. a. Sergeant Daniel Flaherty

   b. b. Sergeant Rodney Nieves

   c. c. Lieutenant Katherine England

7. **LETTERS TO COMMISSION**

   a. Email from Dorothy Ingram thanking Chief Hobley-Burney for Officer Fossella and other police officers who are dependable and spoke at her church.

   b. Letter from Pamela L. Gillette, Marketing and Events, Main Street Fort Pierce, thanking Mayor Hudson, Nick Mimms, City Commissioners, Public Works Department and the Police Department for their support of Sights and Sounds on Second Festival and Parade.

c. Letter of commendation to Kori Benton, Senior Planner from Commissioner Alexander acknowledging Mr. Benton's exemplary work for the City of Fort Pierce.

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. **ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA**

10. **MISCELLANEOUS REPORTS**

11. **CONSENT AGENDA**

a. Approval of a $100 holiday bonus pay to each employee.

b. Approval of the 2017 Bullet Proof Vest Program (BVP) Blanket Purchase Order Request in an amount not to exceed $30,396.08.

c. Approval to purchase twelve (12) DELL Rugged Laptop computers at a cost of $1,659.78 each for a total not to exceed $20,000. The police department is proposing to piggyback the U.S. Communities Contract No. 43211500-WSCA-15-ACS, from Dell Computers, Round Rock, TX.

d. Approval to purchase up to three (3) K-9's for the Fort Pierce Police Department K-9 Unit in the amount not to exceed $30,000.

e. Approval to purchase two (2) Ford Interceptor Sport Utility vehicles for the Fort Pierce Police Department K-9 Unit in the amount not to exceed $78,218.00.

f. Approval of an extension for the Planned Development (PD) Approval for the project commonly known as Villages of Midway, located on northside of Midway Road and west of I-95. This project was originally approved on April 4, 2016 via Ordinance No. 16-009. The new date for the site plan expiration would become April 7, 2020.

g. Approval of a twenty-four (24) month Lease Extension Agreement between the City of Fort Pierce and Fort Pierce Resorts, LLC for certain parcels along Indian River Drive, that are being utilized to provide additional parking spaces for the public.

12. **PUBLIC HEARINGS**

a. Presentation and Public Hearing of 2016-2017 Consolidated Annual Performance Evaluation Report (CAPER).

b. An application for Waiver of Distance submitted by the property owners, Fifer Partners 1 LLC, and applicant/representative, Brian Paul, for approval of Waiver of Distance for a 2COP Alcoholic Beverage License in order to serve Beer and Wine for Consumption on Premises, within a proposed restaurant, at 733 North US Highway 1, Fort Pierce, Florida. The property is zoned General Commercial, C-3, and approximately 2.94 acres in size. The Parcel IDs for the property is 2403-717-0002-000-8, 2403-705- 0024-000-1, & 2403-717-0007-000-3.

c. Review and approval of a Conceptual Development Plan submitted by property owners, Oleander Oaks LLC. and representative Ryan Von Weller of Warwick Commons Ltd, which conceptualizes establishment of an 80-100 unit affordable housing complex exclusively for seniors 55 and older, located on the west side of Oleander Avenue, south of Bell Avenue, and north of Tumblin Kling Road in Fort Pierce, Florida. The property is zoned R-4 Medium Density Residential (south 12.88 acres) and C-3, General Commercial (north 4.3 acres). The development of this project would commence on the south 12.88 acres zoned R-4. The parcel ID for the property is 2433-144-0001-000-6

d. Legislative Hearing - Ordinance 17-037 amending Chapter 5 - Buildings and Building Regulations, Section 5-19(a) in order to remove the Director of Building and Community Response from the Board of Examiners of Contractors. SECOND READING

e. Legislative Hearing - Ordinance No. 17-029 amending Chapter 15 - Signs and Billboards. FIRST READING

f. Legislative Hearing - Ordinance No. 17-039 Amending Chapter 4 - Animals to resolve issues identified by staff during the first year of enforcement efforts regarding tethering. FIRST READING

13. **CITY COMMISSION**

a. Resolution 17-R42 to the Florida Department of Transportation (FDOT) showing the City Commission's support for the inclusion of an observation deck into the design and construction of the North Causeway Bridge Replacement project.

b. Request for letter in support of redevelopment of Brownfield Site ID #BF560702001 located at 1150 South U.S. Highway 1, Ft. Pierce, FL 34950 (Parcel 2415-602-0002-000-2)

c. Follow-up discussion of the Planning Board membership led by Commissioner Johnson.

14. **COMMENTS FROM THE PUBLIC**

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

15. **COMMENTS FROM THE CITY MANAGER**

16. **COMMENTS FROM THE COMMISSION**

17. **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 **5.a.**

Meeting Date: 12/18/2017

Re:

SUBJECT:

Approval of Minutes from the December 4, 2017 regular meeting.

Attachments

12.04.2017

Form Review

Form Started By: Linda Cox Started On: 12/12/2017 05:06 PM

Final Approval Date: 12/12/2017

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, **DECEMBER 4, 2017.**

1. CALL TO ORDER

2. OPENING PRAYER - Pastor Brian Jemison, Common Ground Vineyard Church

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

Present: Mayor Linda Hudson; Commissioner Rufus Alexander; Commissioner Jeremiah Johnson; Commissioner Thomas Perona

Absent: Commissioner Reginald Sessions

Staff Present: City Attorney James Messer
City Clerk Linda Cox
City Manager Nicholas Mimms

Commissioner Sessions arrived at 6:32 p.m.

5. APPROVAL OF MINUTES

a. Approval of minutes from the November 20, 2017 meeting.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Thomas Perona to approve item 5 a.

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

Passed

6. **PROCLAMATIONS**

a. Special presentation by Aaliyah Wilson. Ms. Wilson read a poem she wrote entitled, "I Pledge".

b. A Proclamation was issued to recognize Community Symposium Day.

7. **LETTERS TO COMMISSION** - There were no letters.

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

John Tompeck spoke on item 13 c.
Odil Deroches spoke on item 12 a.
Richard Ross spoke on item 13 c.
Lee Mulderrig spoke on item 13 c.

9. **ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA**

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Jeremiah Johnson to approve the Agenda as presented.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona

Passed

10. MISCELLANEOUS REPORTS

a. Presentation and launch of new city app - Fort Pierce Works (SeeClickFix).

DeVoshay Johnson, Information Technology Manager, spoke of the launch of the City of Fort Pierce's new mobile application. This app will allow residents within our City to report any non-emergency issues to the appropriate staff to take care of with the ability to come back and see what the status of the issue is. This information will also be available to the City Commission in real-time via the website so that they are also kept abreast of what is happening and how potential issues are being handled. It will also provide community engagement supplying information to the public about events going on in the City. This application will launch on Friday, December 15, 2017 and can be accessed for both Android and iPhone devices through their corresponding electronic stores by searching "SeeClickFix" (as one word) and typing in Fort Pierce.

11. CONSENT AGENDA

a. Approval of a one-year extension to Let There Be Lights, Inc., Bid No. 2015-003 Holiday Lighting for Marina Square, in the amount not to exceed $27,000.00.

b. Notification of Director of Development's approval of a Minor Amendment to Site Plan & Conditional Use for Causeway Cove Marina, located at 601 Seaway Drive. The Minor Amendment accommodates access and retention adjustments required with permitting by the Florida Department of Transportation (FDOT) & South Florida Water Management District (SFWMD).

c. Notification of Director of Development's approval of a Minor Amendment to Site Plan for Inlet Palms at 1502 Seaway Drive, Fort Pierce, FL. The properties are zoned Planned Development, PD zone. (Parcel IDs: 2401-501-0279-000-1 and 2401-501-0279-010-4). The Minor Amendment reduces the total number of residential units from seven to six, adds additional parking and a gazebo amenity for the property.

d. Approval of Revocable Encroachment Permit for Sunshine Car Wash located at 3104 Okeechobee Road.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve items 11 a - d.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona

Passed

12. PUBLIC HEARINGS

a. Application submitted by Donald Noble to operate a food truck ("Fork It Over") at 1907 Avenue D, Fort Pierce. Said use requires a Waiver of Distance, Sec. 9-111(b)(1) and (2) to operate within 500 feet from a similar type of business and 300 feet from a church.

Noemí Rios, Deputy City Clerk, presented this business's application. Fork It Over has been in operation for a year, having been given approval to operate with a one-year condition by the City Commission in their meeting of November 21, 2016. Mr. Noble is still addressing issues with his architect and engineer to open a restaurant in place of the mobile food truck in the building next to where he is currently stationed and expects to open in the next six months.

Mayor Hudson opened the Public Hearing.
Candice Brown Goehheg, the applicant's representative and the owner of the 1907 Avenue D building, presented herself for any questions the Commission or the public would have.
Omar Sharif spoke in opposition to the approval of this application saying he did not welcome the competition.
Seeing no one else, the Mayor closed the Public Hearing.

Commissioner Sessions and Commissioner Perona both expressed their concern for hindering brick and mortar business which had presumably higher business expenses, however, being that this mobile food vendor has been in operation for a year and has already begun the process to opening a brick and mortar restaurant, they were not in opposition if this vendor was approved, again with a one-year condition.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Reginald Sessions to approve item 12 a for one-year only.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona

Passed

b. Quasi-Judicial Hearing (waived) - Approval of an Application for Subdivision (Final Plat) submitted by the property owner, Foglia Contracting Corp., for the development of the Inlet Palms Townhome project. The site is located at 1502 Seaway Drive, Fort Pierce, FL. The property is currently zoned PD, Planned Development with a Future Land-Use of HIR, Hutchinson Island Residential.

Brandon Creagan, Planning Analyst, discussed the application for the Inlet Palms Townhomes project. This project consists of two parcels totaling 0.94 acres and seeks to reduce the number of lots previously approved in the preliminary plat from seven to six units with corresponding parking spaces. This reduction allows for additional parking spaces to be added, as well as a gazebo.

The proposed subdivision (Final Plat) is consistent with the City's Land Development Code and Comprehensive Plan, therefore, Staff recommends the City Commission approve the request of a Final Plat.

Mayor Hudson opened the Public Hearing.
Joe Biddle, the applicant, presented himself to answer any questions the Commission or the public would have.
Seeing no one else, the Mayor closed the Public Hearing.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Reginald Sessions to approve item 12 b.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona

Passed

c. Legislative Hearing - Ordinance 17-036 - A voluntary annexation submitted by Celebration Pointe Property Development LLC, and Celebration Pointe CDD to annex property located approximately at 5501 Peterson Road. Property is zoned PUD, Planned Unit Development with a Future Land-Use of RM, Residential Medium. Parcel ID 2418-600-0005-000-6, et al (Complete Celebration Pointe Subdivision) SECOND READING

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

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE THE SUBDIVISION KNOWN AS CELEBRATION POINTE AS RECORDED IN PLAT BOOK 57 PAGES 7-14 AND PROPERTY GENERALLY LOCATED AT 5501 PETERSON ROAD AND 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, 2018; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Commissioner Alexander stated he spoke to and welcomed the contractors to the City of Fort Pierce.
Commissioner Sessions met with the applicant.
Commissioner Perona also met with the applicant.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Jeremiah Johnson to approve item 12 c.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona

Passed

d. Legislative Hearing - Ordinance 17-037 amending Chapter 5 - Buildings and Building Regulations, Section 5-19(a) in order to remove the Director of Building and Community Response from the Board of Examiners of Contractors. FIRST READING

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMENDING CHAPTER 5 - BUILDINGS AND BUILDING REGULATIONS, SEC. 5-19 (a) IN ORDER TO REMOVE THE DIRECTOR OF BUILDING AND COMMUNITY RESPONSE FROM THE BOARD OF EXAMINERS OF CONTRACTORS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

James Messer, City Attorney, expressed this is a minor housekeeping task that will bring the ordinance into compliance with the Sunshine Law pursuant to a directive from the State Attorney who recommended the City Commission take immediate steps to remedy the continuing violation of the Sunshine Law by amending the Code of Ordinances. Mr. Messer clarified the violation was in that the Building Official was also a member of the board and would meet with the Chairman of the board to predetermine if cases would be brought in front of that board, thereby, the Building Official not only sat on the board and voted on the final determination, but also met outside the Sunshine meeting with the Chairman of the board to determine whether the violation should be heard in the first place.

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

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Reginald Sessions to approve item 12 d.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona

Passed

e. Legislative Hearing - Ordinance No. 17-038: Transmittal hearing pertaining to an application submitted by the property owners, Ariel Homes of Treasure Coast, and applicant, S. R. Bacher Enterprises, LLC., for one (1) parcel of land, 56.035 +/- acres, to change the future land use designation within the Comprehensive Plan, from RM, Residential Medium to BC, Boundary Commercial. Said parcel is generally located at the northeast corner of Edwards Road and Jenkins Road, or approximately 3180 South Jenkins Road. FIRST READING

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

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE THE DESIGNATION OF PROPERTY GENERALLY LOCATED AT 3180 SOUTH JENKINS ROAD, FROM MEDIUM DENSITY RESIDENTIAL, RM, TO BOUNDARY COMMERCIAL, BC; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Kori Benton, Senior Planner, presented a request to transmit a proposed future land use map amendment to various State agencies seeking to amend the future land use from RM-Medium Density Residential to BC-Boundary Commercial based on its proximity to the interstate. The Boundary Commercial designation allows medium intensity commercial developments that are primarily intended to serve surrounding neighborhoods and residential areas. Uses allowed within this designation include general commercial, retail, offices, tourist/entertainment facilities, hotels/motels, parks and recreation, along with compatible public, quasi-public, and special uses.

The proposed amendment meets the criteria specified in Section 22-131 of the City Code and promotes and protects the public health, safety and general welfare; therefore, Staff recommends that the City Commission approve the transmittal of the proposed Large Scale amendment.

Mayor Hudson opened the Public Hearing.
Lee Dobbins, the applicant's attorney, gave a presentation to give the Commission and the public further information of what to expect.
Seeing no one else, the Mayor closed the Public Hearing.

Commissioner Perona met with the applicant to discuss this project.
Commissioner Alexander also met with the applicant to discuss this project.

Commissioner Johnson also met with the applicant to discuss this project. Commissioner Sessions also spoke with the applicant about this project.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve item 12 e.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona

Passed

13. CITY COMMISSION

a. Discussion of the Planning Board procedures and membership led by Commissioner Johnson.

Commissioner Johnson discussed the procedures for the Planning Board. He asked City Manager, Nicholas Mimms, to formalize those procedures on City Letterhead so that future members that come on the board will have these and guide themselves accordingly.

Commissioner Johnson expressed his concerns with certain members of the Planning Board and the impending repercussions their behavior during those meetings will cause on business men and women who wish to bring their business to our City. Nicholas Mimms confirmed Mr. Robert Burdge stepped down as the Chairman for this board, but not as member as the Board. In addition to Robert Burdge, Commissioner Johnson was also worried about Marcia Baker's membership on the Board.

Commissioner Alexander also expressed his distaste. He mentioned he watched several meetings and had to consult with the City Attorney, as well as the City Manager because he was upset at the developments and feels amendments should be made.

Mayor Hudson has also seen the aforementioned concerns develop within the board. She said she's spoken with her appointee to see if his expectations were up to par with what was expected from a board member. She further mentioned she was not looking for everyone to always agree on everything, but rather that even when they have disagreements, to express those disagreements respectfully to each other and to staff members. The objective is a Planning Board that works well with staff, is efficient, and everyone that comes before them leaves feeling they've been treated fairly and have had a fair hearing. However, what she's seen is the exercise of power and a lot of time wasted on demonstrating who is in charge and who is right. The Mayor also expressed concern with some comments Ms. Baker has made during these meetings.

Commissioner Perona expressed he would not rush to judgment without having spoken to his appointee, Robert Burdge, and he would appreciate the Commission allow him to speak with Mr. Burdge before making any decisions on his membership with the Planning Board. He was interested in seeing a list of prospective applicants to see if positive changes could be brought to the Planning Board.

Commissioner Sessions expressed that he'd spoken to Mr. Burdge and he seemed very remorseful about the way he'd exercised his title within the board and how he'd acted. Commissioner Sessions was of the agreement that they should not remove Mr. Burdge immediately from the board but rather, wait for Commissioner Perona to speak with him. The Commission agreed to allow Commissioner Perona and Robert Burdge this courtesy.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to remove Ms. Marcia Baker as a member of the Planning Board.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona

Passed

b. Discussion of regularly scheduled City Commission meetings led by Commissioner Perona.

Commissioner Perona opened a discussion for the City Commission to consider changing the Regular Commission Meeting schedule to include one daytime meeting, instead of two evening meetings. Commissioner Johnson believed if this were done it would allow a different view from the public for others that cannot attend the evening meetings because they work nights, since most nights when the Commission Meeting runs to the late hours of the night they are left with very few people left to give their opinions. He also thought it would cut down on monetary costs by having the meeting during regular working hours. Commissioner Johnson also suggested another option would be an afternoon meeting instead of a morning meeting. Mayor Hudson made herself available for anytime the meetings were scheduled.

Commissioner Alexander suggested there could possibly be “more teeth” during the Conference Agenda Meetings allowing for the consensus of those discussions to be on the Consent Agenda for the next Regular meeting.
After much deliberation, the City Commission would like to run a trial period in which they have the second Regular Commission Meeting of the month beginning at 4 p.m. versus 6:30 p.m. They’ve instructed the City Attorney and City Manager to convene in order to amend the ordinance to remove previously stipulated meeting times, so as to be able to work with a resolution moving forward if they were to decide to change the meeting time again in the future.

c. Discussion regarding the funding of the purchase of water front property at the Port of Fort Pierce

Nicholas Mimms, City Manager, provided the City Commission with a memorandum including spreadsheets, a proposed resolution and information regarding the water front property purchase in the Port of Fort Pierce. Sometime in October, St. Lucie County signed a contract for a sales transaction with Indian River Terminal, also known as the Port of Fort Pierce and the Commission asked Mr. Mimms to identify funding to become a participating partner in this purchase. Funding was identified which may be used in this acquisition via the FPUA. This would not negatively affect the operation of the Utilities Authority nor cause rate increases for residents. Mr. Mimms believes this would direct activity to the port, create economic development, and would allow for a contributing port, currently ranking last in the State. In order to proceed with the City being a partner with the County, this would require a contribution of fifty percent of the funds necessary to acquire the port with St. Lucie County, that being $12.5 million. This would not be a loan, but a distribution from FPUA to the City of Fort Pierce to make said purchase. A direct return on investment should be seen in 20 years. Mr. Mimms assured the Commission this would be a low risk opportunity since water front property in the State is scarce and the property could be sold for higher than it was purchased if the plans currently in place would not materialize.

Some Commission members believed this funding could be utilized in other City issues. Mayor Hudson, member of the FPUA Board, mentioned the FPUA Board has spoken about this and both City staff and FPUA staff are working together to address some of these issues. Commissioner Sessions also suggested that perhaps the total of $12.5 million could be reduced so that the City could still participate in the port purchase, but also provide a wholesome abode for the constituents in other areas that need investment.

14. COMMENTS FROM THE PUBLIC

Charles Gannon
Sherry Strong

15. COMMENTS FROM THE CITY MANAGER

a. City Manager's Report

At the City Manager’s request, Mike Reals provided the Commission with a street light update.

Regarding the traffic light issues, Tracy Telle, Assistant City Engineer, told the Commission she would acquire an update from the appropriate staff member.

Lastly, Mr. Nicholas Mimms let the Commission know the City has currently received four proposals for the RFQ bid for the H.D. King Plan site.

16. COMMENTS FROM THE COMMISSION

Commissioner Alexander announced the Christmas on Moore’s Creek event to take place on Saturday, December 16, 2017 on the corner of 8th Street and Avenue D from 12 p.m. to 4 p.m.

Commissioner Perona thanked everyone who had a hand in the Christmas Parade the previous weekend, as well as, the new chairs for the City Commission.

Commissioner Sessions had no comments or announcements.

Commissioner Johnson thanked the Public Works Department for the clean-up after the Christmas Parade and announced he was celebrating his one-year anniversary on the City of Fort Pierce’s Commission.

Mayor Hudson asked City Clerk, Linda Cox, to put together a complete list of the Boards the Commission Members served on and their attendance to each meeting.

17. ADJOURNMENT

ATTEST:

CITY CLERK

MAYOR COMMISSIONER

City Commission Regular Meeting **6.a.**

Meeting Date: 12/18/2017

Re:

SUBJECT:

a. Sergeant Daniel Flaherty

SUMMARY:

RECOMMENDATION:

ALTERNATIVES:

RESPONSIBLE STAFF:

COORDINATED WITH:

Attachments

Flaherty Proclamation

Form Review

Form Started By: Noemi Rios Started On: 12/15/2017 12:48 PM

Final Approval Date: 12/15/2017

WHEREAS, Sergeant Daniel Flaherty began his career on June 9, 1996, as a Police Officer with the Fort Pierce Police Department, and he was promoted to the rank Sergeant of Police Officer on June 18, 2000 ; and

WHEREAS, Sergeant Flaherty was deeply devoted and committed to his responsibilities as a member of the Fort Pierce Police Department; and

WHEREAS, During his term of service, Sergeant Flaherty received several prestigious awards, including:

- Life Saving Award in 2013
- Exceptional Service Award in 2011
- Manager of the Quarter in 2004
- Outstanding Service Award in 2001
- Certificate of Merit Investigate Services Bureau in 2000
- Detective of the Quarter in 1999
- Criminal Investigations Division Certificate of Merit in 1998
- Exceptional Duty Award in 1998

WHEREAS, Sergeant Flaherty provided outstanding contributions to the department as a Road Patrol Supervisor, Detective Sergeant, Criminal Investigations Division Detective, Homicide Investigator, Interview & Interrogations Expert, Sexual Crimes Investigator; and

WHEREAS, Sergeant Flaherty, throughout his career, received numerous awards and commendation letters for the professional manner in which he has handled his assignments; and

WHEREAS, Sergeant Flaherty elected to retire on September 5, 2017.

NOW, THEREFORE, I, Linda Hudson, Mayor of the City of Fort Pierce, Florida, do hereby issue this proclamation in honor of:

Sergeant Daniel Flaherty

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Fort Pierce, Florida, to be affixed this 18th day of December, 2017.

MAYOR/COMMISSIONER

City Commission Regular Meeting **6.b.**

Meeting Date: 12/18/2017

Re:

SUBJECT:

b. Sergeant Rodney Nieves

SUMMARY:

RECOMMENDATION:

ALTERNATIVES:

RESPONSIBLE STAFF:

COORDINATED WITH:

Attachments

Nieves Proclamation

Form Review

Form Started By: Noemi Rios Started On: 12/15/2017 12:53 PM

Final Approval Date: 12/15/2017

WHEREAS, Sergeant Rodney Nieves began his career on February 7, 1994, as a Police Officer Trainee with the Fort Pierce Police Department, he was promoted to the rank of Police Officer on June 23, 1994 and then, promoted to Sergeant of Police on June 23, 2004; and

WHEREAS, Sergeant Nieves was deeply devoted and committed to his responsibilities as a member of the Fort Pierce Police Department; and

WHEREAS, During his term of service, Sergeant Nieves received several prestigious awards, including:

- Exceptional Unit Award in 2015, 2014
- Life Saving Award in 2015
- Exceptional Police Service 2011
- Supervisor of the Quarter in 2010
- Life Saving Citation in 2004
- Exceptional Duty in 2001

WHEREAS, Sergeant Nieves was an instructor for the police department in various areas including Field Training Supervisor, Hostage Negotiator, Radar & Laser Instructor, Firearms Instructor, Traffic Homicide Investigator Certified, Defensive Tactics Instructor, Taser Instructor, Homicide Investigator, ASP Instructure, Driving Instructor; and

WHEREAS, Sergeant Nieves, throughout his career, received numerous awards and commendation letters for the professional manner in which he has handled his assignments; and

WHEREAS, Sergeant Nieves elected to retire on August 23, 2017.

NOW, THEREFORE, I, Linda Hudson, Mayor of the City of Fort Pierce, Florida, do hereby issue this proclamation in honor of:

Sergeant Rodney Nieves

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Fort Pierce, Florida, to be affixed this 18th day of December, 2017.

MAYOR/COMMISSIONER

City Commission Regular Meeting **6.c.**

Meeting Date: 12/18/2017

Re:

SUBJECT:

c. Lieutenant Katherine England

SUMMARY:

RECOMMENDATION:

ALTERNATIVES:

RESPONSIBLE STAFF:

COORDINATED WITH:

Attachments

England Proclamation

Form Review

Form Started By: Noemi Rios Started On: 12/15/2017 12:54 PM

Final Approval Date: 12/15/2017

WHEREAS, Lieutenant Katherine England began her career on February 25, 1991, as a Police Officer Trainee with the Fort Pierce Police Department, she was promoted to the rank of Police Officer 1 on October 1, 1991. She was promoted the rank of Sergeant of Police on December 12, 1999 and then, promoted to the rank of Lieutenant of Police on November 3, 2005; and

WHEREAS, Lieutenant England was deeply devoted and committed to her responsibilities as a member of the Fort Pierce Police Department; and

WHEREAS, During her term of service, Lieutenant England received several prestigious awards, including:

- Exceptional Unit, Rotation D in 2011
- Manager of the Year in 2006
- Manager of the Quarter in 2005, 2006
- Community Service Award in 2004
- Life Saving Citation in 2004
- Exceptional Duty Award in 1996

WHEREAS, Lieutenant England was an instructor for the police department in various areas including FCIC/NCIC Instructor, and Field Training Coordinator/Instructor. She was the department's Accreditation Manager and a member of the Crisis Intervention Team; and

WHEREAS, Lieutenant England, throughout her career, received numerous awards and commendation letters for the professional manner in which she has handled her assignments; and

WHEREAS, Lieutenant England elected to retire on September 11, 2017.

NOW, THEREFORE, I, Linda Hudson, Mayor of the City of Fort Pierce, Florida, do hereby issue this proclamation in honor of:

Lieutenant Katherine England

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Fort Pierce, Florida, to be affixed this 18th day of December, 2017.

MAYOR/COMMISSIONER

City Commission Regular Meeting **7.a.**

Meeting Date: 12/18/2017

Re: Email from Dorothy Ingram

Submitted For: Nick Mimms, City Manager, City Manager

SUBJECT:

Email from Dorothy Ingram thanking Chief Hobley-Burney for Officer Fossella and other police officers who are dependable and spoke at her church.

Attachments

Email from Dorothy Ingram

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	12/12/2017 11:58 AM
City Manager	Nick Mimms	12/12/2017 12:00 PM

Form Started By: Jennifer Robinson Started On: 12/04/2017 02:33 PM

Final Approval Date: 12/12/2017

FW: Great performance

Diane Hobley-Burney to: Nicholas Mimms 12/04/2017 01:40 PM

Cc: Jennifer Robinson, Rosetta Smith

Please see below

-----Original Message-----
From: Dorothy Ingram [mailto:dorothy.a5709@att.net]
Sent: Tuesday, November 28, 2017 2:24 PM
To: Diane Hobley-Burney <dhobley-burney@fppd.org>
Subject: Great performance

Dear Chief Hobley-Burney:

Just a few words to say thank you, and for having good officers in your department.

I'm sure that you are aware within your department that your officers are dependable and have great performance. Of course, I can only speak for the officers that I invited to my church on October 29, 2017.

Officer Fossella (hope that's the right spelling), and a few of your officers came to my church, Zion Hope Miss., Baptist Church, on said mentioned date above, to speak on my behalf, which I was in the hospital. But I was told what perfectionism with great performance your officers showed.

Since we the people, likes to complaint on the bad things, I, Dorothy Ingram, would like to turn the complaint into a big praise, to the one's that made a difference.

To have officers as these, shows a great leader.

Thank you
Dorothy Ingram

City Commission Regular Meeting **7.b.**

Meeting Date: 12/18/2017

Re: Letter from Main Street Fort Pierce

Submitted For: Nick Mimms, City Manager, City Manager

SUBJECT:

Letter from Pamela L. Gillette, Marketing and Events, Main Street Fort Pierce, thanking Mayor Hudson, Nick Mimms, City Commissioners, Public Works Department and the Police Department for their support of Sights and Sounds on Second Festival and Parade.

Attachments

Letter from P. Gillette

Form Review

Form Started By: Jennifer Robinson Started On: 12/07/2017 11:21 AM

Final Approval Date: 12/12/2017

Main Street Fort Pierce

Thursday, December 07, 2017

City of Fort Pierce
P.O. Box 1480
Fort Pierce, FL 34954

Mayor Hudson, Nick Mimms, City Commissioners, Public Works Department and Fort Pierce Police Department

Main Street Fort Pierce and the Board of Directors would like to thank you for your support of the 29th Annual Sights and Sounds on Second Festival and Parade, "Magical Musical Christmas". With 100 entries and 2500 participants; this year was the biggest and best parades in our history.

Main Street Fort Pierce greatly appreciates the City of Fort Pierce support of the Sights and Sounds on Second Festival and Parade. We commend The Fort Pierce Police Department, the Public Works Department, and the Fort Pierce Sunrise Kiwanis Club for their hard work and dedication to the festival and parade. We could not put on this successful event year after year without their support.

Main Street is very proud of our partnership with the City of Fort Pierce. Throughout the past 29 years, the City of Fort Pierce has been there to assist us with many of our events and to help us bring people back to our beautiful City. We thank you again and we look forward to next year as we celebrate the 30th anniversary of our Christmas Parade.

Main Street Fort Pierce would like to wish you and your staff a very happy and safe holiday season!

Sincerely,

Pamela L. Gillette

Pam Gillette
Marketing and Events
Main Street Fort Pierce

Main Street Fort Pierce
122 A. E. Backus Avenue • Fort Pierce, FL 34950
Phone: (772) 466-3880 • Fax: (772) 466-3917

City Commission Regular Meeting **7.c.**

Meeting Date: 12/18/2017

Re: Letter of Commendation for Kori Benton

SUBJECT:

Letter of commendation to Kori Benton, Senior Planner from Commissioner Alexander acknowledging Mr. Benton's exemplary work for the City of Fort Pierce.

Attachments

Letter

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	12/12/2017 11:59 AM

Form Started By: Linda Cox

Started On: 12/05/2017 03:00 PM

Final Approval Date: 12/12/2017

THE SUNRISE CITY
FORT PIERCE
OFFICE OF THE MAYOR
AND CITY COMMISSION
Florida

December 4, 2017

Mr. Kori Benton
Senior Planner
Planning Department
100 N. US Highway 1
Fort Pierce, FL 34950

Dear Mr. Benton:

The purpose of this letter is to commend you for the exemplary job you have been performing as the Senior Planner in the City of Fort Pierce's Planning Department.

Your hard work and dedication to your job and our City is evident and shines through during each Commission Meeting in which you are expected to present future plans for businesses within our City. Your knowledge of the City's Code and Ordinances is commendable and it makes my job as a City Commissioner easier, but also, it makes me proud to know we can count with people like you who accurately assess the future planning of land use and development and can effectively provide the City Commission with recommendations and suggestions we can trust.

I commend you for all you do for our beautiful City and look forward to being able to continue to see you thrive in your future endeavours within our City.

Sincerely,

Rufus Alexander

Commissioner Rufus Alexander

100 NORTH US 1, FORT PIERCE, FLORIDA 34950 • CITYOFFORTPIERCE.COM • TEL: 772.467.3065 • FAX: 772.467.3841

City Commission Regular Meeting **11.a.**

Meeting Date: 12/18/2017

Re: Holiday Bonus Pay

Submitted For: Nick Mimms, City Manager, City Manager

SUBJECT:

Approval of a $100 holiday bonus pay to each employee.

SUMMARY:

As a token of appreciation for the service and hard work of the employees during the past year, it is recommended that each employee be given a $100 holiday bonus.

RECOMMENDATION:

Staff recommends approval.

ALTERNATIVES:

Staff will proceed as directed by the City Commission.

RESPONSIBLE STAFF:

Nicholas C. Mimms, City Manager

COORDINATED WITH:

Johnna Morris, Director of Finance

Fiscal Impact

Budgeted Y/N: N

Fiscal Year: 2018

Account: 00160005134990

Amount: $33,600

FISCAL IMPACT:

The cost is $33,600 and funds will be paid from fund balance.

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	12/12/2017 01:59 PM

Form Started By: Jennifer Robinson

Started On: 12/12/2017 12:20 PM

Final Approval Date: 12/12/2017

City Commission Regular Meeting **11.b.**

Meeting Date: 12/18/2017

Re: 2017 Bulletproof Vest Program Blanket Purchase Order

Submitted For: Frank Amandro, Deputy Chief , Police Department

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SUBJECT:

Approval of the 2017 Bullet Proof Vest Program (BVP) Blanket Purchase Order Request in an amount not to exceed $30,396.08.

SUMMARY:

The police department has submitted an application for the 2017 Bulletproof Vest Program (BVP) and has received an award. The police department is now requesting approval to establish a blanket purchase order in the amount not to exceed $30,396.08. The approval of this purchase order will allow the police department to move forward with the purchase of fifty-two (52) new bulletproof vests over the life of the award. These vests will be for new hires and replace vests that have expired.

The BVP award is for a total of $15,198.04, and requires a 50% match from the City's General Fund, totaling $30,396.08 that can be used for purchasing.

RECOMMENDATION:

The police department recommends that this request be approved.

ALTERNATIVES:

The alternative would be to decline the award and forfeit the purchase of the bullet resistant vests for its new offices as well as its current officers that are wearing vests that have expired.

RESPONSIBLE STAFF:

Frank Amandro, Deputy Chief and John Schramm, Sergeant

COORDINATED WITH:

Anthony Maynard, Program & Grant Coordinator

Fiscal Impact

Budgeted Y/N: Y

Fiscal Year: 2018

Account: 10130055215251

Amount: 15,198.04

FISCAL IMPACT:

The BVP award will require a 50% match from the City's General Fund in the amount of $15,198.04.

Attachments

BVP Agenda Request

Form Review

Inbox	Reviewed By	Date
Finance Department	Karen Logue	12/11/2017 04:47 PM
City Manager	Nick Mimms	12/12/2017 11:59 AM
Form Started By: Anthony Maynard		Started On: 11/06/2017 03:01 PM
Final Approval Date: 12/12/2017		

REQUEST FOR PURCHASE
FORT PIERCE POLICE DEPARTMENT

DATE: 10/31/2017

VENDOR:		Department/Division
		ALL
GT Distributors - Vendor 71141 8725 Youngerman Ct. Ste 305 Jacksonville, Fl 33224 800.443.6283 www.gtdist.com		**Account Number** **101.3005.521.5251** **Com. Code:**
	PROJECT CODE:	**Needed For**
	BP2017	NPB

DATE	DEL DATE	VENDOR NUMBER	F.O.B.	TERMS	PURCHASE ORDER #
10/31/17		71141	DEST	Net/30	

QUANTITY	UNIT	DESCRIPTION	STOCK NUMBER	UNIT COST	AMOUNT
					$0.00
52	Ea.	American Body Armor (ABA) - BA-2000S-XT03		$576.00	$29,952.00
		Type II - Bulletproof Vests.			
		BLANKET P.O. REQUEST			$0.00
		Purchase Order not to exceed $30,396.08			$0.00
		(BVP Award $15,198.04 + Match $15,198.04)			$0.00
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
				$0.00	$0.00
					$0.00
					$0.00
				Total	$29,952.00

REMARKS:

Attention- Sandi White

*** Blanket PO * - 50% match required on vest purchases ($15,198.04)**
*** GRANT PURCHASE - Grant Title: OJP BulletProof Vest Program**
*** Grant Project Code - BP2017**
*** Safariland Special Pricing Agreement Ref# - 20179524**

Contact Information:
Anthony Maynard, Grant Coordinator
772.467.6812 cell
772.461.2005
amaynard@fppd.org

Requested By: Anthony Maynard

Approved By:

Approved Date: 11/01/17

Anthony Maynard

From: owner-bvp-list@ojp.usdoj.gov on behalf of BVP <bvp@usdoj.gov>
Sent: Thursday, October 26, 2017 6:16 PM
Subject: Bulletproof Vest Partnership 2017 Awards

Dear BVP applicant,

The Bureau of Justice Assistance (BJA) is pleased to inform you that your agency will receive an award under the Fiscal Year (FY) 2017 Bulletproof Vest Partnership (BVP) solicitation. These funds have been posted to your account in the BVP System. A complete list of FY 2017 BVP awards is available at: http://www.ojp.usdoj.gov/bvpbasi/.

The FY 2017 award may be used for National Institute of Justice (NIJ) compliant armored vests which were ordered after April 1, 2017. The deadline to request payments from the FY 2017 award is August 31, 2019, or until all available funds have been requested. Awards will not be extended past that date, and any unused funds will be forfeited.

Please see the following websites for a list of NIJ compliant vests:
Ballistic Vests: http://nij.gov/nij/topics/technology/body-armor/compliant-ballistic-armor.htm
Stab Resistant Vests: http://nij.gov/nij/topics/technology/body-armor/compliant-stab-armor.htm

As a reminder, all jurisdictions that applied for FY 2017 BVP funding certified that a mandatory wear policy was in place for their jurisdiction. BJA will be conducting reviews of the mandatory wear policies as funds are requested from the BVP System. For more information on the BVP mandatory wear policy, please see the BVP Frequently Asked Questions document: http://www.ojp.usdoj.gov/bvpbasi/docs/FAQsBVPMandatoryWearPolicy.pdf

Additionally, uniquely fitted armor is a new requirement in 2017. In the BVP Program, "uniquely fitted vests" means protective (ballistic or stab-resistant) armor vests that conform to the individual wearer to provide the best possible fit and coverage, through a combination of: 1) correctly-sized panels and carrier, determined through appropriate measurement, and 2) properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features. The requirement that body armor be "uniquely fitted" does not necessarily require body armor that is individually manufactured based on the measurements of an individual wearer. In support of the Office of Justice Programs' efforts to improve officer safety, the American Society for Testing and Materials (ASTM) International has made available the *Standard Practice for Body Armor Wearer Measurement and Fitting of Armor* (Active Standard ASTM E3003) available at no cost. The Personal Armor Fit Assessment checklist, is excerpted from ASTM E3003.

Finally, please visit the following page for checklists and guides for each step of the BVP process: http://ojp.gov/bvpbasi/bvpprogramresources.htm.

For questions regarding the BVP Program or your award, please do not hesitate to contact the BVP Help Desk at vests@usdoj.gov or 1-877-758-3787.

Thank you

BVP Program Support Team
Bureau of Justice Assistance

FY 2017 BVP Awards

State	Jurisdiction Name (City)	BVP Funding Amount
AK	CORDOVA CITY	$742.74
AK	DILLINGHAM CITY	$1,541.69
AK	FAIRBANKS CITY	$4,392.50
AK	HOMER CITY	$2,523.69
AK	JUNEAU CITY AND BOROUGH	$4,469.83
AK	KENAI CITY	$988.32
AK	KETCHIKAN CITY	$1,747.02
AK	KODIAK CITY	$1,321.75
AK	NOME CITY	$2,792.03
AK	NORTH SLOPE BOROUGH	$4,172.48
AK	PALMER CITY	$1,904.75
AK	PETERSBURG CITY	$697.79
AK	SAND POINT CITY	$1,453.51
AK	SITKA CITY AND BOROUGH	$1,417.58
AK	SOLDOTNA CITY	$1,277.82
AK	**Totals for AK(15 Jurisdictions):**	**$31,443.50**
AL	ALABASTER CITY	$2,316.05
AL	ALEXANDER CITY	$7,776.72
AL	ANNISTON CITY	$4,638.08
AL	ARAB CITY	$2,848.74
AL	ASHLAND CITY	$778.67
AL	ATHENS CITY	$2,459.80
AL	AUBURN CITY	$5,840.03
AL	AUTAUGA COUNTY	$2,076.46
AL	BESSEMER CITY	$16,075.34
AL	CENTRE CITY	$2,067.72
AL	CHEROKEE COUNTY	$1,187.98
AL	CHICKASAW CITY	$2,236.18
AL	CHILTON COUNTY	$11,596.19
AL	CHOCTAW COUNTY	$653.69
AL	CLANTON CITY	$1,715.07
AL	COFFEE COUNTY	$2,375.95
AL	CULLMAN COUNTY	$7,127.83
AL	DAPHNE CITY	$5,390.79
AL	DECATUR CITY	$4,950.35
AL	DEMOPOLIS CITY	$2,511.71
AL	ENTERPRISE CITY	$2,491.70
AL	EUFAULA CITY	$1,906.35
AL	FLOMATON TOWN	$1,702.30
AL	FLORENCE CITY	$6,234.15
AL	FOLEY CITY	$3,953.25
AL	FORT PAYNE CITY	$5,191.14
AL	GADSDEN CITY	$14,794.73
AL	GARDENDALE CITY	$1,453.21
AL	HARTFORD CITY	$1,501.44

State	Jurisdiction Name (City)	BVP Funding Amount
FL	ALTAMONTE SPRINGS CITY	$6,158.44
FL	APOPKA CITY	$3,833.45
FL	ARCADIA CITY	$5,889.94
FL	ATLANTIC BEACH CITY	$2,373.55
FL	ATLANTIS CITY	$1,307.77
FL	AUBURNDALE CITY	$6,451.70
FL	AVENTURA CITY	$9,543.70
FL	BAKER COUNTY	$2,751.30
FL	BELLE ISLE CITY	$2,833.40
FL	BELLEAIR TOWN	$779.47
FL	BOCA RATON CITY	$29,349.86
FL	BOYNTON BEACH CITY	$7,986.36
FL	BRADENTON CITY	$10,307.99
FL	CALHOUN COUNTY	$1,796.93
FL	CASSELBERRY CITY	$4,541.21
FL	CHATTAHOOCHEE CITY	$1,428.35
FL	CHIPLEY CITY	$866.84
FL	CLERMONT CITY	$628.99
FL	CLEWISTON CITY	$1,253.06
FL	COCOA BEACH CITY	$2,089.24
FL	COCOA CITY	$9,603.24
FL	COCONUT CREEK CITY	$4,152.13
FL	COLUMBIA COUNTY	$5,031.41
FL	DAVENPORT CITY	$2,976.92
FL	DAYTONA BEACH CITY	$27,565.78
FL	DAYTONA BEACH SHORES CITY	$3,302.36
FL	DELRAY BEACH CITY	$14,087.93
FL	EDGEWATER CITY	$1,365.67
FL	EUSTIS CITY	$2,931.00
FL	FELLSMERE CITY	$263.55
FL	FLAGLER BEACH CITY	$1,373.66
FL	FLORIDA CITY	$1,281.81
FL	FORT WALTON BEACH CITY	$3,749.60
FL	FRUITLAND PARK CITY	$1,758.60
FL	FT PIERCE CITY	$15,198.04
FL	GREEN COVE SPRINGS CITY	$3,296.66
FL	GROVELAND CITY	$8,563.57
FL	GULFPORT CITY	$2,637.90
FL	HAINES CITY	$1,461.21
FL	HALLANDALE CITY	$6,772.27
FL	HARDEE COUNTY	$3,141.76
FL	HAVANA TOWN	$1,319.67
FL	HENDRY COUNTY	$8,385.68
FL	HILLSBORO BEACH TOWN	$1,236.29
FL	HOLLY HILL CITY	$1,437.55

JTIC Justice Technology Information Ce

A program of the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice.

Additional Information Regarding NIJ Body Armo Compliant Product List for NIJ STD-0101.06

If the National Institute of Justice (NIJ) determines that a model meets the requirements of the standard and the NIJ Compliance Testing Program (CTP), NIJ will include the armor on the NIJ Compliant Product List (CPL). The armor will be shown in a table as illustrated below. Scroll down to learn more about each term.

Threat Level	Model Designation	Gender	Opening	Accessory	Size Range *(Highlighted Boxes)*	Warranty	CPL Commer

Listed Company

The Listed Company name that appears above the table is what you will also see on the label of the ballistic panels. The Listed Company is not necessarily the manufacturer of the vest.

Contact Information

The information shown here below the Listed Company name is provided by the company. It generally refers to the headquarters or sales office. The address is not necessarily the location of manufacture of the vest.

Threat Level

Manufacturers specify prior to testing the threat level for which the vest is designed. All models listed on the CPL are tested to one or more of the five defined threat types. The types are defined in Chapter 2 of tl standard, and are listed here again:

> **IIA:** Compliance at Type IIA requires that new and unworn armor samples protect against 9 mm Fu Metal Jacketed Round Nose (FMJ RN) bullets with a specified mass of 8.0 g (124 gr) and a velocit of 373 m/s ± 9.1 m/s (1225 ft/s ± 30 ft/s) and with .40 S& W Full Metal Jacketed (FMJ) bullets wit a specified mass of 11.7 g (180 gr) and a velocity of 352 m/s ± 9.1 m/s (1155 ft/s ± 30 ft/s).
>
> Compliance at Type IIA also requires that conditioned armor samples protect against 9 mm FMJ R bullets with a specified mass of 8.0 g (124 gr) and a velocity of 355 m/s ± 9.1 m/s (1165 ft/s ± 30 ft/s) and with .40 S& W FMJ bullets with a specified mass of 11.7 g (180 gr) and a velocity of 325 m/s ± 9.1 m/s (1065 ft/s ± 30 ft/s).
>
> **II:** Compliance at Type II requires that new and unworn armor samples protect against 9 mm FMJ RN bullets with a specified mass of 8.0 g (124 gr) and a velocity of 398 m/s ± 9.1 m/s (1305 ft/s ± 30 ft/s) and with .357 Magnum Jacketed Soft Point (JSP) bullets with a specified mass of 10.2 g (158 gr) and a velocity of 436 m/s ± 9.1 m/s (1430 ft/s ± 30 ft/s).
>
> Compliance at Type II also requires that conditioned armor samples protect against 9 mm FMJ RN bullets with a specified mass of 8.0 g (124 gr) and a velocity of 379 m/s ±9.1 m/s (1245 ft/s ± 30 ft/s) and with .357 Magnum JSP bullets with a specified mass of 10.2 g (158 gr) and a velocity of 408 m/s ±9.1 m/s (1340 ft/s ± 30 ft/s).

IIIA: Compliance at Type IIIA requires that new and unworn armor samples protect against .357 SI(FMJ Flat Nose (FN) bullets with a specified mass of 8.1 g (125 gr) and a velocity of 448 m/s ± 9.1 m/s (1470 ft/s ± 30 ft/s) and with .44 Magnum Semi Jacketed Hollow Point (SJHP) bullets with a specified mass of 15.6 g (240 gr) and a velocity of 436 m/s ± 9.1 m/s (1430 ft/s ± 30 ft/s).

Compliance at Type IIIA also requires that conditioned armor samples protect against .357 SIG FM FN bullets with a specified mass of 8.1 g (125 gr) and a velocity of 430 m/s ± 9.1 m/s (1410 ft/s ± 30 ft/s) and with .44 Magnum SJHP bullets with a specified mass of 15.6 g (240 gr) and a velocity of 408 m/s ± 9.1 m/s (1340 ft/s ± 30 ft/s).

III: Compliance at Type III for hard armor or plate inserts requires that samples be tested in a conditioned state with 7.62 mm FMJ, steel jacketed bullets (U.S. Military designation M80) with a specified mass of 9.6 g (147 gr) and a velocity of 847 m/s ± 9.1 m/s (2780 ft/s ± 30 ft/s).

Compliance at Type III for flexible armor requires that samples be tested in both the "as new" state and the conditioned state with 7.62 mm FMJ, steel jacketed bullets (U.S. Military designation M80) with a specified mass of 9.6 g (147 gr) and a velocity of 847 m/s ± 9.1 m/s (2780 ft/s ± 30 ft/s).

IV: Compliance at Type IV for hard armor or plate inserts requires that samples be tested in a conditioned state with .30 caliber armor piercing (AP) bullets (U.S. Military designation M2 AP) wit a specified mass of 10.8 g (166 gr) and a velocity of 878 m/s ± 9.1 m/s (2880 ft/s ± 30 ft/s).

Compliance at Type IV for flexible armor requires that samples be tested in both the "as new" state and the conditioned state with .30 caliber AP bullets (U.S. Military designation M2 AP) with a specified mass of 10.8 g (166 gr) and a velocity of 878 m/s ± 9.1 m/s (2880 ft/s ± 30 ft/s).

Model Designation

The Model Designation is the name or alphanumeric code that an Applicant uses to uniquely identify a particular model. An Applicant may sometimes also use more recognizable product or marketing names to sell the vest after testing. The label should also state the NIJ Model Designation so that a user can reference back to the CPL.

Gender

The standard does not specifically address male, female or gender-neutral armor. Instead, the standard addresses planar vs. nonplanar panels. Male armor panels are typically considered to be planar and female armors are typically considered to be nonplanar due to shaping to conform to the female physiqu Gender-neutral armor panels are typically tested as planar armor. All hard armor plates are typically considered to be gender neutral. It is recommended that female officers be fitted for soft body armor specifically designed for females due to the need for the vest to match the physical profile of the wearer.

Opening

Armors that are designed to be front-opening versus armors that are designed to be attached at the side: must be tested separately. This box will identify how the armor was tested and designed to be worn.

Accessory

Currently all models listed on the CPL are body armor intended to be worn on the front and back torso. In the future, if the CTP allows testing of accessory panels (e.g., groin, shoulder, cocyx), we will identify thos pieces with an 'X' in this box on the CPL.

Size Range

Two sizes are required in the compliance test group for IIA, II and IIIA models: larger sized and smaller sized. The sizes of the armor samples will depend on the range of the sizes over which the armor model will be produced. Sizes are determined by the total surface area of the panel. After testing, the minimum and maximum allowable sizes that can be produced are defined in NIJ STD-0101.06, Appendix C, Tables 13 and 14 (shown below). For example, a model that is tested through the CTP using C-2 as the smaller template size and C-4 must not produce a vest below 152 sq in (Table 13) or greater than 381 sq in (Tabl 14). Likewise, a vest tested as C-1 and C-5 is not bounded on either end by a production size limit.

Table 13. Minimum allowable surface areas for production armor

If the smaller template tested is:	The minimum area of production armor shall be:
NIJ–C–1	No limit
NIJ–C–2	0.0980 m^2 (152 in^2)
NIJ–C–3	0.1399 m^2 (217 in^2)
NIJ–C–4	0.1890 m^2 (293 in^2)
NIJ–C–5	Not applicable

Table 14. Maximum allowable surface areas for production armor

If the larger template tested is:	The maximum area of production armor shall be:
NIJ–C–1	Not applicable
NIJ–C–2	0.1399 m^2 (217 in^2)
NIJ–C–3	0.1890 m^2 (293 in^2)
NIJ–C–4	0.2455 m^2 (381 in^2)
NIJ–C–5	No limit

Warranty

Warranty is a period of time the CTP requires a manufacturer to self declare and place on the armor label There are no tests in NIJ Standard-0101.06 that are used to determine warranty period. As a minimum, th CTP requires the warranty period stated on the label to represent the length of manufacturer's warranty period for ballistic performance of the model with the originally declared threat level.

CPL Comment

In certain situations the CTP may need to provide additional information regarding a model's status. If th is necessary, a note will appear in this cell.

You might also be interested in these materials:

- All Compliant Product Lists (Find-Products.html)
- General information on the Compliance Testing Program (Testing-program.html)
- Compliance Testing (Learn-about-testing.html)

Models that Comply with the NIJ Standard-0101.06 for Ballistic-Resistance of Body Armor

Filter: Listed Company | Gender | Opening | Threat | Status

ABBA TECH/PRO-ARMOUR

ZAMORA No. 33 Col. Condesa 06140
Tel: +52 55 4744 0704

Threat Level	Model Designation	Gender	Opening	Size Range *(Highlighted Boxes)*					Warranty	Model Status
IIIA	ABBALATERAL 3-A	Neutral	Side Opening		C2	C3	C4	C5	5 Years	Active

Accushape, Inc.

4344 SW Cheapeake Ave. Portland , OR 97239-1347
Tel: 503-977-9348 Fax: 503-977-9351

Threat Level	Model Designation	Gender	Opening	Size Range *(Highlighted Boxes)*					Warranty	Model Status
IIIA	QCSquared 3-A	Neutral	Side Opening		C2	C3	C4	C5	8 Years	Active

Achidatex Ltd.

3 Haavoda St. Nazareth Elite 17000
Tel: +972.4.6556008 Fax: +972.4.6552588
http://www.achidatex.co.il

Threat Level	Model Designation	Gender	Opening	Size Range *(Highlighted Boxes)*					Warranty	Model Status
IIIA	RAV 102-AX12	Neutral	Side Opening		C2	C3	C4	C5	5 Years	Active

Advanced Ballistic Systems, LLC

4270 Piedmont Parkway, Suite 101-B Greensboro , NC 27410
Tel: 336-558-9512

Threat Level	Model Designation	Gender	Opening	Size Range *(Highlighted Boxes)*					Warranty	Model Status
IIIA	SLRIIIA	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	STD-103-IIIA	Neutral	Side Opening		C2	C3	C4	C5	5 Years	Active

AdvanTac Technologies

14428 167th Ave. SE Monroe 98272
Tel: (206) 965-9660 Fax: (206) 965-9659
http://www.advantac.com/

Threat Level	Model Designation	Gender	Opening	Size Range *(Highlighted Boxes)*					Warranty	Model Status
IIIA	1BA-PANEL-XPPF	Neutral	Side Opening		C2	C3	C4	C5	5 Years	Active

Aegis Engineerging Ltd

5, Chesford Grange, Woolston Warrington, Cheshire WA1 4RQ
Tel: +44 1925 840048
http://www.aegis-eng.com/

Threat Level		Gender	Opening		Warranty	

	Model Designation			Size Range (Highlighted Boxes)						Model Status
IIIA	KXPIIIAF	Female	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	XP-IIIA	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	XPIIIA-1	Male	Side Opening	C1	C2	C3	C4	C5	5 Years	Active

Affordable Body Armor

P.O. Box 220151 Glenwood , FL 32722
Tel: 389-748-7468

Threat Level	Model Designation	Gender	Opening	Size Range (Highlighted Boxes)					Warranty	Model Status
IIIA	XP3A-10	Neutral	Side Opening		C2	C3	C4	C5	5 Years	Active

Amendment II

79 West 4500 South Suite #6 Salt Lake City , UT 84107
Tel: 801-201-7878
http://www.amendment2.com/

Threat Level	Model Designation	Gender	Opening	Size Range (Highlighted Boxes)					Warranty	Model Status
II	Centurion CNT	Male	Side Opening	C1	C2	C3	C4	C5	6 Years	Active

American Body Armor

3120 E. Mission Blvd. Ontario , CA 91761
Tel: (800) 347-1200 Fax: (909) 673-1284
http://www.americanbodyarmor.com

Threat Level	Model Designation	Gender	Opening	Size Range (Highlighted Boxes)					Warranty	Model Status
IIA	BA-2A00S-BR01	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Inactive
IIA	BA-2A00S-XT02	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	BA-2000S-BR01	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	BA-2000S-BV01	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	BA-2000S-BV02	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	BA-2000S-FC01	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	BA-2000S-FX01	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Inactive
II	BA-2000S-FX01F	Female	Side Opening	C1	C2	C3	C4	C5	5 Years	Inactive
II	BA-2000S-FX02	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	BA-2000S-HP01	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Inactive
II	BA-2000S-HP01F	Female	Side Opening	C1	C2	C3	C4	C5	5 Years	Inactive
II	BA-2000S-HP02	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	BA-2000S-HP02.1F	Female	Side Opening	C1	C2	C3	C4	C5	5 Years	Active

II	BA-2000S-MR01F	Female	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	BA-2000S-PX01	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	BA-2000S-SM02	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	BA-2000S-ST01.1F	Female	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	BA-2000S-SX01	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	BA-2000S-SX01.1F	Female	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	BA-2000S-SX02	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	BA-2000S-SX02F	Female	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	BA-2000S-XT01	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Inactive
II	BA-2000S-XT01F	Female	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	BA-2000S-XT02	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	BA-2000S-XT03	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	BA-2000S-XT03F	Female	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	HW-2016-03-SB	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	BA-3A00S-BR01	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	BA-3A00S-BV02	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	BA-3A00S-FC01	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	BA-3A00S-HP02	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	BA-3A00S-LC01	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	BA-3A00S-MR01F	Female	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	BA-3A00S-MX01	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	BA-3A00S-SM02	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	BA-3A00S-SM02F	Female	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	BA-3A00S-SX02	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	BA-3A00S-SX02F	Female	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	BA-3A00S-XT01	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Inactive
IIIA	BA-3A00S-XT01F	Female	Side Opening	C1	C2	C3	C4	C5	5 Years	Inactive
IIIA	BA-3A00S-XT02	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active

IIIA	BA-3A00S-XT03	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	BA-3A00S-XT03F	Female	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	HW-2015-09-SB	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	HW-2015-10-SB	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active

American Services and Products

10711 SW 216th Street, #101 Cutler Bay , DC 33170
Tel: (305) 432-3612
http://www.americanservicesandproducts.com/

Threat Level	Model Designation	Gender	Opening	Size Range *(Highlighted Boxes)*					Warranty	Model Status
IIIA	T-112-IIIA	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active

American Tactical Imports

100 Airpark Dr. Rochester , NY 14624
Tel: 1-800-290-0065 Fax: 585-328-4168
http://www.americantactical.us

Threat Level	Model Designation	Gender	Opening	Size Range *(Highlighted Boxes)*					Warranty	Model Status
II	KLX-2	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	KLX-3A	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Active

Angel Armor LLC

4557 Denrose Court Fort Collins , CO 80524
Tel: 970-999-3023

Threat Level	Model Designation	Gender	Opening	Size Range *(Highlighted Boxes)*					Warranty	Model Status
II	RISE, Premium, Female, II	Female	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	RISE, Premium, Male, II	Male	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
II	RISE, Ultra Premium, Male, II	Male	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	RISE, Premium, Male, IIIA	Male	Side Opening	C1	C2	C3	C4	C5	5 Years	Active
IIIA	RISE, Ultra Premium, Male, IIIA	Male	Side Opening	C1	C2	C3	C4	C5	5 Years	Active

ANXO Body Armor

11447 Vanoween Street N. Hollywood , CA 91605
Tel: 818-497-7772 Fax: 818-985-1521

Threat Level	Model Designation	Gender	Opening	Size Range *(Highlighted Boxes)*					Warranty	Model Status
II	ASL2	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Inactive
IIIA	XPLA-3A-11	Neutral	Side Opening	C1	C2	C3	C4	C5	5 Years	Inactive

City Commission Regular Meeting **11.c.**

Meeting Date: 12/18/2017

Re: FPPD - DOJ Laptop Purchase, Piggyback U.S. Communities Contract #43211500-WSCA-15-ACS

Submitted For: Anthony Maynard, Grant Coordinator, Police Department

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SUBJECT:

Approval to purchase twelve (12) DELL Rugged Laptop computers at a cost of $1,659.78 each for a total not to exceed $20,000. The police department is proposing to piggyback the U.S. Communities Contract No. 43211500-WSCA-15-ACS, from Dell Computers, Round Rock, TX.

SUMMARY:

The Police Department requests approval to purchase twelve (12) Dell Rugged laptop computers. The police department purchased and made several upgrades and/or enhancements to our surveillance camera systems and in-car video system. This upgrades and enhancements exceed the capabilities of several of our older laptop models; thus, making these laptops obsolete. The purchase of these laptops will help the police department keep pace with technology while making the officers on patrol more effective and efficient in the criminal investigations and crime prevention efforts.

Previously, the police department requested and been approved to purchase thirty-five (35) laptops in total. The police department has purchase nine (9) laptops out of these thirty-five (35). This request represents the purchase of the next twelve (12) laptops from funds provided by the Office of Juvenile Justices and Delinquency Prevention (OJJDP) Restoring the Village Initiative grant. The remaining fourteen (14) laptops will be purchased after additional grant funding become available.

The purchase department has reviewed this request and found all information and justification to be correct. It is on this basis its recommended that competitive procurement be waived and that the above item be treated as a "Piggyback" commodity under the U.S. Communities contract listed.

RECOMMENDATION:

The police department recommends approval of this request.

ALTERNATIVES:

The Police Department proceeds based upon alternative instructions given by the Commission.

RESPONSIBLE STAFF:

Frank J. Amandro, Deputy Chief,

COORDINATED WITH:

Kenny Norris, Deputy Chief; Anthony Maynard, Program & Grant Coordinator; and Laurie Aguila, IT Systems Administrator

Fiscal Impact

Budgeted Y/N: Y
Fiscal Year: 2018
Account: 10130055216410
Amount: 20000
FISCAL IMPACT:

This purchase will not have a fiscal impact, since the funds used to purchase the laptops are from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), Restoring the Village Youth Initiative grant award.

Attachments

Request & Quote

Form Review

Inbox	Reviewed By	Date
Finance Department	Karen Logue	12/06/2017 07:02 PM
City Manager	Nick Mimms	12/12/2017 11:59 AM
Form Started By: Anthony Maynard		Started On: 11/20/2017 02:44 PM
Final Approval Date: 12/12/2017		

REQUEST FOR PURCHASE
FORT PIERCE POLICE DEPARTMENT

DATE: 9/6/2017

VENDOR:
DELL Computers

One Dell Way
Mail Stop 8129
Round Rock TX 78682

Department/Division
SOB/Tech Services

Account Number
101.3005.521.6410
Com. Code:

Project Code
DJ2014

Needed For
Replacement Laptops

DATE	DEL DATE	VENDOR NUMBER	F.O.B.	TERMS	PURCHASE ORDER #
		40754			171547

QUANTITY	UNIT	DESCRIPTION	STOCK NUMBER	UNIT COST	AMOUNT
12	Each	DELL 14 Rugged 5414		$1,659.78	$19,917.36
		INTEL® CORE™ I5-6300U (DUAL CORE)			
		2.4GHZ, 3M CACHE) Win 10			
		Quote# 300012861173.2 (9 of 30)			
		Contract Code: WN08AGW			
		Customer Agreement No: 43211500-wsca-15-acs			
				Total	$19,917.36

REMARKS:

*** Vendor ID - DELL/US Communities 43211500-WSCA-15-ACS**
*** GRANT PURCHASE - Grant Title: Restoring the Village**
*** Grant # 2014-JV-FXK002 / Project Code - DJ2014**

Requested By: _____

Contact Information:
Anthony Maynard, Grant Coordinator
772.467.6812
772.467.2005
amaynard@fppd.org

Approved By: _____

Approved Date: _____

ss/DELL Rugged Laptops Purchase 2017
revised 01/21/00

If over $500.00 you need three (3) quotes.
Attach quotes when submitting.

A quote for your consideration!

Based on your business needs, we put the following quote together to help with your purchase decision. Please review your quote details below, then contact your sales rep when you're ready to place your order.

Total:$1,767.67

Quote number:	Quote date:	Quote expiration:	Deal ID:
3000016504004.1	Aug. 15, 2017	Sep. 14, 2017	14648616

Company name:	Customer number:	Phone:
FT PIERCE POLICE DEPT	24588867	(772) 461-3820

Sales rep information:
Charlene Vela
Charlene_Vela@Dell.com
(800) 456-3355
Ext: 5139886

Bill to:
FT PIERCE POLICE DEPT
920 SOUTH US1
FORT PIERCE
FL 34950
US
(772) 461-3820

Pricing Summary

Item	Qty	Unit price	Subtotal
Latitude 14 Rugged 5414	1	$1,659.78	$1,659.78

Subtotal:	$1,659.78
Shipping:	$0.00
Environmental Fees:	$0.00
Non-Taxable Amount:	$0.00
Taxable Amount:	$1,659.78
Estimated Tax:	$107.89
Total:	**$1,767.67**

Special lease pricing may be available for qualified customers. Please contact your DFS Sales Representative for details.

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Dear Customer,

Your Quote is detailed below; please review the quote for product and information accuracy. If you find errors or desire certain changes please contact me as soon as possible.
Regards,
Charlene Vela
Order this quote easily online through your Premier page,
or if you do not have Premier, using Quote to Order

Shipping Group 1

Shipping Contact:	Shipping phone:	Shipping via:	Shipping Address:
LAURIE AGUILA	(772) 467-6800	Standard Ground	920 S US HWY 1 FORT PIERCE FL 34950-5175 US

SKU	Description	Qty	Unit Price	Subtotal
	Latitude 14 Rugged 5414	1	$1,659.78	$1,659.78
	Estimated Delivery Date: Sep. 6 - Sep. 11, 2017			
	Contract Code: WN08AGW			
	Customer Agreement No: 43211500-WSCA-15-ACS			
210-AJRP	Latitude 5414, XCTO	1	-	-
338-BJIO	Intel Core i5-6300U Processor, Security, (Dual Core, 3M Cache, 2.40 GHz)	1	-	-
619-AHKN	Win 10 Pro 64 English, French, Spanish	1	-	-
658-BCSB	Microsoft(R) Office 30 Days Trial	1	-	-
631-AAZE	No Out-of-Band Systems Management	1	-	-
370-ACDD	8GB (1x8GB) 2133MHz DDR4 Memory	1	-	-
400-ANBI	256GB Solid State Drive	1	-	-
340-AJPV	TPM Enabled	1	-	-
490-BDCP	Intel Integrated HD Graphics 520	1	-	-
391-BCRT	14.0" HD (1366x768)Non-Touch,with Camera with Privacy Shutter and Microphone	1	-	-
580-AFDC	Sealed Internal Non-Backlit Keyboard	1	-	-
570-AADK	No Mouse	1	-	-
555-BCZH	Intel Dual-Band Wireless-AC 8260 Driver	1	-	-
555-BCMT	Intel Dual Band Wireless 8260 (802.11ac) W/ Bluetooth	1	-	-

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362-BBBB	No Wireless WAN Card	1	-	-
451-BBWF	6-cell (65Wh) Lithium Ion Battery With ExpressCharge	1	-	-
492-BBEM	65W AC Adapter, 3-pin	1	-	-
634-BENZ	No DDP ESS Software	1	-	-
954-3465	No DDPE Encryption Software	1	-	-
817-BBBB	No FGA	1	-	-
450-AAEJ	US Power Cord	1	-	-
325-BBZJ	Optical Drive Airbay	1	-	-
340-AGIK	Safety/Environment and Regulatory Guide (English/French Multi-language)	1	-	-
340-BICE	Quick Setup Guide (English)	1	-	-
332-1286	US Order	1	-	-
387-BBFE	Energy Star	1	-	-
389-BDCE	No UPC Label	1	-	-
620-AAOH	No Media	1	-	-
340-ACQQ	No Option Included	1	-	-
340-AFRW	ODM Info	1	-	-
340-BIRL	Shipping Material for Latitude 14 Rugged (5414)	1	-	-
575-BBCH	No Stand included	1	-	-
389-BKKW	Regulatory label	1	-	-
389-BJTJ	Intel Core i5 Processor Label	1	-	-
800-BBGF	BTO Standard shipment Air	1	-	-
340-ADFZ	Dell Power Manager	1	-	-
422-0007	Dell Data Protection Security Tools Digital Delivery/NB	1	-	-
525-BBCL	SupportAssist	1	-	-
640-BBLW	Dell(TM) Digital Delivery Cirrus Client	1	-	-
640-BBQK	System Driver, Dell Rugged Latitude 5414	1	-	-
658-BBMR	Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps)	1	-	-
658-BBNF	Waves Maxx Audio Royalty	1	-	-
658-BCUV	Dell Developed Recovery Environment	1	-	-
460-BBEX	No Carrying Case	1	-	-
540-BBLW	No PCMCIA Card or ExpressCard Reader	1	-	-
590-TEVW	Docking connector for Rugged Docking Station only	1	-	-
429-AAGQ	PowerDVD Software not included	1	-	-
590-TEVT	No Additional Ports	1	-	-
658-BDNT	Dedicated u-blox NEO-M8Q-0-01 GPS Card	1	-	-
389-BKNC	Regulatory Label for Non Rubber Keyboard with WLAN	1	-	-
808-6805	Dell Limited Hardware Warranty Initial Year	1	-	-
808-6806	Mail In Service after Remote Diagnosis, 3 Years	1	-	-

Subtotal:	$1,659.78
Shipping:	$0.00
Environmental Fees:	$0.00
Estimated Tax:	$107.89
Total:	**$1,767.67**

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Important Notes

Terms of Sale

This quote is valid for 30 days unless otherwise stated. Unless you have a separate written agreement that specifically applies to this order, your order will be subject to and governed by the following agreements, each of which are incorporated herein by reference and available in hard copy from Dell at your request:

If this purchase is for your internal use only: Dell's Commercial Terms of Sale (www.dell.com/CTS), which incorporate Dell's U.S Return Policy(www.dell.com/returnpolicy) and Warranty (www.dell.com/warrantyterms).

If this purchase is intended for resale: Dell's Reseller Terms of Sale (www.dell.com/resellerterms).

If this purchase includes services: in addition to the foregoing applicable terms, Dell's service contracts and related service terms (www.dell.com/servicecontracts/global).

If this purchase includes software: in addition to the foregoing applicable terms, your use of the software is subject to the license terms accompanying the software, and in the absence of such terms, then use of the Dell-branded application software is subject to the Dell End User License Agreement - A Version. (www.dell.com/AEULA) and use of the Dell-branded system software is subject to the Dell End User License Agreement - S Version (www.dell.com/SEULA) (the "End User License Agreements").

You acknowledge having read and agree to be bound by the foregoing applicable terms in their entirety. Any terms and conditions set forth in your purchase order or any other correspondence that are in addition to, inconsistent or in conflict with, the foregoing applicable online terms will be of no force or effect unless specifically agreed to in a writing signed by Dell that expressly references such terms.

Pricing, Taxes, and Additional Information

All product, pricing, and other information is valid for U.S. customers and U.S. addresses only, and is based on the latest information available and may be subject to change. Dell reserves the right to cancel quotes and orders arising from pricing or other errors. Please indicate any tax-exempt status on your PO, and fax your exemption certificate, including your Customer Number, to the Dell Tax Department at 800-433-9023. Please ensure that your tax-exemption certificate reflects the correct Dell entity name: ***Dell Marketing L.P.*** Note: All tax quoted above is an estimate; final taxes will be listed on the invoice. If you have any questions regarding tax please send an e-mail to Tax_Department@dell.com.

For certain products shipped to end-users in California, a State Environmental Fee will be applied to your invoice. Dell encourages customers to dispose of electronic equipment properly.

Dell Business Credit (DBC):

OFFER VARIES BY CREDITWORTHINESS AS DETERMINED BY LENDER. Offered by WebBank to Small and Medium Business customers with approved credit. Taxes, shipping and other charges are extra and vary. Minimum monthly payments are the greater of $15 or 3% of account balance. Dell Business Credit is not offered to government or public entities, or business entities located and organized outside of the United States.

Dell Financial Services Lease:

1. This proposal is property of Dell Financial Services and contains confidential information. This proposal shall not be duplicated or disclosed in whole or part. Minimum transaction size $500.

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2. All terms are subject to credit approval, execution and return of mutually acceptable lease documentation.
3. Lease rates are based upon the final amount, configuration and specification of the supplied equipment. Interim rent may apply and be due in the first payment cycle.
4. The Lease Quote is exclusive of shipping costs, maintenance fees, filing fees, licensing fees, property or use taxes, insurance premiums and similar items, which shall be for Lessee's account.
5. This proposal is valid through the expiration date shown above, or, if none is specified, for 30 calendar days from date of presentation.

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Important Notes

Terms of Sale

Unless you have a separate written agreement that specifically applies to this order, your order will be subject to and governed by the following agreements, each of which are incorporated herein by reference and available in hardcopy from Dell at your request: Dell's Terms of Sale (www.dell.com/learn/us/en/uscorp1/terms-of-sale), which include a binding consumer arbitration provision and incorporate Dell's U.S. Return Policy (www.dell.com/returnpolicy) and Warranty (for Consumer warranties; for Commercial warranties).

If this purchase includes services: in addition to the foregoing applicable terms, the terms of your service contract will apply (Consumer; Commercial). If this purchase includes software: in addition to the foregoing applicable terms, your use of the software is subject to the license terms accompanying the software, and in the absence of such terms, then use of the Dell-branded application software is subject to the Dell End User License Agreement - Type A (www.dell.com/AEULA) and use of the Dell-branded system software is subject to the Dell End User License Agreement - Type S (www.dell.com/SEULA).

You acknowledge having read and agree to be bound by the foregoing applicable terms in their entirety. Any terms and conditions set forth in your purchase order or any other correspondence that are in addition to, inconsistent or in conflict with, the foregoing applicable online terms will be of no force or effect unless specifically agreed to in a writing signed by Dell that expressly references such terms.

Pricing, Taxes, and Additional Information

All product, pricing, and other information is valid for U.S. customers and U.S. addresses only, and is based on the latest information available and may be subject to change. Dell reserves the right to cancel quotes and orders arising from pricing or other errors. Please indicate any tax-exempt status on your PO, and fax your exemption certificate, including your Customer Number, to the Dell Tax Department at 800-433-9023. Please ensure that your tax-exemption certificate reflects the correct Dell entity name: **Dell Marketing L.P.**
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4. The Lease Quote is exclusive of shipping costs, maintenance fees, filing fees, licensing fees, property or use taxes, insurance premiums and similar items, which shall be for Lessee's account.
5. This proposal is valid through the expiration date shown above, or, if none is specified, for 30 calendar days from date of presentation.

© 2014 Dell Inc. U.S. only. Dell Inc. is located at One Dell Way, Mail Stop 8129, Round Rock, TX 78682.

City Commission Regular Meeting **11.d.**

Meeting Date: 12/18/2017

Re: The Purchase of Police K-9's

Submitted For: Diane Hobley-Burney, Chief of Police, Police Department

---

SUBJECT:

Approval to purchase up to three (3) K-9's for the Fort Pierce Police Department K-9 Unit in the amount not to exceed $30,000.

SUMMARY:

The police department requests approval to purchase three (3) new K-9's. Our agency, at one time, had three (3) full time multi-purpose K-9 Teams and one (1) single purpose narcotics dog. Our K-9 Teams are dual certified in Patrol Functions and Narcotics Detection. Currently, the police department only has one (1) K-9 Team due to having to retire three (3) of the dogs over the past several years. Unfortunately, due to budgetary constraints, we have not been able to replace these K-9 Teams. The police department recently received several donations that will enable us to purchase these K-9's. Once these three (3) new K-9 Teams are trained, the police department will have one (1) K-9 Team per shift.

The police department will be traveling to the Metro-Dade K-9 Services Police Dog Training Center, in Miami to first review, inspect, and evaluate the available kennel of K-9's. If Metro-Dade K-9 has three (3) K-9's that pass inspection, then the police department will purchase all three (3) K-9's. However, if they only have one (1) or two (2) K-9's that pass inspection, then the police department will only purchase the one (1) or (2) K-9's. Due to the uniqueness of purchasing K-9's, the police department will also evaluate the available kennel of K-9's from Southern Coast K-9 in Volusia County. This purchase has to be coordinated with the K-9 Certification School that these K-9 Teams will be attending. The purchase will be done the week of January 10, 2018, and the school will start the week of January 17, 2018.

RECOMMENDATION:

The Police Department is recommending approval to waive the bid process due to the uniqueness of this expenditure and approve this request to purchase up to three (3) K-9s from the most qualified vendor , Metro-Dade K-9 Services Police Dog Training Center, Miami, FL, and if necessary from secondary vendor, Southern Coast K-9, Volusia County, FL.

ALTERNATIVES:

The alterative is to find another vendor to purchase these three (3) K-9's.

RESPONSIBLE STAFF:

Frank J. Amandro, Deputy Chief

COORDINATED WITH:

Johnna Morris, Director Finance, Robert Ridle, Lieutenant; James Grecco, Acting Lieutenant; John Schramm, Sergeant; Tad Linstadt, Acting Sergeant

Fiscal Impact

Budgeted Y/N: N
Fiscal Year: 2018
Account: 001.6000.513.6410
Amount: $30,000
FISCAL IMPACT:

The police department received several donations specifically for the K-9 Unit to purchase K-9's, K-9 Equipment, and K-9 Vehicles. The donations were deposited in 001.0000.366.9000, Project Code # K9Vests.

Donations moved to Project code: K9. Please code PO to same project code

Attachments

Sole Source Justification

Form Review

Inbox	Reviewed By	Date
Finance Department	Karen Logue	12/11/2017 04:39 PM
City Manager	Nick Mimms	12/12/2017 11:59 AM
Form Started By: Frank Amandro		Started On: 12/01/2017 02:56 PM
Final Approval Date: 12/12/2017		

THE SUNRISE CITY
FORT PIERCE
Florida
POLICE DEPARTMENT
"In Honor We Serve"

Sole Source Justification

Approval No. _____
By: _____

Vendor Name and Address: Metro-Dade K-9 Services Police Dog Training Center or
Southern Coast K-9

Commodity: (General Description): Law Enforcement Canines (K-9's)

Please check entry below that applies to the proposed purchase. Attach additional data or support documentation as instructed below.

Sole Source Justification:

1. _____ Parts / equipment can only be obtained from original manufacturer – not available through distributors.
2. _____ Only area distributors of the original manufacturer.
3. _____ Proprietary item / service
4. _____ Parts / equipment not interchangeable with similar parts of another manufacturer (compatibility).
5. _____ This is the only known item / source that will meet the specialized needs of this department or perform the intended function (explain below).
6. _____ Parts / equipment are required from this vendor to standardization (explain below).
7. ✓ Other. Explanation is furnished below.

Comments / Explanation:

Due to the uniqueness of purchasing law enforcement canines (K-9's), the police department is requesting approval to purchase three (3) K-9's from either of the listed vendors or a combination thereof. Each K-9 is review, inspected, and evaluated inn order to be placed with one of our K-9 Officers. The purchase of these K-9's is dependent upon the number of K-9's at each kennel (vendor). The vendors may not have the required number of K-9's that pass inspection to fulfill the police department's needs, which is why we are asking for the ability to purchase these K-9's from both vendors if needed.

On the basis of the foregoing, I recommend that competitive procurement be waived and that the service or material on the attached requisition be purchases as a sole source commodity.

Signed: Sgt Greco 800/308
Requistioner

17/06/17
Department Head

Purchasing Department

LL 01/24/2017 Doc # 00148

City Commission Regular Meeting **11.e.**

Meeting Date: 12/18/2017

Re: Purchase of K-9 Vehicles

Submitted For: Diane Hobley-Burney, Chief of Police, Police Department

---

SUBJECT:

Approval to purchase two (2) Ford Interceptor Sport Utility vehicles for the Fort Pierce Police Department K-9 Unit in the amount not to exceed $78,218.00.

SUMMARY:

The Police Department requests approval to purchase two (2) new patrol vehicles for our K-9 Unit. This purchase is necessary to replace current vehicles with excessive mileage, wear, and tear. This purchase request is for two (2) - 2018 Ford Sport Utility Vehicles (Explorer) in the amount not to exceed $78,218. These vehicles will be purchased from Bartow Ford (Bartow, FL). The purchase price for these vehicles was obtained from Charlotte County, FL contract Bid No. 2015000418. Charlotte County has authorized the Fort Pierce Police Department to "piggyback" their contract with Bartow Ford. Pricing includes the vehicle, lighting package, siren, and all other necessary police emergency equipment.

RECOMMENDATION:

The police department recommends approval of this purchase request.

ALTERNATIVES:

The alternative is to deny this request and search for a different vendor to purchase these two (2) vehicles.

RESPONSIBLE STAFF:

Frank J. Amandro, Deputy Chief

COORDINATED WITH:

John Schramm, Sergeant

Fiscal Impact

Budgeted Y/N: N

Fiscal Year: 2018

Account: 001.0000.366.9000

Amount: $78,218.00

OTHER INFORMATION:

The police department received several donations specifically for the K-9 Unit to purchase K-9's, K-9 Equipment, and K-9 Vehicles. The donations were deposited in 001.0000.366.9000, Project Code # K9Vests.

Attachments

Purchase Order
Piggyback Contract

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	12/12/2017 11:59 AM

Form Started By: Frank Amandro
Started On: 12/07/2017 08:32 AM
Final Approval Date: 12/12/2017

REQUEST FOR PURCHASE
FORT PIERCE POLICE DEPARTMENT

Date: 12/1/2017

VENDOR:
Bartow Ford

2800 US Highway North
Bartow, FL 33830
(813) 477-0052
(813) 533-8485 fax
Contact: Richard Weissenger

Department/Division
Police SSB

Account Number
001.3002.521.4651
Com. Code:

Needed For
FLEET

DATE	DEL DATE	VENDOR NUMBER	F.O.B.	TERMS	PURCHASE ORDER #
12/01/17		20772			

QUANTITY	UNIT	DESCRIPTION	STOCK NUMBER	UNIT COST	AMOUNT
2	ea	2017 Ford Interceptor Utility	K8A		
2	ea	3.7L V-6 Engine	99R		
2	ea	6 Speed Automatic Transmission	44C		
2	ea	Front Headlamp Prep: Includes pre-drilled hole for side marker police use, does not include LED installed lights (eliminates need to drill housing assemblies) and pre-molded side warning LED holes with standard sealed capability (does not include LED installed lights).	86P		
2	ea	Rear Taillight Prep Package: Pre-existing holes with standard twist lock sealed capability (does not include LED installed lights) (eliminates need to drill housing assemblies).	86T		
2	ea	Dark Car Feature: Courtesy lamps disabled when any door is opened	43D		
2	ea	Factory Grill, Lamp, Siren & Speaker Wiring	60A		
2	ea	Factory Pillar Mounted Spotlight	51Y		
2	ea	Keyless Entry Fob	595		
2	ea	Reverse Sensing	76R		
2	ea	SYNC Bluetooth System	53M		
2	ea	Rear Auxiliary Air	17A		
2	ea	Factory Rear View Camera with In Dash Display			
2	ea	Whelen Liberty II Lightbar, WECAN Controlled	SW8		
2	ea	Whelen Siren Controller	295SLSA6		
2	ea	Whelen 100 Watt Speaker with SAK1 Mounting Bracket	SA315P		
2	ea	(2) Whelen ION Mounted in Headlight Red/White Left - Blue/White Right with Take Down Override	I2#		
2	ea	(2) Whelen Amber/Clear Vertex Mounted in Taillights - Flash X Patten Amber/White - White/Amber	VTX609F		
2	ea	LED Spotlight Upgrade	PAR46		
2	ea	(2) Whelen ION's Mounted on Fenders - Red Left Fender / Blue Right Fender	ION		
2	ea	6 Rear Pillar Mounted MICRON's Left R/B/R Right B/R/B	RP34		
2	ea	Go Rhino Push Bumper With Full Wraps and (2)	5342-2L61		
2	ea	Rear Taillight Flasher	ETFBSSN-P		
2	ea	Whelen Plug & Play Headlight Flasher	SSFFP16		
2	ea	Havis Console with Dual Cup Holder, Printer Arm Rest, (2) 12V Outlets, Mic Clip with Mic Clip Holder, 3-12V Outlet	C-VS-2400-INUT- C-ARM-102		

REQUEST FOR PURCHASE
FORT PIERCE POLICE DEPARTMENT

2	ea	AOI Passenger Side Air Bag Cut-Off Switch			
2	ea	8.5" Heavy Duty Telescoping Pole, Side Mount, Short Handle with Universal Laptop Mount with Tilt/Swivel	C-HDM-204-C-MD202-C-3090		
2	ea	K9 Platform with Rubber Mat & Water Bowl with Ace K9 Hot-N-Pop Pro Includes S.O.S Horn Honk Feature, Door Pop System, Temperature Sensors and vehicle battery voltage, Door Popper Remote Transmitter and Holster, Long Range External Antenna, 10" Fan with HD Fan Guard			
2	ea	15% Deep Window Tint All Glass			
2	ea	Santa Cruz Universal Weapons Mount			
2	ea	Maglite LED Flashlight with 12V Charger - SHIPPED LOOSE	RL7019		
2	ea	800 MHz/ 4G LTE Antenna			
2	ea	Fort Pierce POLICE K9 Graphics			
2	ea	Run Power & Ground for Maglite & 800MHz Radio			
2	ea	Bartow Ford Custom Installation			
					$0.00
				Total	$78,218.00

REMARKS:
Pricing: Piggy Back Charlotte County, Bid # 2015000418 - Vehicles Annual Contract

Requested By: Sgt. John Schramm

Approved By: _____

Approved Date: _____

October 11, 2017

Fort Pierce Police Department
Sergeant John Schramm

BARTOW FORD
INTEGRITY•TRUST•HONESTY
Since 1948

K9		
K8A	2017 Ford Interceptor Utility	
99R	3.7L V-6 Engine	
44C	6 Speed Automatic Transmission	
86P	Front Headlamp Prep: Includes pre-drilled hole for side marker police use, does not include LED installed lights (eliminates need to drill housing assemblies) and pre-molded side warning LED holes with standard sealed capability (does not include LED installed lights).	
86T	Rear Taillight Prep Package: Pre-existing holes with standard twist lock sealed capability (does not include LED installed lights) (eliminates need to drill housing assemblies).	
43D	Dark Car Feature: Courtesy lamps disabled when any door is opened	
60A	Factory Grill, Lamp, Siren & Speaker Wiring	
51Y	Factory Pillar Mounted Spotlight	
595	Keyless Entry Fob	
76R	Reverse Sensing	
53M	SYNC Bluetooth System	
17A	Rear Auxiliary Air	
	Factory Rear View Camera with In Dash Display	
SW8	Whelen Liberty II Lightbar, WECAN Controlled	
295SLSA6	Whelen Siren Controller	
SA315P	Whelen 100 Watt Speaker with SAK1 Mounting Bracket	
I2#	(2) Whelen ION Mounted in Headlight Red/White Left - Blue/White Right with Take Down Override	
VTX609F	White/Amber	
PAR46	LED Spotlight Upgrade	
ION	(2) Whelen ION's Mounted on Fenders - Red Left Fender / Blue Right Fender	
RP34	6 Rear Pillar Mounted MICRON's Left R/B/R Right B/R/B	
5342-2L61	Go Rhino Push Bumper With Full Wraps and (2) Integrated ION's Split Red/Blue	
ETFBSSN-P	Rear Taillight Flasher	
SSFFP16	Whelen Plug & Play Headlight Flasher	
C-VS-2400-INUT- C-ARM-	Havis Console with Dual Cup Holder, Printer Arm Rest, (2) 12V Outlets, Mic Clip with Mic Clip Holder, 3-12V Outlet	
	AOI Passenger Side Air Bag Cut-Off Switch	
C-HDM-204-C-MD202-C-3090	8.5" Heavy Duty Telescoping Pole, Side Mount, Short Handle with Universal Laptop Mount with Tilt/Swivel	
	K9 Platform with Rubber Mat & Water Bowl with Ace K9 Hot-N-Pop Pro Includes S.O.S Horn Honk Feature, Door Pop System, Temperature Sensors and vehicle battery voltage, Door Popper Remote Transmitter and Holster, Long Range External Antenna, 10" Fan with HD Fan	
	15% Deep Window Tint All Glass	
	Santa Cruz Universal Weapons Mount	
RL7019	Maglite LED Flashlight with 12V Charger - SHIPPED LOOSE	
	800 MHz/ 4G LTE Antenna	
	Fort Pierce POLICE K9 Graphics	
	Run Power & Ground for Maglite & 800MHz Radio	
	Bartow Ford Custom Installation	
		$39,109.00

If you have any questions or need any additional information please feel free contact me anytime.

Sincerely Yours,
Richard Weissinger
Commercial Fleet Sales
Direct Line (813) 477-0052
Fax (863) 533-8485

2800 US Hwy North
Bartow, Florida 33830

Fort Pierce Police Department
2016 New Vehicle Purchase

Charlotte County Contract
With Bartow Ford
And
Piggy Back Letter

December 17, 2015

Sergeant John Schramm
Patrol Support Services
Fort Pierce Police Department

Dear Mr. Schramm:

Per your request, please accept this letter as authorization from Charlotte County for the Fort Pierce Police Department to "piggyback" Bid #15-418, Vehicles – Annual Contract. It is understood that Fort Pierce Police Department will establish its own contract with the successful bidder(s), place its own orders, be invoiced therefrom and make its own payments to the successful bidder in accordance with the terms of the contract established between the Fort Pierce Police Department and the successful bidder. It is also hereby mutually understood and agreed that Charlotte County is not a legally bound party to any contractual agreement made between a successful bidder and any local entity other than Charlotte County Board of County Commissioners.

If you have any questions, please feel free to contact the Charlotte County Purchasing Division at 941-743-1374.

Sincerely,

K A Corbett

Kimberly A. Corbett, C.P.M., CPPB
Senior Division Manager – Purchasing

PURCHASING DIVISION
BUDGET & ADMINISTRATIVE | SERVICE DEPARTMENT
18500 Murdock Circle, Suite 344 | Port Charlotte, FL 33948-1068
Phone: 941.743.1378 | Fax: 941.743.1384

11/12/2015

Richard Weissinger, Commerical Fleet Sales
BARTOW FORD
2800 US Hwy 98 North
Bartow, FL 33830

RE: **NOTICE OF ACCEPTANCE**

Dear Mr. Weissinger:

This letter shall serve as notification of official acceptance by the Board of County Commissioners of your Bid No. 2015000418, Annual Contract - Vehicles, with your firm. The acceptance of your bid, properly executed by an authorized representative of the company, constitutes a binding contract.

Your signature below represents your concurrence with and acceptance of the terms set forth in this letter and bid submitted by your company on October 14, 2015. Please sign and fax back to this office at 941-743-1384. Purchase Orders will be issued on an "as required" basis, and payment shall be made in accordance with the Local Government Prompt Payment Act of the Florida State Statutes.

The contract shall become effective immediately and shall remain in full force and effect through and including September 30, 2016, with option to renew for two additional one-year terms, by mutual consent.

If you have any questions or concerns, please do not hesitate to contact Alisa L. True, CPPB, Contract Specialist, at 941-743-1549.

Yours truly,

KA Corbett

Kimberly A. Corbett, C.P.M., CPPB
Senior Division Manager - Purchasing

KAC/at

ACCEPTED:

Richard Weissinger, Commerical Fleet Sales

Date: 11/14/15

cc: File

PURCHASING DIVISION
BUDGET & ADMINISTRATIVE | SERVICE DEPARTMENT
18500 Murdock Circle, Suite 344 | Port Charlotte, FL 33948-1068
Phone: 941.743.1378 | Fax: 941.743.1384

Charlotte County Board Of County Commissioners
Agenda Item Summary

Item Number: F - 5.

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1 DEPARTMENT MAKING REQUEST

Purchasing

2 MEETING DATE

11/10/2015

3 REQUESTED MOTION/ACTION

a) Approve award of Bid #15-418, Vehicles - Annual Contract, for a 3.05% discount off of Ford Factory invoice, and a 0% mark-up on dealer installed options, to Bartow Ford. Term of contract is from date of award through and including September 30, 2016; and
b) Authorize the County Administrator to approve the renewal options for up to two additional one-year terms, at the same prices, terms, and conditions, by mutual consent.
This is an annual contract that allows for the purchase of Ford vehicles on an "as needed basis".

4 AGENDA

Consent

5 IS THIS ITEM BUDGETED (IF APPLICABLE) - True

Budget Action
No action needed. This item is budgeted in the vehicle replacement fund.

Financial Impact Summary Statement
Costs to be paid from the vehicle replacement fund and charged back to the departments receiving the vehicle

Detailed Analysis Attached -

Budget Officer-

6 BACKGROUND (Why is this Action Necessary, and What Action will be accomplished)

This is an annual contract that allows for the purchase of Ford vehicles on an "as needed basis". Contractors bid a percentage discount off of the Ford Factory Invoice, and a percentage mark-up on dealer installed options. Bartow Ford was the lowest bidder (they gave the highest discount). Don Gasgarth's Charlotte County Ford, who claimed status as a local business, was within 5% of the bid submitted by Bartow Ford and was given the opportunity to submit a best and final offer. They declined to do so.

Charlotte County Purchasing Division
18500 Murdock Circle, Suite 344
Port Charlotte, Florida 33948-1094

Phone 941.743.1378
Fax 941.743.1384

NOTICE OF AVAILABILITY OF BID SPECIFICATIONS

REQUEST FOR BIDS
CHARLOTTE COUNTY, FLORIDA

The County of Charlotte will be receiving sealed bids at the Purchasing Division, Suite 344, Charlotte County Administration Center, 18500 Murdock Circle, Port Charlotte, FL 33948-1094, for:

BID NO. 2015000418
VEHICLES – ANNUAL CONTRACT

It is the intent of Charlotte County to purchase vehicles, on an "as required" basis, from a Ford Motor Company dealer.

PRE-BID CONFERENCE: 10:00 a.m., OCTOBER 2, 2015
PURCHASING DIVISION CONFERENCE ROOM

BID OPENING: 2:00 p.m., OCTOBER 14, 2015
PURCHASING DIVISION CONFERENCE ROOM

Bid Documents may be obtained by accessing the Charlotte County Purchasing Division's website at www.charlottecountyfl.com/purchasing under "Purchasing Bids Online", document number 154182. Any questions can be answered by contacting Alisa L. True, CPPB, Contract Specialist at 941.743.1549 or email: alisa.true@charlottecountyfl.gov.

Notice of Availability
www.charlottecountyfl.com
Posted: September 24, 2015

TECHNICAL SPECIFICATIONS & CONDITIONS
VEHICLES – ANNUAL CONTRACT
BID NO. 2015000418

TS-01 PURPOSE: It is the intent of Charlotte County to purchase vehicles, on an "as required" basis, from a Ford Motor Company dealer. It is the specific purpose of this bid to establish a conditional contract for the required materials and to secure the cost and availability of the requirements for procurement from a source of supply that will give prompt and convenient service.

TS-02 BID PRICES/TERMS OF CONTRACT: Bidders shall bid unit prices, F.O.B., to Charlotte County Fleet Management, 18000 Paulson Drive, Port Charlotte, FL 33954. The prices bid shall include all costs for all transportation, labor, materials and equipment used in supplying and delivering said materials.

Bid prices shall be considered firm from date of award through and including September 30, 2016. This bid may be extended/renewed for two (2) additional one (1) year periods, by mutual agreement, provided there are no changes in terms, conditions and prices.

Current contract prices can be obtained by accessing the Charlotte County Purchasing Division's website at www.charlottecountyfl.com/purchasing under "Purchasing Bids Online", Historical Catalog. Historical searches can only be executed by keying in all or part of the project title. The previous Contract number for this project is 12-420 and is entitled 'ANNUAL CONTRACT - VEHICLES '.

TS-03 DELIVERY: All bids will indicate the lead time required for the established quantities to be delivered. Successful bidder will be held to delivery dates. Failure to meet delivery or lead time necessitating Charlotte County to make purchases from other sources, shall cause successful bidder to be held liable for the difference of cost between awarded bid price and the cost of the required purchase from another source.

Successful bidder shall notify Rick Kolar, Fleet Manager, or Dave Menges, Maintenance Control Supervisor, at a number to be provided to the awarded Bidder at least 24 hours prior to delivery. All deliveries shall be made between the hours of 8:00 a.m. and 3:00 p.m., Monday through Friday, excluding legal holidays, unless otherwise agreed to by the receiving department.

TS-04 ESTIMATED QUANTITIES: The exact quantities for this bid cannot be determined at this time. No minimum amount is guaranteed or implied. Purchase orders will be issued on an 'as required' basis.

TS-05 SCOPE:
A. GENERAL: The vehicles to be purchased under this bid are automobiles, sport utility vehicles, passenger vans, light duty vans, light duty trucks, and light duty cab/chassis. Light duty vans, trucks, and cab/chassis cover all models up to and including Class 6 (19,501 to 37,000 lbs. GVW).

Contractors shall bid a percentage discount off of the Ford factory invoice, which shall include the vehicle base price, freight charges, and all factory production options. The invoice submitted will be verified by the County by using Kelley Blue Book's New Car Pricing. In the event of a discrepancy, the Kelley Blue Book New Car Pricing shall supersede the submitted invoice.

Charlotte County shall participate in all fleet incentives, price incentives, and/or rebates available to the bidder in addition to the percentage discount bid. Each vehicle purchased under this contract shall include as part of the base vehicle price:

- vehicle preparation costs
- delivery
- three (3) complete sets of keys

The percentage discount submitted by Bidder should take these factors into account.

From the date of the purchase order, the bidder shall have ninety (90) days to deliver (including acceptance) normal production vehicles and one hundred twenty (120) days to deliver (including acceptance) vehicles with dealer installed options. The bidder shall be held to the stated delivery times, except in such cases where the delivery will be delayed due to a natural disaster. Natural disasters are defined as hurricanes or other acts of God. In these cases the bidder shall notify Charlotte County's Fleet Management Division in writing of the delays 30 days prior, when possible, to the original contract delivery date. Should a manufacturer experience production delays or a shutdown, Charlotte County reserves the right to cancel any outstanding orders and purchase said vehicle from another source.

B. DEALER INSTALLED OPTIONS: Dealer installed options may include but are not limited to strobe lights, bedliners, utility bodies, and cranes. See TS-06, Criteria for Award, for the approved list of authorized manufacturers to be used for dealer installed options. Only manufacturers on this list will be accepted. The Fleet Management Division will provide the awarded bidder with updated lists of approved manufacturers for dealer installed options as needed throughout the contract period. All prospective bidders must provide a percentage figure above "actual invoice" for any dealer installed options performed by a sub-contractor. Copies of actual invoices must be provided as backup.

Charlotte County Fleet Management will provide the awarded bidder a list of dealer installed options required for each vehicle as they are ordered. Upon request of these items, the dealer shall provide Fleet Management pricing, excluding markup, within three (3) working days. Responses must be either faxed to 941-575-3671 or electronically mailed to Richard.kolar@charlottecountyfl.gov and Kimberly.campbell@charlottecountyfl.gov.

C. VEHICLE CONDITION: The bidder shall be responsible for delivering vehicles that are new and unused, properly serviced, clean, and in first class operating condition. Pre-delivery service, at a minimum, shall include the following:

1. Complete lubrication and check all fluid levels to assure proper fill
2. Adjustment of engine to proper operating condition
3. Inflate tires to proper pressure
4. Check for proper operation of all accessories, gauges, lights, mechanical and hydraulic features
5. Cleaning of vehicle, if necessary, and removal of all unnecessary items such as tags, stickers and papers. DO NOT REMOVE WINDOW PRICE STICKER
6. Overall check for safe operating condition
7. All units must contain no less than 1/2 tank of fuel as indicated by the vehicle's fuel gauge at the time of delivery. If a vehicle is delivered with less than 1/2 tank of fuel as indicated by the vehicle's fuel gauge, the bidder shall be assessed $40.00 dollars.
8. If a vehicle is delivered with more than 250 miles but less than 500 miles as indicated by the vehicle's odometer, the bidder shall be assessed $0.50 cents per mile for all miles over 250. Vehicles with 500 miles or more as indicated by the vehicle's odometer may not be accepted.
9. All vehicles shall be delivered with three (3) complete sets of keys. If a vehicle is delivered without three (3) complete sets of keys, the bidder shall be assessed
10. Delivery does not constitute acceptance. Acceptance and authorization of payment will be given only after a thorough inspection indicates that the vehicle meets specifications and conditions listed herein.
11. Vehicles shall be delivered with each of the following documents satisfactorily completed:
    - Temporary license plate and/or county plate
    - Owner and/or operator manual(s).
    - Warranty certifications, including rustproofing, if applicable.
    - Copy of pre-delivery service report.
    - Window price sticker (still affixed).
12. All vehicles shall be equipped with all standard equipment as specified by the manufacturer for this model. All vehicles shall comply with the EPA Emission Standards, and all Motor Vehicle Safety Standards as established by the U.S. Department of Transportation regarding the manufacture of motor vehicles, and OSHA standards CFR 29 1910/1926.

The bidder understands that the bid covers a complete, fully operative unit, as specified by the purchase order and enclosures, including the mounting of all attachments and connections to the chassis.

D. TITLE, REGISTRATION, AND PLATES: All vehicles delivered under this contract shall be titled and registered by the successful bidder in accordance with Florida Statutes Chapters 319 and 320. Awarded bidder shall send any necessary form(s), which must be signed by an authorized representative of the Charlotte County Board of County Commissioners, with the vehicle upon delivery. Awarded bidder shall obtain necessary signature(s) and complete the title and registration process for the County, provide a 30 day temporary tag, and return a County license plate within twenty-five days of the delivery of each vehicle.

City Commission Regular Meeting **11.f.**

Meeting Date: 12/18/2017

Re: Approval of a Site Plan Extension for Villages of Midway Planned Development.

Submitted For: Rebecca Grohall, Director, Planning & Zoning

SUBJECT:

Approval of an extension for the Planned Development (PD) Approval for the project commonly known as Villages of Midway, located on northside of Midway Road and west of I-95. This project was originally approved on April 4, 2016 via Ordinance No. 16-009. The new date for the site plan expiration would become April 7, 2020.

SUMMARY:

- The Applicant's Representative, Lee Dobbins of Dean Mead Law Firm is requesting an extension based upon three of the Governor's Executive Orders. Executive Orders address declared disasters by giving applicants additional extensions of time for applicants who request the extension.
- Florida Statute 252.364 sets forth the extension of expiration date for emergency orders.
- The Applicant's Representative is requesting extensions for Executive Order 17-174, 17-204 and 17-235 signed by Governor Rick Scott.
- When separate emergency events triggering the extension overlap, the period of the overlap is counted once and not added together.
- This project was initially approved on April 4, 2016 with a two year approval to commence, this approval would expire on April 4, 2018. However, the Governor's Executive Orders now extend the expiration to April 7, 2020.

RECOMMENDATION:

Approve the extensions based on the State of Florida Executive Orders issued by Governor Rick Scott.

ALTERNATIVES:

Staff will proceed as directed by the City Commission.

RESPONSIBLE STAFF:

Rebecca Grohall, AICP

COORDINATED WITH:

Kori Benton, Senior Planner
Jim Messer, City Attorney

Fiscal Impact

Budgeted Y/N: N

Fiscal Year: 2018

OTHER INFORMATION:

This is one of the largest undeveloped projects in Fort Pierce, extending the site plan assists in its future development.

Attachments

Letter requesting site plan extension
Ordinance 16-009 originally approving
Site Plan
Original Staff Report

Form Review

Inbox	Reviewed By	Date
City Manager	Rebecca Grohall	12/04/2017 04:52 PM
City Manager	Nick Mimms	12/12/2017 11:59 AM

Form Started By: Rebecca Grohall
Started On: 12/04/2017 04:38 PM
Final Approval Date: 12/12/2017

DEAN
MEAD

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W. LEE DOBBINS
LDobbins@deanmead.com

November 3, 2017

VIA E-MAIL & HAND DELIVERY
Ms. Rebecca Grohall, AICP
Director of Planning Department
City of Fort Pierce
100 N. US1
Fort Pierce, FL 34950

Re: Walton Acquisitions FL, LLC /
Village at Midway PD, Ordinance No. 16-009

Dear Ms. Grohall:

The Village at Midway PD was originally approved by the City Commission on April 4, 2016. Pursuant to City Code Section 22-40, this PD approval will terminate on April 4, 2018, unless extended. I am sending you this letter in order to exercise an extension of the expiration date of the Village at Midway PD, pursuant to Florida Statute 252.363.

Florida Statute 252.363 provides for the extension of the expiration dates for certain land development approvals and authorizations for the period of an emergency declaration, plus an additional six (6) months. On April 11, 2017, Governor Scott issued Executive Order 17-120 declaring a state-wide state of emergency for a period of sixty (60) days due to extensive brush fires caused by drought conditions. On June 9, 2017, Governor Scott issued Executive Order 17-174 extending the state of emergency by an additional sixty (60) days, making the state of emergency 120 days.

On July 31, 2017, Governor Scott issued Executive Order 17-204 declaring a state of emergency in St. Lucie County due to Tropical Storm Emily for a period of sixty (60) days. On August 15, 2017 Governor Scott issued Executive Order No. 17-220, terminating the state of emergency for Tropical Storm Emily, effective that date, making the duration of the state of emergency 15 days.

Furthermore, on September 4, 2017, Governor Scott issued Executive Order 17-235 declaring a state of emergency in St. Lucie County due to Hurricane Irma for a period of sixty (60) days.

A Member of ALFA International – The Global Legal Network

In accordance with the requirements of F.S. 252.363, I am sending you this letter to provide formal written notification to the City on behalf of Walton Acquisitions, FL, LLC and the other owners of the Village at Midway property, that they are exercising their right pursuant to FS. 252.363 to extend the expiration date of the Village at Midway PD approval. When the period of tolling for two separate emergency events overlaps, the period of the overlap is counted only once and is not added together. The first two states of emergency overlapped, creating a continuous state of emergency from April 11, 2017 to August 15, 2017 (126 days). Therefore, the permit holders are entitled to an extension of 186 days (126 days for the first two states of emergency + 60 days for Hurricane Irma) plus 18 months (6 months for each state of emergency).

Based upon the foregoing, the expiration date of the Village at Midway PD approval is hereby extended from April 4, 2018 to April 7, 2020.

Please send me a letter confirming that the City's records have been updated to reflect the extension of the expiration date of the foregoing PD approval. If you have any questions or need anything further from me in order to process the extension of this PD approval, please let me know.

Best regards,

W. Lee Dobbins

WLD:sh
Enclosures
cc: Ed Fleming, President of Walton Development and Management, Inc. (via email, with enclosures)

ORDINANCE NO. 16-009

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **REZONING PROPERTIES** GENERALLY LOCATED AT **9850 MIDWAY ROAD**, FROM COUNTY ZONING, TO PD, PLANNED DEVELOPMENT ZONE; FURTHER **APPROVING A DEVELOPMENT PLAN** PURSUANT TO SECTION 22-58 OF THE CITY CODE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida, a municipal corporation, as follows:

SECTION 1. From and after the effective date hereof, the following properties legally described as:

a.) 9850 Midway Road, Parcel ID: 2334-340-0000-000-7
Parcel 1 Legal Description: THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 39EAST, LESS AND EXCEPT THE EAST 39.00 FEET FOR CANAL RIGHT-OF-WAY; SAID LANDS SITUATE, LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA. CONTAINING: 1,701,018 SQUARE FEET OR 39.05 ACRES, MORE OR LESS.

Parcel 2 Legal Description : THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 3, TOWNSHIP 36 SOUTH, RANGE 39 EAST, LESS AND EXCEPT THE EAST 39.00 FEET FOR CANAL RIGHT-OF-WAY AND LESS MIDWAY ROAD RIGHT-OF-WAY AS SET FORTH IN OFFICIAL RECORDS BOOK 44, PAGE 447, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA. CONTAINING: 3,378,514 SQUARE FEET OR 77.56 ACRES, MORE OR LESS.

b.) Parcel ID: 2334-410-0000-000-1
Legal Description: A PARCEL OF LAND LYING IN SECTIONS 2, 3, 34, AND 35 TOWNSHIP 35 SOUTH AND 36 SOUTH, RANGE 39 EAST IN ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 3, THENCE N89°46'35"W ALONG THE NORTH LINE OF SAID SECTION 3 A DISTANCE OF 2622.04 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF N.S.L.R.W.C.D. CANAL NO. 93 (A 78 FEET WIDE RIGHTOF-WAY) AND BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE N00°20'10"E ALONG THE EAST RIGHT-OF-WAY LINE OF SAID N.S.L.R.W.C.D. CANAL NO. 93 A DISTANCE OF 1318.99 FEET TO A POINT ON THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34 A NOT INCLUDED PARCEL; THENCE S89°46'53"E ALONG THE SOUTH LINE OF SAID PARCEL NOT INCLUDED A DISTANCE OF 624.96 FEET TO A POINT ON THE EAST LINE OF SAID PARCEL NOT INCLUDED; THENCE N00°16'46"E ALONG THE EAST LINE OF SAID PARCEL NOT INCLUDED A DISTANCE OF 1319.04 FEET TO A POINT ON THE 1/4 SECTION LINE OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 39

EAST; THENCE S89°47'10"E ALONG THE 1/4 SECTION LINE OF SAID SECTION 34 A DISTANCE OF 1987.99 FEET TO A POINT ON THE EAST LINE OF SECTION 34, THENCE S00°06'37"W ALONG THE EAST LINE OF SAID SECTION 34 A DISTANCE OF 49.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF N.S.L.R.W.C.D. CANAL NO. 101 (A 98.00 FEET WIDE CANAL RIGHT-OF-WAY); THENCE S89°59'09"E ALONG THE SOUTH RIGHTOF-WAY LINE OF SAID N.S.L.R.W.C.D. CANAL NO. 101 A DISTANCE OF 2664.42 FEET TO A POINT ON THE 1/4 SECTION LINE OF SECTION 35, TOWNSHIP 35 SOUTH, RANGE 39 EAST; THENCE N00°12'25"E ALONG THE 1/4 SECTION OF SAID SECTION 35 A DISTANCE OF 2.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF N.S.L.R.W.C.D. CANAL NO. 101 (A 94.00 FEET WIDE CANAL RIGHT-OF-WAY); THENCE S89°52'23"E ALONG THE SOUTH RIGHTOF-WAY OF SAID N.S.L.R.W.C.D. CANAL NO. 101 A DISTANCE OF 1331.59 FEET; THENCE CONTINUE S89°52'23"E ALONG THE SOUTH RIGHT-OF-WAY LINE OF N.S.L.R.W.C.D. CANAL NO. 101 A DISTANCE OF 418.59 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 9 (INTERSTATE HIGHWAY NO. 95) (WIDTH VARIES); THENCE S42°14'14"W ALONG THE WEST RIGHT-OF-WAY OF SAID STATE ROAD NO. 9 A DISTANCE OF 727.09 FEET TO THE BEGINNING OF A CURVE ALONG THE WEST RIGHT-OF-WAY OF SAID STATE ROAD NO. 9 CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 5903.58 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 402.05 FEET THROUGH A CENTRAL ANGLE OF 03°54'07"; TO THE BEGINNING OF A COMPOUND CURVE ALONG THE WEST RIGHT-OF-WAY OF SAID STATE ROAD NO. 9 CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 5903.58 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 597.06 FEET THROUGH A CENTRAL ANGLE OF 05°47'41"; TO THE BEGINNING OF A COMPOUND CURVE ALONG THE WEST RIGHT-OF-WAY OF SAID STATE ROAD NO. 9 CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 5903.58 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 999.10 FEET THROUGH A CENTRAL ANGLE OF 09°41'48"; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY LINE S22°50'38"W A DISTANCE OF 363.01 FEET TO THE NORTH RIGHT-OF-WAY LINE OF N.S.L.R.W.C.D. CANAL NO. 102 (A 85 FOOT WIDE CANAL RIGHT-OF-WAY); THENCE N89°48'50"W ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 60.02 FEET; THENCE CONTINUE N89°53'51"W ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 900.00 FEET; THENCE CONTINUE ALONG SAID NORTH RIGHT-OF-WAY LINE N89°53'51"W A DISTANCE OF 430.07 FEET; THENCE CONTINUE ALONG SAID NORTH RIGHT-OF-WAY LINE N89°53'51"W A DISTANCE OF 1330.07 FEET TO THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 35; THENCE S00°04'39"W ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 OF Page 4 of 38 SECTION 35 A DISTANCE OF 42.50 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE S00°06'35"W ALONG THE WEST LINE OF SAID NORTHWEST 1/4 OF SECTION 2, A DISTANCE OF 42.50 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID N.S.L.R.W.C.D. CANAL NO. 102; THENCE S89°53'51"E ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 1330.04 FEET; THENCE CONTINUE S89°53'51"E ALONG SAID SOUTH RIGHT-OF-

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CONTAINING 17,412,284 SQUARE FEET OR 399.73 ACRES, MORE OR LESS. BEING ALSO DESCRIBED AS FOLLOWS: A PARCEL OF LAND LYING IN SECTIONS 2, 3, 34, AND 35 TOWNSHIP 35 SOUTH AND 36 SOUTH, RANGE 39 EAST IN ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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shall be and the same is hereby rezoned from AG 2.5, County Agriculture; AG-1, Agriculture, PUD, Planned Unit Development, to PD, Planned Development Zone shown in Exhibit "A"; said properties being generally located at 9850 Midway Road in Fort Pierce, Florida.

SECTION 2. The Development Plan for the subject Planned Development as depicted on Exhibit "B", attached hereto and incorporated herein by reference, be in the same is hereby approved, and shall serve as the Development Plan associated with the subject Planned Development.

SECTION 3. All ordinance or parts of ordinances in conflict herewith are hereby repealed.

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

APPROVED AS TO FORM
AND CORRECTNESS:

_____
Robert V. Schwerer, Esq.
City Attorney
STATE OF FLORIDA)
ST. LUCIE COUNTY)SS

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. 16-___ was duly advertised by title only in the St. Lucie News Tribune 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 _____, 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 _____.

_____
MAYOR COMMISSIONER

_____
CITY CLERK

(CITY SEAL)

Exhibit A: Existing Zoning

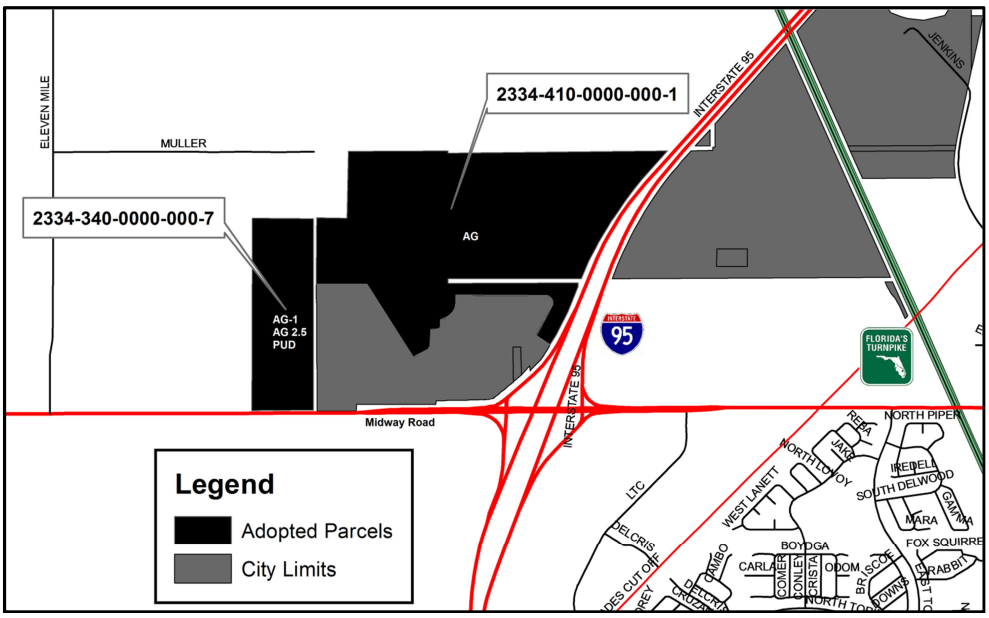
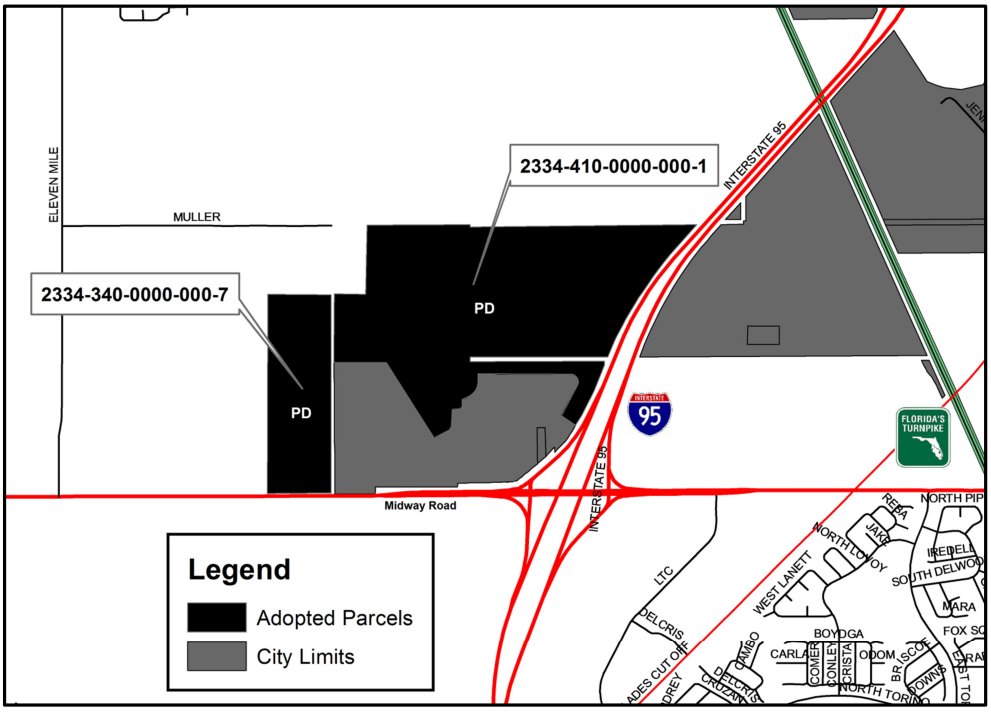


Exhibit B: Future Zoning

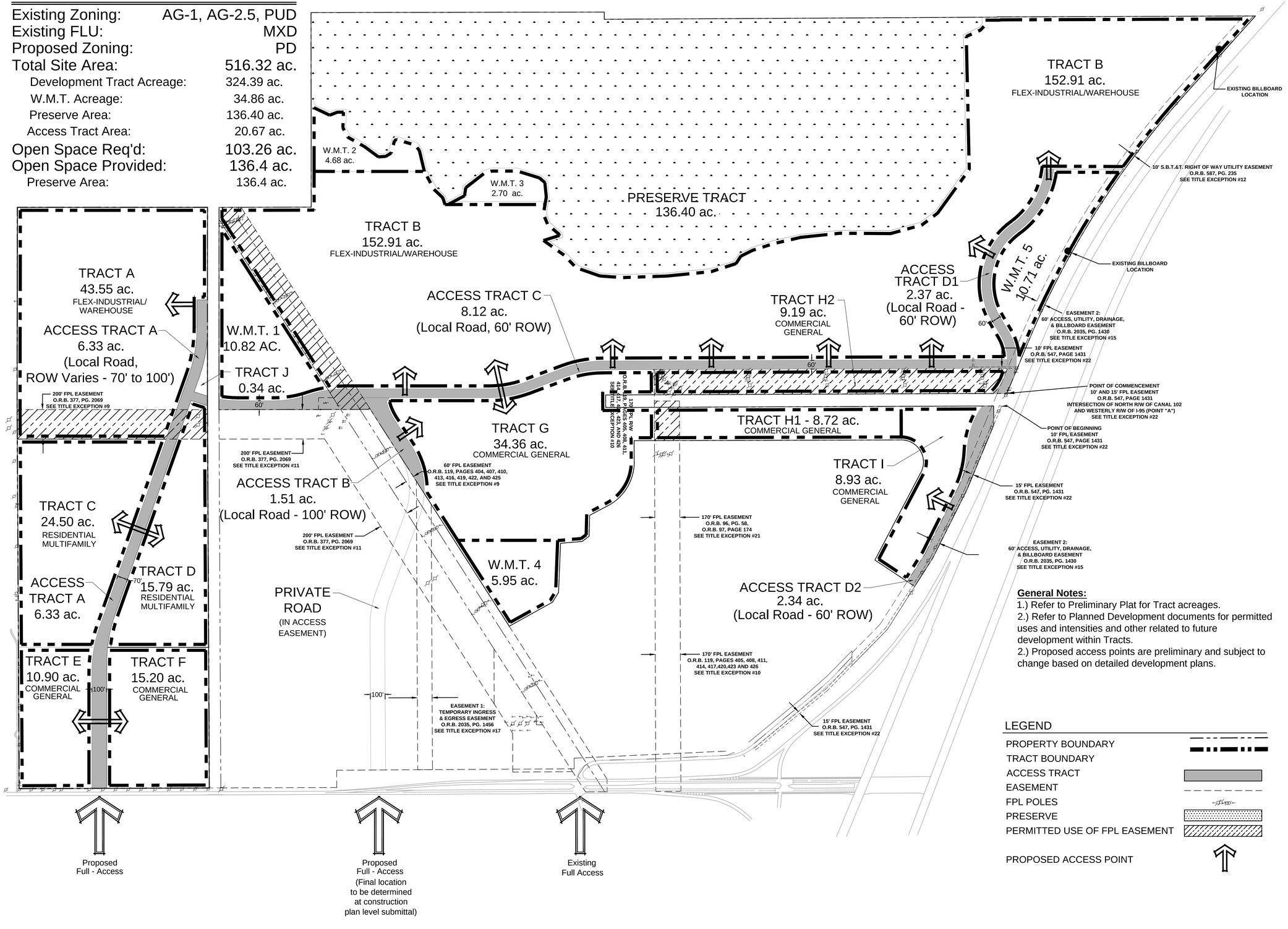


Planned Development Plan (Attached)

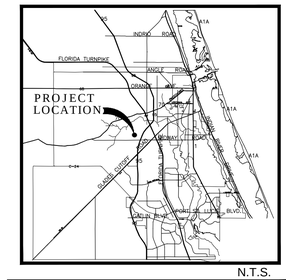
lucido & associates
701 E Ocean Blvd., Stuart, Florida 34994 (772) 220-2100, Fax (772) 223-0220
100 Avenue A Suite 2A, Fort Pierce, Florida 34950 (772) 467-1301, Fax (772) 467-1303
827 North Thornton Avenue, Orlando, Florida 32803 (407) 898-9521, Fax (407) 898-9768

Site Data:

Existing Zoning:	AG-1, AG-2.5, PUD
Existing FLU:	MXD
Proposed Zoning:	PD
Total Site Area:	516.32 ac.
Development Tract Acreage:	324.39 ac.
W.M.T. Acreage:	34.86 ac.
Preserve Area:	136.40 ac.
Access Tract Area:	20.67 ac.
Open Space Req'd:	103.26 ac.
Open Space Provided:	136.4 ac.
Preserve Area:	136.4 ac.



Key / Location:


PROJECT
LOCATION
FLORIDA TURNPIKE
INDIAN RIVER
OCEAN BLVD
ORANGE AVE
ST LUCIE
PORT ST LUCIE
A1A
ST LUCIE RIVER
OKEECHOBEE
PRIMA VISTA
BLACK
CROSS
ROSSER
ROAD
ST LUCIE
CANAL
MIDWAY
ROAD
OKEECHOBEE
ROAD
ST LUCIE
CANAL
I-95
SR 713
INDUSTRIAL
AVE
SR 713
KINGS HWY
SR 713
ORANGE AVE
SR 713
PRIMA VISTA
BLVD
SR 713
PRIMA VISTA
BLVD
SR 713
KINGS HWY
SR 713
ST LUCIE
BLVD
SR 713
ST LUCIE
BLVD
SR 713
ST LUCIE
BLVD

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: Zoning Atlas Amendment, Planned Development Plan and Preliminary Plat
Village at Midway – 9850 Midway Road

DATE: March 2nd, 2016

STAFF REPORT

Owner/Applicant: Walton Acquisitions FL, LLC
4800 North Scottsdale Road, Suite 4000
Scottsdale AZ, 85251

Representative: Mark E. Jacobson, P.E., LEED AP
Senior Planning and Development Manager – Florida
Walton Development and Management
8390 Champions Gate Blvd., Suite 315
Champions Gate, FL 33896

Requested Action: Approval of a Zoning Atlas Amendment, Planned Development Plan and Preliminary Plat application

Location: 9850 Midway Road

Parcel IDs: 2334-340-0000-000-7; 2334-410-0000-000-1

Current Zoning: AG 2.5, County Agriculture; AG-1, Agriculture, PUD, Planned Unit Development

Proposed Zoning: PD, Planned Development

Current Future Land Use: MXD, Mixed-Use Development

Surrounding Zoning:

North	East	South	West
AG-1; AG-2.5 (County)	I1; IL (County)	AG 2.5 (County)	AG 2.5 (County)

Parcel(s) Size: 516.3 acres

Utility Provider: FPL; St. Lucie County Water and Wastewater

Staff Analysis:

The applicant, Walton Acquisitions FL, LLC, is proposing a zoning change from the current zoning districts to PD, Planned Development, a Planned Development Plan, as well as a Preliminary Plat located on 9850 Midway Road and a parcel to the northeast (2334-410-0000-000-1). The parcels are currently 516.3 acres. The largest parcel was annexed in 2010 and retained its County zoning AG 2.5, Agriculture, while the 116 acre parcel was the first annexation of 2015. The future land use designation is MXD, Mixed-Use Development.

The intent of this project is to become a commercial and industrial park with a separate residential component. This property is immediately off the Midway Road exit of I-95, an exit that shares industrial as well as commercial businesses. The proposal is to allow for many different uses that are briefly notated in Exhibit A, as well as their allocated square footage. Walton Acquisitions will provide the land for multiple developers to relocate or start their industrial or commercial industries.

Exhibit A
USE AND INTENSITY ALLOCATION

General Use	Applicable Lot Type(s)	Intensity Allocation
Warehouse	Flex-Industrial/Warehouse;	1,500,000 sf.
Multifamily Residential	Residential - Multifamily	650 Units
Shopping Center	Commercial General;	160,000 sf.
General Light Industrial	Flex Industrial/Warehouse;;	1,200,000 sf.
Convenience Store	Commercial General;	5,000 sf.
Fast Food Restaurant	Commercial General	10,000 sf.
High Turnover Restaurant	Commercial General	25,000 sf.

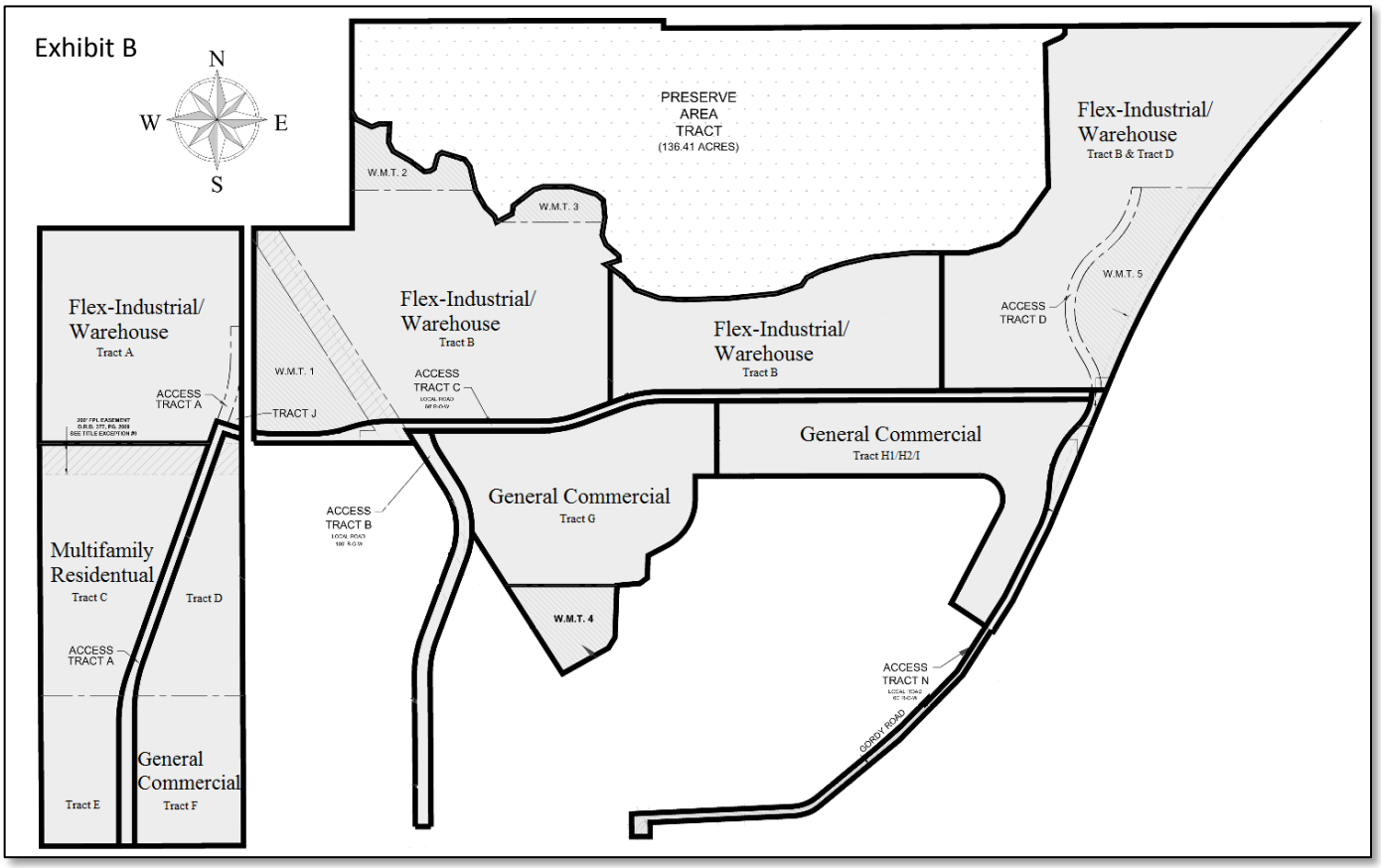
<u>Planned Development Plan</u>
Walton Acquisitions is proposing development guidelines that divide certain uses by the lot type: Flex Industrial/Warehouse, General Commercial, and Multifamily Residential. Each lot type has a designated area within the property as shown in Exhibit B.

The lot type “Flex Industrial/Warehouse” allows light to heavy industrial uses, manufacturing, wholesale, etc. This lot type will support uses from communications, personal and business services and agriculture to manufacturing fabricated metal products, industrial/commercial machinery and electronics.

Lot type “Commercial – General” supports a variety of retail, service establishments and more. This lot type allows uses that are very similar to the City of Fort Pierce’s C3, General Commercial zoning district. It gives the opportunity to operate businesses such as general merchandise stores, florists, grocery stores, restaurants, and boutiques.

“Residential – Multifamily” lot type is specifically designated for the parcel to the west. This lot type allows multifamily developments at 15 dwelling units per acre with the cap at 650 dwelling units. The conservation area will be open to these residents for passive recreation.

Each lot type has permitted uses and restricted uses. The restricted uses are very similar to what the City of Fort Pierce calls “Conditional Uses”. If a developer desires to implement a restricted use, such applicant will seek approval from Walton Acquisitions where they will approve, approve with conditions or deny the application. You can find a list of permitted and restricted uses on page 13 of the Planned Development Guidelines.



<u>Architectural Design Standards</u>
The architectural aesthetic will be reviewed at the time of Site Plan and will conform to Fort Pierce Design Review standards.

<u>Preliminary Plat and Infrastructure Plan</u>
The Village at Midway Preliminary Plat is made up of 14 large tracts of land. Each tract has an approximate size notated. Developers will be able to purchase and shape their own lots to accommodate their businesses. When each tract is tapped into by a developer it triggers infrastructure to be built to access that parcel of land. For example, if a developer purchases and forms a lot in Tract B, Phase 1B is triggered where roadwork including storm water conveyance, sidewalks, street lighting, etc. is implemented. This Preliminary Plat that was provided and complied with the following: *Proposed name of the subdivision, Name and address of owner of record, Name, address and telephone number of subdivider , Scale, north arrow, and the date plat was drawn, Boundary lines of the tract indicated by a heavy line giving approximate dimensions, Approximate number of lots, and typical lot sizes, Divisions or state development, if any, proposed by the subdivider, Natural and manmade features within the proposed subdivision, including drainage, channels, bodies of water, or other significant features, Contour lines, having a one-foot interval, Development features such as rights-of-way and pavement widths, easements including their purpose and width, other dedications including their purpose, Names of adjacent platted subdivisions, Names of adjacent unplatted property owners, Location and size of nearest water, sewer and storm drainage lines that will serve the subdivision, Certificate of preliminary plat preparation, Vicinity sketch showing the relation of the proposed subdivision to adjoining property and the city, Name and address of the engineer*

and/or surveyor who prepared the plat and design improvements be listed on the preliminary plat, Certification from the developer's engineer whether federal, state, or local agencies have jurisdiction over the proposed project.

Final Plat

If the Preliminary Plat is approved, Walton Acquisitions themselves will apply for Final Plat after Walton and the developer determine a lot layout. Walton will apply for the final plat, bond or build the infrastructure, and then convey the lot to the developer. Developers will be tasked with applying for their own site plan. Both of these applications can be reviewed concurrently.

TRC Comments:

The application was transmitted to the reviewing departments. TRC comments are attached to this staff report.

Planning Board Recommendation:

At their February 9th meeting, the Planning Board recommended approval with staff recommendations.

Staff Recommendation:

Staff recommends that the Preliminary Plat decision be decided in a separate motion. Staff also recommends that the City Commission approve the Zoning Atlas Amendment and Planned Development Plan with the following conditions:

1. A signed Proportionate Fair Share Agreement with St. Lucie County shall be provided to the City of Fort Pierce prior to final plat approval for the first plat within the Village at Midway Planned Development;
2. A Right-of-Way dedication of 42.5 feet is required along the project's frontage on Midway Road, at the time that the land fronting Midway Road is platted;
3. A 6 foot wide concrete sidewalk shall be constructed within the ultimate Right-of-Way of Midway Road or a fee in lieu of construction of said sidewalk shall be submitted to St. Lucie County for review and approval;
4. A traffic tracking sheet will be submitted with each site plan application, for the purpose of identifying when a Proportionate Share payment is due. Each traffic tracking sheet shall include (a) the total Average Daily Trips and Peak AM and Peak PM Trips associated with the proposed development, and (b) the cumulative Trips set forth in the traffic tracking sheets for any site plans previously filed within the Villages at Midway. This will also be used to monitor the overall approved traffic analysis for the project as a whole.
5. If Arterial A (also known as Access Tract A) is on the County's Thoroughfare Network Right-of-Way Protection Plan at the time of final plat approval of the first plat within the Villages at Midway which includes a segment of Arterial A, then the land owner shall dedicate to the County any additional right-of-way which is needed to make Arterial A the width required by the County's Thoroughfare Network Right-of-Way Protection Plan, but only if:
   (a) the total right-of-way for Arterial A shall not exceed a width of 160 feet; and
   (b) the County enters into an agreement with the land owner, that the land owner shall receive compensation from the County for the right-of-way dedication, which may be in the form of cash or impact fee credits, and that the County shall accept the dedication of Arterial A and shall maintain Arterial A as a County Road.

   If Arterial A is not on the County's Thoroughfare Network Right-of-Way Protection Plan at

the time of final plat approval of the first plat within the Villages at Midway which includes a segment of Arterial A, then the width of the Arterial A right-of-way shall remain as shown in this approval.

Staff recommends that the City Commission approve the Preliminary Plat with the following conditions:

1. If Arterial A (also known as Access Tract A) is on the County's Thoroughfare Network Right-of-Way Protection Plan at the time of final plat approval of the first plat within the Villages at Midway which includes a segment of Arterial A, then the land owner shall dedicate to the County any additional right-of-way which is needed to make Arterial A the width required by the County's Thoroughfare Network Right-of-Way Protection Plan, but only if:
   (a) the total right-of-way for Arterial A shall not exceed a width of 160 feet; and

   (b) the County enters into an agreement with the land owner, that the land owner shall receive compensation from the County for the right-of-way dedication, which may be in the form of cash or impact fee credits, and that the County shall accept the dedication of Arterial A and shall maintain Arterial A as a County Road.

   If Arterial A is not on the County's Thoroughfare Network Right-of-Way Protection Plan at the time of final plat approval of the first plat within the Villages at Midway which includes a segment of Arterial A, then the width of the Arterial A right-of-way shall remain as shown in this approval.

City Commission Regular Meeting **11.g.**

Meeting Date: 12/18/2017

Re: Lease Agreement for Parking Lot

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

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SUBJECT:

Approval of a twenty-four (24) month Lease Extension Agreement between the City of Fort Pierce and Fort Pierce Resorts, LLC for certain parcels along Indian River Drive, that are being utilized to provide additional parking spaces for the public.

SUMMARY:

The lease agreement with FP-DW, LLC and FP-DX, LLC was approved at the March 6, 2017 Commission meeting. The property recently sold to Fort Pierce Resorts, LLC and they wish to continue a lease agreement with the City of Fort Pierce. This lease will begin on January 1, 2018 and shall be for a period of twenty four (24) months with the option of one twelve (12) month extension.

The city pays rent on a quarterly basis, which is equal to the total tax bills on the two parcels listed in the Lease as Parcel "W" and Parcel "X"

RECOMMENDATION:

Staff recommends approval

ALTERNATIVES:

Staff will proceed as directed by the City Commission.

RESPONSIBLE STAFF:

Public Works Department

COORDINATED WITH:

City Attorney

Fiscal Impact

Budgeted Y/N: Y

Fiscal Year: 2018

Account: 40141005754430

Amount: TBD Annualy

FISCAL IMPACT:

This expense is budgeted and renewed with the same terms as previous contract, which is payment of the annual tax bill on a quarterly basis. The 2016 tax bill for both parcels was $7,038.32

Attachments

Parking Lease

Form Review

Inbox	Reviewed By	Date
Finance Department	Karen Logue	12/06/2017 07:12 PM
City Manager	Nick Mimms	12/12/2017 11:59 AM
Form Started By: Mike Reals		Started On: 12/06/2017 04:11 PM
Final Approval Date: 12/12/2017		

LEASE AGREEMENT

THIS LEASE AGREEMENT entered into this ____ day of January, 2018 by and between **FORT PIERCE RESORTS, LLC, a Florida limited liability company,** ("LANDLORD"), whose address is 1211 Orange Ave., Suite 102, Winter Park, FL 32789; and **THE CITY OF FORT PIERCE, FLORIDA**, a Florida Municipal corporation, ("TENANT"), whose address is 100 North US 1, Fort Pierce, Florida, 34954.

WITNESSETH:

LANDLORD, in consideration of the covenants and agreements hereinafter set forth to be kept and performed by both parties, does demise and lease to TENANT and TENANT rents from LANDLORD certain real property in Fort Pierce, Florida, legally described as Parcel "W" (Parcel ID # 2403-801-0023-000-9) and Parcel "X" (Parcel ID # 2403-801-0024-000-6) as shown and depicted on the attached Exhibit "A" (Proposed Lease Area), with a general description of the parking lot and improvements to be constructed thereon (Temporary Parking Area) depicted on Exhibit "B", said property hereafter referred to in this Lease as the "Demised Premises", subject to all existing zoning and building restrictions and regulations and the provisions and clauses of this Lease.

1. TERM: The term of this Lease shall be for an initial period of twenty-four (24) months (Initial Term) commencing January 1, 2018, unless extended or terminated as provided for herein. TENANT is also granted the option of extending this Lease for an additional twelve (12) months (Extension Term) provided TENANT furnishes written notice to LANDLORD at least thirty (30) days prior to the expiration of the Initial Term that TENANT is still in need of the property for temporary parking. The option of an Extension Term shall be void if LANDLORD is unable to deliver possession of the Demised Premises due to having entered a *bona fide* contract to sell the subject property prior to the Extension Term. LANDLORD and TENANT may also terminate this Lease at any time by providing thirty (30) days written notice to the other party in the manner provided in Section 9 provided TENANT shall be responsible for pro-rata rent for each month the Demised Premises are occupied during the Initial Term or Extension Term as provided below.

2. RENT: Rent for the Initial Term and Extension Term, if any, of this Lease shall be calculated as follows: TENANT shall pay rent in a sum equal to all real estate taxes assessed on the Demised Premises during the Initial Term or Extension Term, plus sale tax, if applicable. Real estate taxes shall include all taxes, items, and assessments that appear on the real estate tax bill as issued by the St. Lucie County Tax Collector. Such payments of rent shall be paid quarterly in advance on an estimated basis with adjustments made within thirty (30) days of the posting or receipt of the annual tax bill. All taxes and assessments, payable on an annual basis, are to be pro-rated monthly by the parties hereto for the year(s) comprising the Initial Term and Extension Term, if any, as well as the year in which this Lease is terminated.

3. INSURANCE: TENANT shall maintain its currently existing General Liability insurance coverages of $200,000 each person/$300,000 each occurrence with coverages for Bodily Injury, Property Damage, and Personal Injury, in addition to Broad Form Property Damage also provided under TENANT'S current policy. Upon request, TENANT shall furnish LANDLORD with executed Certificates of Insurance showing that such insurance is in full force and effect the earlier of

the beginning of the lease term or fifteen (15) days after the execution of this Lease Agreement and shall provide a minimum of sixty (60) days notice to LANDLORD prior to cancellation or termination of the insurance policy.

4. LATE CHARGES: The TENANT covenants and agrees to pay LANDLORD a late charge of five (5%) percent of each quarterly installment of all rents if not paid within thirty (30) days of its due date. LANDLORD expressly reserves all other rights and remedies provided under this Lease Agreement or Florida law.

5. USE OF PREMISES: TENANT will use and occupy the Demised Premises solely for the purpose of constructing a temporary parking lot for the parking of motor vehicles and for no other purpose or use whatsoever except as agreed to in writing by LANDLORD. During the term of this Lease TENANT shall maintain the property as may be required by all government authorities and collect and control trash and refuse. TENANT shall comply with all environmental rules and regulations applicable to temporary parking facilities. TENANT shall make no alterations or additions except as depicted on Exhibit "B" without prior written consent of LANDLORD. The TENANT shall permit no waste to the Demised Premises and shall return the Demised Premises to LANDLORD at the end of the term in the same condition as existed at the beginning of the term of the Lease. The TENANT shall comply with all laws, ordinances and obligations imposed by all governmental authorities during the term of the Lease, including maintaining the grass and flora on the property as may be necessary. Notwithstanding the foregoing, it is anticipated TENANT shall make certain improvements for access and parking and LANDLORD shall not unreasonably withhold written consent in connection with same. TENANT shall block-off or enclose the rear portion of the Demised Premises to discourage parking on any of LANDLORD's remaining property not part of the Demised Premises.

TENANT shall obtain all necessary permits from any and all governmental agencies necessary for the operation of the premises as a temporary parking lot.

6. ASSIGNMENT AND SUBLETTING: TENANT shall not assign or sublet this Lease without the written consent of the LANDLORD.

7. LIABILITY: TENANT agrees to fully indemnify LANDLORD, and LANDLORD shall not be liable for any damage or injury to any person or property whether it be the person or property of the TENANT, the TENANT'S employees, agents, guests, invites, or otherwise, by reason of TENANT'S occupancy of the leased premises or because of fire, flood, windstorm, acts of God, or for any other reason. The TENANT acknowledges that it has fully inspected the property and agrees to accept it in an as-is condition and shall be responsible for all maintenance of the property during the term of the Lease and absolves the LANDLORD from any obligations in connection therewith. As between TENANT and LANDLORD, TENANT shall be responsible for all loss, damage, claim, demand, liability, or expense by reason of damage to person or property which may arise or be claimed to have arisen during the term of this Lease as a result of any act or omission of TENANT, as a result of the occupancy or use of the leased Demised Premises by the TENANT, or in any way arising on account of any injury or damage caused to any person or property on or within the Demised Premises, including any allegations of negligent maintenance of the property during the term of this Lease. Provided, however, that regardless of whether any such obligations are based on tort, contract,

statute, strict liability, negligence, product liability or otherwise, the obligations of TENANT under this indemnification provision shall be limited in the same manner that would have applied if such obligations were based on, or arose out of, an action at law to recover damages in tort and were subject to section 768.28, Florida Statutes, as that section existed at the inception of this Lease.

8. ENVIRONMENTAL COVENANTS. As used in this Lease, the term "Hazardous Materials" shall mean any hazardous or toxic substance, material or waste which is, or becomes designated as such in the future or is regulated by any agency of the United States Government or by any local governmental agency having jurisdiction, including, without limitation, any substance, material or waste that is defined or designated as a hazardous substance pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, the Resource Conservation and Recovery Act or the Clean Water Act.

During the term of this Lease, TENANT shall not allow the presence, use, storage and/or disposal of any Hazardous Material, on or under the Leased Premises by TENANT, its agents, employees, business invitees, or contractors. TENANT shall not install or permit the installation of any underground storage tanks on the Leased Premises. As between TENANT and LANDLORD, TENANT agrees to defend and be responsible for all claims, costs, fines, judgments and liabilities, including attorney's fees and costs, arising out of or in connection with the presence, storage, use or disposal of Hazardous Materials on or under the Leased Premises directly caused by the acts, omissions or negligence of TENANT, its employees, business invitees, or contractors and specifically documented to have occurred during TENANT's occupancy under this Lease.

9. NOTICES: All notices required to be served upon the LANDLORD or TENANT shall be served by hand delivery or by registered or certified mail, return receipt requested, to the following:

LANDLORD:

FORT PIERCE RESORTS, LLC

1211 Orange Ave., Suite 102
Winter Park, FL 32789

Copy To:

_____
_____
_____
_____

TENANT:

CITY OF FORT PIERCE
c/o Nicholas C. Mimms, City Manager
100 North US 1
P.O. Box 1480
Fort Pierce, FL 34954

Copy To:

James M. Messer, City Attorney
100 North US 1
P.O. Box 1480
Fort Pierce, FL 34954

All such notices shall be deemed to have been duly given, delivered, or served if and when hand delivered or deposited with the U.S. Post Office, postage prepaid, whether evidence of delivery received is obtained or not obtained.

10. ATTORNEY FEES: In the event of any litigation arising out of this Agreement the prevailing party shall be entitled to recover attorney fees and costs from the losing party through appellate proceedings.

11. JOINT VENTURE: It is specifically understood and agreed that nothing in this Lease Agreement shall be construed as creating a joint venture, partnership, or other relationship between the parties to this agreement other than LANDLORD and TENANT.

12. ENTIRE AGREEMENT: This Lease contains the entire and sole agreement between the parties hereto relative to the lease of the Demised Premises and may be modified only by an agreement in writing executed by LANDLORD and TENANT with the same formalities as this Lease. The Agreement shall be binding on the parties hereto, their respective heirs, successors, and assigns as permitted.

13. TIME OF THE ESSENCE: It is specifically agreed that the timely payment of each and every installment of rent and performance of each and every one of the terms, covenants and conditions hereof is of the essence of this Lease.

14. COUNTERPARTS: This Agreement may be executed by the parties listed below in multiple original counterparts, each of which shall be deemed an original, but all of which together shall constitute a single original Agreement. Facsimile and electronic signatures shall be acceptable and deemed originals.

IN WITNESS WHEREOF, the parties hereto have signed, sealed, and delivered this Lease as of the day and year first above written.

WITNESSES AS TO LANDLORD:

_____

Print Name: _____

_____

Print Name: _____

LANDLORD:

FORT PIERCE RESORTS, LLC, a Florida limited liability company

By: _____

Print Name: _____

Date: _____

WITNESSES AS TO TENANT:

_____

Print Name: _____

_____

TENANT:

CITY OF FORT PIERCE, FLORIDA

By: _____

Linda Hudson, Mayor

Date: _____

Print Name: _____

ATTEST:

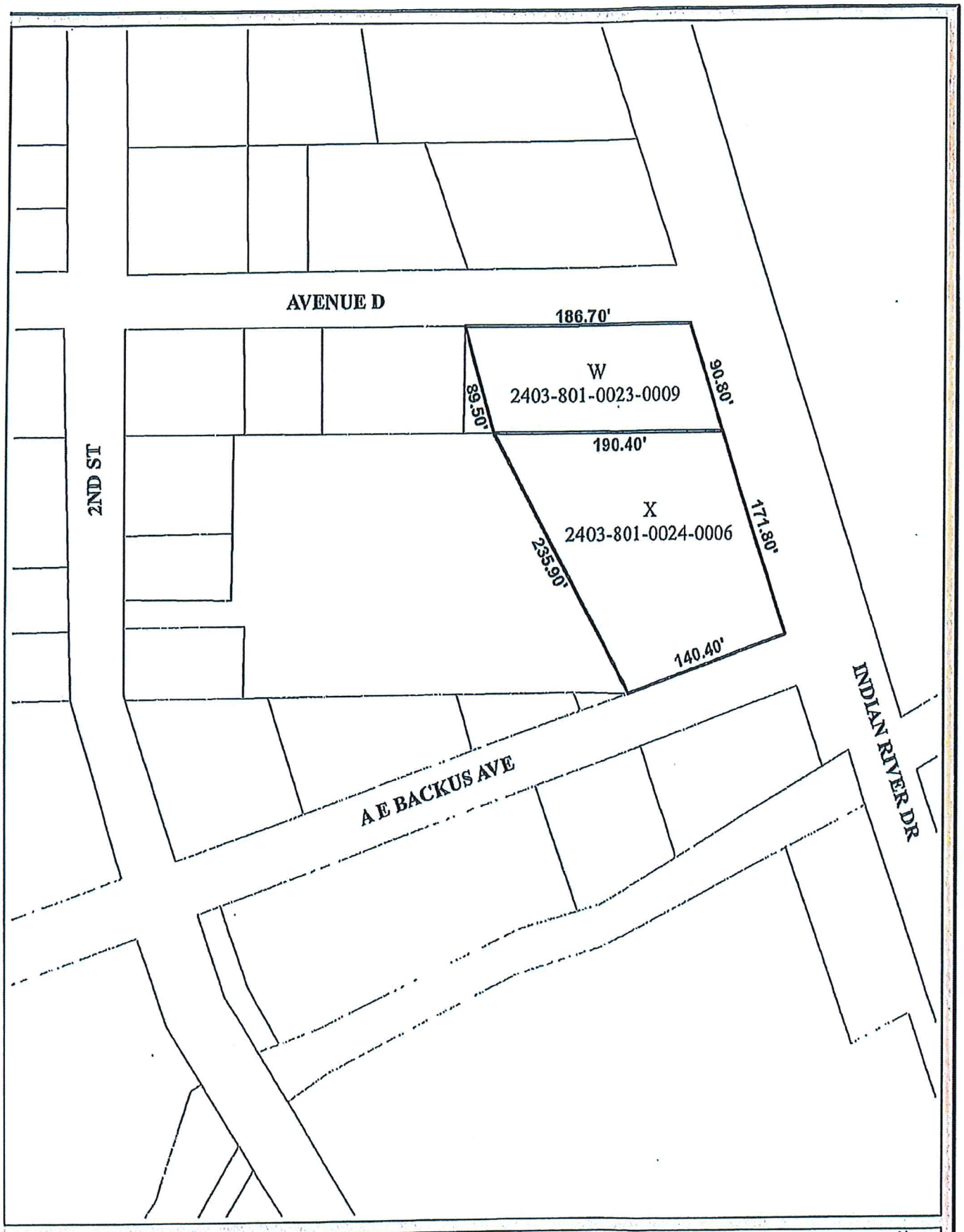
Linda Cox, City Clerk

_____

APPROVED AS TO FORM AND CORRECTNESS

James M. Messer, Esq.

_____



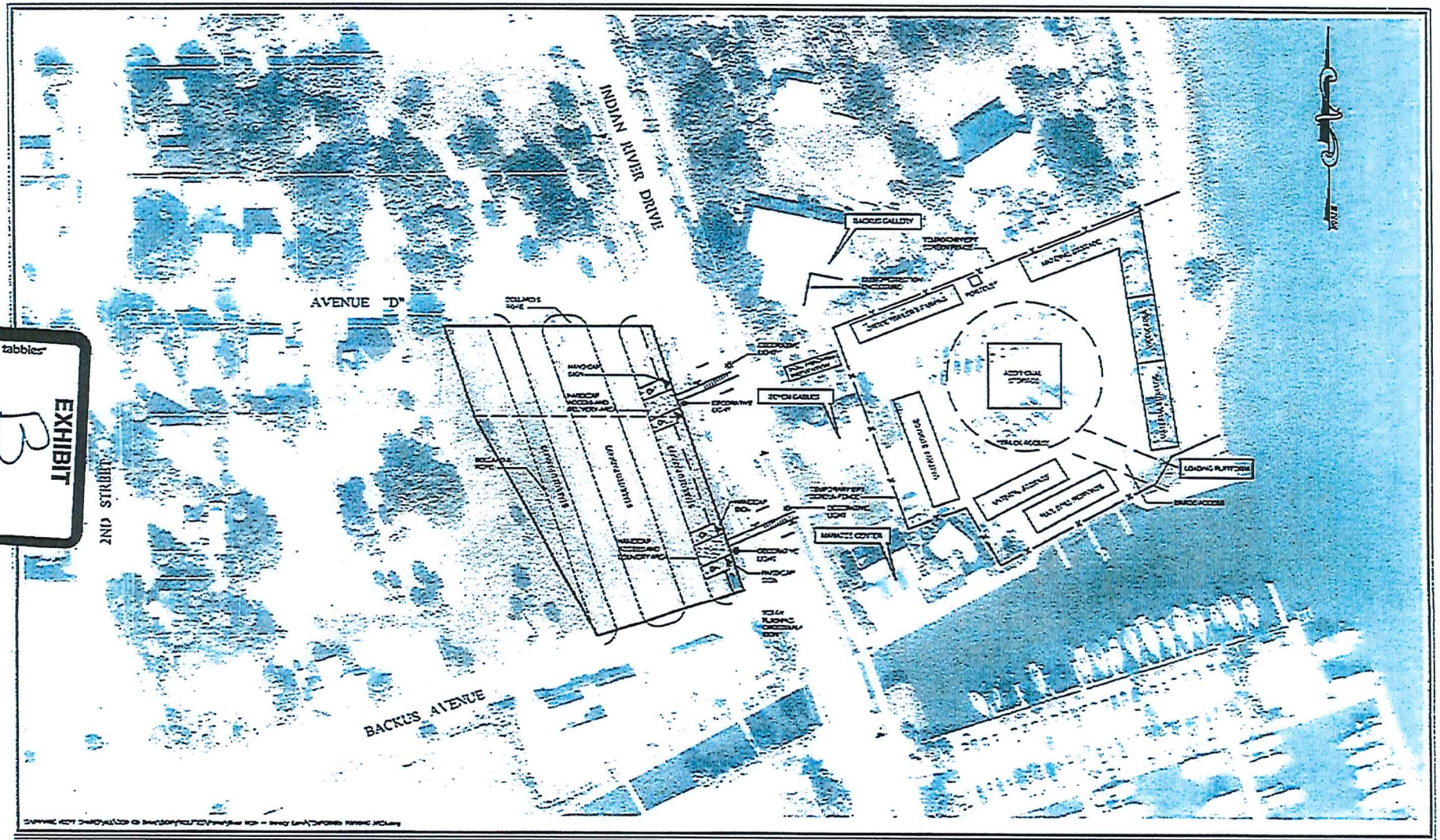
This map is a conceptual tool utilized for project development only. Though the information provided by this map is accepted to be accurate for the City's Administrative purposes, it is not to be used for technical purposes. Any information, including but not limited to software and data, received from City of Ft. Pierce in fulfillment of a public records request is provided "AS IS" without warranty of any kind. Any information provided by this map to be used for purposes other than reference must be confirmed by field survey. Aerial photo

EXHIBIT A

Printed: Feb 2012

N W E S

1" = 100'



tabbies

EXHIBIT

B

	CITY OF FORT PIERCE DEPARTMENT OF ENGINEERING	TEMPORARY PARKING AREA DURING MARINA RECONSTRUCTION PROJECT	DATE: 2/14/12 SCALE: 1" = 20' DRAWN: DAS/E.SESSIONS		No. DATE BY REVISIONS

SHEET
1
OF

City Commission Regular Meeting **12.a.**

Meeting Date: 12/18/2017

Re: 2016-2017 CAPER Report Presentation and Public Hearing

Submitted For: Libby Woodruff, Manager, Finance Department

SUBJECT:

Presentation and Public Hearing of 2016-2017 Consolidated Annual Performance Evaluation Report (CAPER).

SUMMARY:

This is a presentation to inform the public of programs, projects, activities and accomplishments related to the 2016-2017 CDBG program and also a public hearing following the presentation.Staff will submit the 2016-2017 CAPER to HUD, as required, following the public hearing.

RECOMMENDATION:

Allow a presentation and public hearing on the 2016-2017 Consolidated Annual Performance Evaluation Report (CAPER).

ALTERNATIVES:

Do not allow a presentation and public hearing.

RESPONSIBLE STAFF:

Libby Woodruff, Manager, Grants Administration Division

COORDINATED WITH:

Johnna Morris, Director of Finance

Fiscal Impact

Budgeted Y/N: N/A

Fiscal Year: N/A

Account: N/A

Amount: 0

OTHER INFORMATION:

There will be no fiscal impact related to this presentation and public hearing.

Attachments

2016-2017 CAPER

Form Review

Inbox	Reviewed By	Date

Finance Department	Karen Logue	11/28/2017 10:16 AM
City Manager	Nick Mimms	12/12/2017 11:59 AM
Form Started By: Libby Woodruff		Started On: 11/15/2017 03:19 PM
Final Approval Date: 12/12/2017		

2016-2017 Program Year
Consolidated Annual Performance Evaluation Report (CAPER)

1st Program Year
2016-2020 5-Year Consolidated Plan

Respectfully Submitted by:
The City of Fort Pierce, Florida

OMB Control No: 2506-0117 (exp. 06/30/2018)

CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

The City's primary objectives in our 2016-2020 Strategic Plan and for PY16-17 Action Plan are:

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

Following is a breakout of the City's accomplishments toward carrying out our 2016-2020 Strategic Plan and our PY16-17 Action Plan objectives:

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
Code Enforcement	Code Enforcement	General Fund	Housing Code Enforcement/Foreclosed Property Care	Household Housing Unit	250	540	216.00%	250	540	216.00%
Economic Opportunity	Non-Housing Community Development	CDBG	Facade treatment/business building rehabilitation	Business	50	3	6.00%	10	3	30.00%
Economic Opportunity	Non-Housing Community Development	CDBG	Jobs created/retained	Jobs	50	117	234.00%	10	117	1,170.00%
Economic Opportunity	Non-Housing Community Development	CDBG	Businesses assisted	Businesses Assisted	300	183	61.00%	60	183	305.00%
Home Rehab / Home Purchase Assist / Fair Housing	Affordable Housing	CDBG General Fund SHIP	Homeowner Housing Rehabilitated	Household Housing Unit	365	43	11.78%	73	43	58.90%
Home Rehab / Home Purchase Assist / Fair Housing	Affordable Housing	CDBG General Fund SHIP	Direct Financial Assistance to Homebuyers	Households Assisted	30	12	40.00%	6	10	166.67%
Neighborhood Revitalization	Non-Housing Community Development	CDBG	Jobs created/retained	Jobs	100	55	55.00%	25	55	220.00%

OMB Control No: 2506-0117 (exp. 06/30/2018)

Neighborhood Revitalization	Non-Housing Community Development	CDBG	Businesses assisted	Businesses Assisted	250	60	24.00%	50	60	120.00%
Public Facilities	Homeless Non-Housing Community Development	CDBG	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	10000	3516	35.16%	2000	3516	175.80%
Public Facilities	Homeless Non-Housing Community Development	CDBG	Homeless Person Overnight Shelter	Persons Assisted	300	52	17.33%	60	52	86.67%
Public Services	Homeless Non-Homeles Special Need Non-Housing Community Develop Public Supportive Services	CDBG	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	16500	5837	35.38%	3500	5837	166.77%
Public Services	Homeless Non-Homeles Special Need Non-Housing Community Development Public Supportive Services	CDBG	Homeless Person Overnight Shelter	Persons Assisted	0	0				

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

OMB Control No: 2506-0117 (exp. 06/30/2018)

Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

The City of Fort Pierce utilized CDBG funds to support programs, projects and organizations the promote revitalization and stabilization, economic viability and small business expansion an job creation that is primarily focused on lower income residents and neighborhoods. Addiitonally, the City continues to emphasize the development of a viable urban community and conform to the primary objectives of the department of Housing and Community Development Act of 1974, as amended.

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted). 91.520(a)

	CDBG
White	65
Black or African American	2,705
Asian	20
American Indian or American Native	0
Native Hawaiian or Other Pacific Islander	0
Total	**2,790**
Hispanic	101
Not Hispanic	2,689

Table 2 – Table of assistance to racial and ethnic populations by source of funds

Narrative

The City captures racial and ethnic information on families assisted through our public service and small business grant award programs and through the SHIP housing rehab and down payment assistance programs.

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	CDBG	530,925	492,206
HOME	HOME		
HOPWA	HOPWA		
ESG	ESG		
General Fund	General Fund	85,000	85,000
Other	Other	306,000	176,477

Table 3 - Resources Made Available

Narrative

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
City limits Low/Mod	100	90	

Table 4 – Identify the geographic distribution and location of investments

Narrative

The georgraphic distribution and location of investments include areas within the City of Fort Pierce where no less than 51% of the population is extremely low, very low, low and moderate income, according to the US Census.

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

Code Enforcement - The City of Fort Pierce provided more than $50,000 from the general fund to provide a Code Enforcement officer to staff a very low-income neighborhood in our City.

Commercial Façade Grants – The City expended $15,000 for commercial façade grants, which leveraged over $200,000 in commercial property improvements.

Minority Business Expo - The City received $20,000 in funding to help cover the costs of this project through a Visit Florida grant award.

Highwaymen Heritage Trail Art Show and Festival - Numerous area businesses and organizations help offset the costs to provide this annual creative placemaking economic development event in a very low-income historic minority neighborhood to celebrate the "Original" and "2nd Generation" Highwaymen Artists.

Annual Job Fair - The City partners with St. Lucie County, Career Source Resource Coast to help offset the costs associated with this annual event. St. Lucie County provides a portion of rent on a large facility and Career Source Research Coast provides manpower to help organize and oversee the event.

Weatherization Program - The City partnered with the Fort Pierce Utilities Authority (FPUA) to provide a weatherization program for 14 of our extremely low income and senior citizens. The City contributed $35,000 from our general fund; $20,000 from CDBG and FPUA contributed $75,000.

World Changers / "Paint Our Town" – The City of Fort Pierce used CDBG funds to purchase supplies and materials for the World Changers, and Paint Our Town volunteers to paint and repair 26 homes belonging to some of our poorest citizens during PY16.

State Housing Initiatives Partnership (SHIP) Program - The City of Fort Pierce provided nine (9) owner-occupied home rehabilitations and downpayment and closing cost assistance for twelve (12) home purchases to income-qualified citizens. These two projects totalled $176,477.47 in SHIP funds for program year 2016-2017.

1st Time Homebuyer Assistance - Local banks provide Consumer Credit Counseling Services and new homebuyer workshops. Six (6) workshops for new homebuyers were held during PY16. Approximately 40 Fort Pierce residents attended the workshops.

Fort Pierce HA - Section 8 Program - The FPHA managed an allocation of 844 vouchers, and 827 leases during PY16.

Habitat for Humanity - Habitat rehabilitated seven (7) homes for lower income citizens in Fort Pierce during PY16. The City provided down payment/closing cost assistance for 3 Habitat home purchases.

Allegany Franciscan Ministries – Allegany is helping cover the staffing costs for the City's new Lincoln Park Revitalization Coordinator, who is responsible promoting health, wellness, economic growth, small business development and investment in one of the poorest and oldest minority neighborhoods within the City.

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	100	26
Number of Non-Homeless households to be provided affordable housing units	60	12
Number of Special-Needs households to be provided affordable housing units	20	0
Total	**180**	**38**

Table 5 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	0	0
Number of households supported through The Production of New Units	0	0
Number of households supported through Rehab of Existing Units	60	43
Number of households supported through Acquisition of Existing Units	0	0
Total	**60**	**43**

Table 6 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

Providing affordable housing units continues to be an ongoing issue within the City of Fort Pierce. A transitional housing program for homeless families is also an ongoing problem. Both of these added to the problems encountered in meeting goals listed in the 2016-2020 Consolidated Plan.

The Fort Pierce Housing Authority's plans to convert a HA complex into transitional housing for our homeless families was recently denied by the Department of Housing and Urban Development (HUD).

The City is currently working on short term solutions to address our transitional housing issue for our growing homeless population and solutions to address our lack of affordable decent housing. We have reached out to several nonprofits in the area and are meeting regularly to address this issue.

As stated earlier, the Treasure Coast Homeless Services Council, located in Indian River County in Vero Beach, Florida, is the CoC for St. Lucie, Indian River and Martin Counties. Most all of the grant funds for various homeless services stay in Indian River County. Our homeless numbers are climbing by leaps and bounds and the City of Fort Pierce is determined to find solutions to assist this growing population.

Discuss how these outcomes will impact future annual action plans.

Outcomes related to establishing a workable transitional housing program for our growing homeless population may impact future annual action plans. Affordable housing solutions will be accomplished via collaborations with investors and partnerships with developers. We do not currently see this as impacting future annual action plans.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-income	2,003	0
Low-income	0	0
Moderate-income	0	0
Total	**2,003**	**0**

Table 7 – Number of Households Served

Narrative Information

These numbers were collected through public service grant award reporting, the SHIP housing program, and the Weatherization program.

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

1. The Treasure Coast Homeless Sevices Council, Inc. (TCHCS) serves as the official Continuum of Care for St. Lucie, Martin and Indian River Counties. It is the official qualified applicant for State and Federal homeless prevention and direct services funding on the Treasure Coast and the Lead Agency for the State Office on Homelessness. The City of Fort Pierce does not directly receive funding for homeless prevention.

The City sent a letter requesting assistance for our homeless population to the TCHCS in September, 2015 and later met with the executive director and requested assistance. We are hopeful that this meeting and future meetings will result in the TCHCS allowing the City of Fort Pierce to apply for grant funding through the Coalition to help address our growing homeless population. Currently, all funds received to benefit our homeless are utilized in Indian River County, primarily in the Vero Beach area.

The Director of the TCHSC recently sent a letter to HUD listing that they provide $310,908 for Permanent Supportive Housing in St. Lucie County. This is NOT Fort Pierce. This is to rent, from themselves, 10 single family homes and one duplex located in Lakewood Park, outside the City limits of Fort Pierce, in St. Lucie County completely rehabilitated by St. Lucie County through their Neighborhood Stabilization Program that were donated to the TCHSC. The TCHSC provides limited funding for housing for homeless veterans in St. Lucie County as well.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City is currently working with the Fort Pierce Housing Authority and several area nonprofits that currently provide services for our growing homeless population to create a transitional housing program.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

1. **The Treasure Coast Homeless Services Council (TCHCS)**, the Continuum of Care for Indian River, St. Lucie and Martin Counties, provides a homeless services center in Vero Beach Florida, which provides approximately $300,000 per year in direct assistance to homeless and near-homeless families and $800,000 per year in rental housing payments on behalf of the disabled. TCHCS also provides approximately $300,000 annually in direct funding to the homeless family shelter on the Treasure Coast, serving Indian River, St. Lucie and Martin Counties. Approximately thirty percent (30%) of the Homeless Family Center's clients were from the City of Fort Pierce during PY16.

Based on the "Certification of Consistency with the Consolidated Plan" form that the City of Fort Pierce recently received from the TCHCS, St. Lucie County receives $289,776 in funding that is only used to cover the rent for chronically homeless individuals and families. No funding is provided to City of Fort Pierce agencies that provide services to the homeless. According to the TCHCS' Point in Time County for January, 2016, the City of Fort Pierce has experienced a 185% increase in homeless children since January, 2015.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

1. The Treasure Coast Homeless Sevices Council, Inc. (TCHCS) serves as the official Continuum of Care for St. Lucie, Martin and Indian River Counties. It is the official qualified applicant for State and Federal homeless prevention and direct services funding on the Treasure Coast and the Lead Agency for the State Office on Homelessness. The City of Fort Pierce does not directly receive funding for homeless prevention.
2. The City of Fort Pierce is currently working with the Fort Pierce Housing Authority and local nonprofits and community organizations to increase services to our growing homeless population that will hopefully make easier the transition to permanent housing and independent living, shorten the period of time that individuals and families experience homelessness, improve access for homeless individuals and families to affordable housing units and prevent individuals and families who were recently homeless from becoming homeless again.

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

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

For PY16 FPHA activities included:

- Up to $10,000 in educational scholarships were available to outstanding students in FPHA's Public Housing, Section 8 Housing Choice Voucher Program, or its Affordable Housing Program to start or continue secondary education. Scholarships were available for Associate Degrees, Bachelor Degrees, Master's Degree or Vocational Training.
- Allocating 844 Section 8 vouchers and provided 827 Public Housing leases in PY15; and administers 18 units of non-subsidized rentals. Out of 844, 39% of the households-elderly and/or disabled; 11%-elderly (not disabled).
- Crime Reduction Initiatives – increase site lighting to numerous units and on site's parking/ pedestrian area redesign.
- Administered a Family Self – Sufficiency Program for both its Section 8 Housing Choice Voucher and Public Housing Programs. This program is designed to mentor families and link them to services, training, education and childcare to help them eliminate the need for welfare.
- Provided 35 HUD-Veterans Affairs Supportive Housing (HUD-VASH) program vouchers in conjunction with the Section 8 Housing Choice Voucher program.
- Allocated Section 8 Housing Choice Vouchers to local area witnesses of violent crime who agree to testify in court. The use of these vouchers is to relocate witnesses and protect against potential retaliation.
- Provided 24 Section 8 Housing Vouchers for families displaced from Hurricane Irma.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

The Fort Pierce Housing Authority provides the Family Self – Sufficiency Program for both its Section 8 Housing Choice Voucher and Public Housing Programs. This program is designed to mentor families and link them to services, training, education and childcare to help them eliminate the need for welfare.

Actions taken to provide assistance to troubled PHAs

The Fort Pierce Housing Authority (FPHA) is <u>not</u> designated as a 'troubled PHA."

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

The City has evaluated public policies, land use controls, tax policies, zoning ordinances, building codes, fees and charges, growth limitations to determine if there could be negative effects that serve as barriers to affordable housing. We have not determined that any of these are a factor in affordable housing development. We are currently considering ways to encourage affordable housing development within the City.

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

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

The City is working to address underserved needs, including support for the Fort Pierce Housing Authority's (FPHA) application for tax credits to rehabilitate a former hospital into apartments for lower-income senior and/or disabled citizens, slum and blight and infrastructure improvements in lower-income neighborhoods, and assistance with weatherization improvements for our lower-income citizens. The FPHA was denied funding in their first four (4) requests and are awaiting news of their fourth attempt at this funding request.

The City is also contacting investors and developers and has identified several parcels of land that could be used for affordable housing development. We continue to utilize our SHIP program, work with Habitat for Humanity, World Changers and through our Paint Our Town program to improve our existing housing stock.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

1. During PY16, the City continued to encourage residents and property owners to test for and reduce lead paint. Homes assisted with CDBG or SHIP funding that were built prior to 1978 are automatically tested for lead-based paint, and safe practices and abatement/reduction procedures are followed on projects where lead based paint is identified.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

The 2008 housing market crash led to drastically decreased property values which has increased the amount of affordable housing opportunities for low and moderate income residents. Unfortunately, home prices have steadily increased throughout PY16. Investors have purchased hundreds of foreclosed homes within the City, leaving very few affordable homes available for first time homebuyers and lower income citizens to purchase. Properties financed through Fannie Mae and Freddie Mac coming out of foreclosure are offered to qualifying citizens for approximately 30 days before they are available to investors, which is very helpful.

The City is now offering Down Payment and Closing Cost Assistance up to $15,000 for first time income-qualified citizens of Fort Pierce through the State Housing Initiatives Partnership (SHIP) program. To date, we have assisted 12 families in purchasing new homes.

The economic downturn resulted in soaring unemployment and Fort Pierce still has not recovered. Fort Pierce's unemployment rate in July, 2017 was 7.6%, compared to St. Lucie County's rate, which was at 3.8%, and the State of Florida, which was 4.1%. Unemployment and also "underemployment" remain on the forefront for the City of Fort Pierce, St. Lucie County, the State of Florida and the entire country.

The City is currently partnering with Career Source Research Coast and Indian River State College to provide free job training opportunities for citizens. We are hopeful this will result in more of our citizens having marketable skills which will lead to better paying jobs. We are also talking with regional developers development of affordable housing and manufacturing opportunities within the City.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

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

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

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

The delivery of public housing requires the coordination of a number of agencies, both public and private. These agencies will continue to work together to eliminate potential gaps within the delivery systems in Fort Pierce. A vital agency in this initiative is the Fort Pierce Housing Authority (FPHA). The City regularly provides staff to attend monthly FPHA meetings and various social service agency meetings to increase collaborative opportunities and enhance coordination in services.

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

Please see attached chart listing activities either currently underway or scheduled to be carried out during PY16 and PY17 to address the impediments identified in the 2016-2020 Assessment of Fair Housing Report for the City of Fort Pierce, Florida.

City of Fort Pierce, Florida
Fair Housing Activities for PY16 and PY17

Impediment #4 – Fair and Equal Lending Disparities

Goal	Contributing Factors	Fair Housing Issues	Metrics, Milestones, and Timeframe for Achievement	Responsible	2017-2018 Program Year Activities
Promote Fair and Equal Lending Disparities	Priority #1 – Potential homebuyers are being turned down for lack of collateral, debt-to-income ratio and incomplete applications.	Disparities on loan approvals and denials by race and by Hispanic/ non-Hispanic ethnicity. African Americans and Hispanics tend to have higher loan application failure rates.	1) During 2016-2020, work with all members of St. Lucie County and Martin County Lending Consortiums to increase awareness of prevalent denial issues; 2) During 2016-2020, continue to provide referrals to credit counseling agencies to improve credit ratings, and debt-to-income ratios, for homeownership potential; 3) During 2016-2020, continue to provide promotional information for First-Time Homebuyer Workshops through public access venues; 4) During 2016-2020, promote and hold at least two (2) Fair Housing / Homeowner educational events each year. 5) During 2016-2020, promote and provide at least four First Time Homebuyer Workshops during each program year. 6) During 2016-2020, promote financial literacy educational events within the City of Fort Pierce; and 7) During 2016-2020, provide down payment and closing cost assistance to first-time homebuyers through the State Housing Initiatives Partnership (SHIP) program.	City of Fort Pierce Grants Administration Division	1) Fair Housing brochures provided to Lending Consortium members. Brochures include information on how to file a Fair Housing complaint. 2) Providing referrals to credit counseling agencies to improve credit ratings for potential new home buyers. 3) Promoting First Time Homebuyer Workshops that will be provided October 14, December 2, 2017 and in February and April of 2018 in various locations throughout St. Lucie, Martin, and Indian River Counties. 4) Two (2) Fair Housing Workshops will be provided by Lincoln Park Main Street and two (2) will be provided by Mustard Seed Ministries during 2nd and 4th quarters of 2017-2018 PY. Both of these organizations are located within very low income minority areas in the City. 5) Currently providing 1st Time Homebuyer program – down payment and closing cost assistance.

Impediment #5 – Housing Market Segregation

Goal	Contributing Factors	Fair Housing Issues	Metrics, Milestones, and Timeframe for Achievement	Responsible	2017-2018 Program Year Activities
Eliminate Segregated Neighborhoods in Fort Pierce	Priority #1 – Lack of amenities in lower-income minority neighborhoods. Priority #2 – Lack of public and private investment in lower-income minority neighborhoods Priority #3 – Housing and Mortgage Market Discrimination	Housing Market Segregation	1) During 2016-2020, continue 'creative placemaking initiative'- self-guided cultural history trails, events we promote across the U.S., commercial façade grants, beautification projects, art shows, festivals, etc., in segregated neighborhoods; 2) During 2016-2020, provide land and incentives for investment development of grocery, retail, and other businesses in segregated neighborhoods; 3) During 2016-2020, continue collaborations with investors, developers and St. Lucie County to develop artist live/work areas in segregated historic neighborhoods; 4) During 2016-2020, work with the local Board of Realtors and Lending Consortium to promote Fair Housing. 5) Work with local Affordable Housing Advisory Committee to promote ways to enhance local land development regulations to augment fair housing.	City of Fort Pierce Grants Administration Division	1) Continuing 'Creative Placemaking Initiative" in lower-income historic neighborhoods; also commercial façade grant opportunities, beautification projects. Received grant and hired staff to focus on needs of underserved community. 2) Currently working on proposal including land and other incentives to promote development of grocery, retail and other businesses in segregated neighborhood. 3) Completed Arts and Culture Master Plan that identifies artist live/work community in segregated historic neighborhood 4) Providing Fair Housing brochures to Lending Consortium. 5) Collaborating with Planning and Building Departments to identify ways to enhance local land development regulations to augment fair housing.

City of Fort Pierce, Florida -- 2017-2018 Activities to Address 2016-2020 Impediments to Fair Housing Report

Page 5 of 5

Fair Housing Activities Page 1/4

OMB Control No: 2506-0117 (exp. 06/30/2018)

City of Fort Pierce, Florida
Fair Housing Activities for PY16 and PY17

Impediment #4 – Fair and Equal Lending Disparities

Goal	Contributing Factors	Fair Housing Issues	Metrics, Milestones, and Timeframe for Achievement	Responsible	2017-2018 Program Year Activities
Promote Fair and Equal Lending Disparities	Priority #1 – Potential homebuyers are being turned down for lack of collateral, debt-to-income ratio and incomplete applications.	Disparities on loan approvals and denials by race and by Hispanic/ non-Hispanic ethnicity. African Americans and Hispanics tend to have higher loan application failure rates.	1) During 2016-2020, work with all members of St. Lucie County and Martin County Lending Consortiums to increase awareness of prevalent denial issues; 2) During 2016-2020, continue to provide referrals to credit counseling agencies to improve credit ratings, and debt-to-income ratios, for homeownership potential; 3) During 2016-2020, continue to provide promotional information for First-Time Homebuyer Workshops through public access venues; 4) During 2016-2020, promote and hold at least two (2) Fair Housing / Homeowner educational events each year. 5) During 2016-2020, promote and provide at least four First Time Homebuyer Workshops during each program year. 6) During 2016-2020, promote financial literacy educational events within the City of Fort Pierce; and 7) During 2016-2020, provide down payment and closing cost assistance to first-time homebuyers through the State Housing Initiatives Partnership (SHIP) program.	City of Fort Pierce Grants Administration Division	1) Fair Housing brochures provided to Lending Consortium members. Brochures include information on how to file a Fair Housing complaint. 2) Providing referrals to credit counseling agencies to improve credit ratings for potential new home buyers. 3) Promoting First Time Homebuyer Workshops that will be provided October 14, December 2, 2017 and in February and April of 2018 in various locations throughout St. Lucie, Martin, and Indian River Counties. 4) Two (2) Fair Housing Workshops will be provided by Lincoln Park Main Street and two (2) will be provided by Mustard Seed Ministries during 2nd and 4th quarters of 2017-2018 PY. Both of these organizations are located within very low income minority areas in the City. 5) Currently providing 1st Time Homebuyer program – down payment and closing cost assistance.

Impediment #5 – Housing Market Segregation

Goal	Contributing Factors	Fair Housing Issues	Metrics, Milestones, and Timeframe for Achievement	Responsible	2017-2018 Program Year Activities
Eliminate Segregated Neighborhoods in Fort Pierce	Priority #1 – Lack of amenities in lower-income minority neighborhoods. Priority #2 – Lack of public and private investment in lower-income minority neighborhoods Priority #3 – Housing and Mortgage Market Discrimination	Housing Market Segregation	1) During 2016-2020, continue 'creative placemaking initiative'- self-guided cultural history trails, events we promote across the U.S., commercial façade grants, beautification projects, art shows, festivals, etc., in segregated neighborhoods; 2) During 2016-2020, provide land and incentives for investment development of grocery, retail, and other businesses in segregated neighborhoods; 3) During 2016-2020, continue collaborations with investors, developers and St. Lucie County to develop artist live/work areas in segregated historic neighborhoods; 4) During 2016-2020, work with the local Board of Realtors and Lending Consortium to promote Fair Housing. 5) Work with local Affordable Housing Advisory Committee to promote ways to enhance local land development regulations to augment fair housing.	City of Fort Pierce Grants Administration Division	1) Continuing 'Creative Placemaking Initiative" in lower-income historic neighborhoods; also commercial façade grant opportunities, beautification projects. Received grant and hired staff to focus on needs of underserved community. 2) Currently working on proposal including land and other incentives to promote development of grocery, retail and other businesses in segregated neighborhood. 3) Completed Arts and Culture Master Plan that identifies artist live/work community in segregated historic neighborhood 4) Providing Fair Housing brochures to Lending Consortium. 5) Collaborating with Planning and Building Departments to identify ways to enhance local land development regulations to augment fair housing.

Fair Housing Activities Page 2/4

City of Fort Pierce, Florida
Fair Housing Activities for PY16 and PY17

Impediment #4 – Fair and Equal Lending Disparities

Goal	Contributing Factors	Fair Housing Issues	Metrics, Milestones, and Timeframe for Achievement	Responsible	2017-2018 Program Year Activities
Promote Fair and Equal Lending Disparities	Priority #1 – Potential homebuyers are being turned down for lack of collateral, debt-to-income ratio and incomplete applications.	Disparities on loan approvals and denials by race and by Hispanic/ non-Hispanic ethnicity. African Americans and Hispanics tend to have higher loan application failure rates.	1) During 2016-2020, work with all members of St. Lucie County and Martin County Lending Consortiums to increase awareness of prevalent denial issues; 2) During 2016-2020, continue to provide referrals to credit counseling agencies to improve credit ratings, and debt-to-income ratios, for homeownership potential; 3) During 2016-2020, continue to provide promotional information for First-Time Homebuyer Workshops through public access venues; 4) During 2016-2020, promote and hold at least two (2) Fair Housing / Homeowner educational events each year. 5) During 2016-2020, promote and provide at least four First Time Homebuyer Workshops during each program year. 6) During 2016-2020, promote financial literacy educational events within the City of Fort Pierce; and 7) During 2016-2020, provide down payment and closing cost assistance to first-time homebuyers through the State Housing Initiatives Partnership (SHIP) program.	City of Fort Pierce Grants Administration Division	1) Fair Housing brochures provided to Lending Consortium members. Brochures include information on how to file a Fair Housing complaint. 2) Providing referrals to credit counseling agencies to improve credit ratings for potential new home buyers. 3) Promoting First Time Homebuyer Workshops that will be provided October 14, December 2, 2017 and in February and April of 2018 in various locations throughout St. Lucie, Martin, and Indian River Counties. 4) Two (2) Fair Housing Workshops will be provided by Lincoln Park Main Street and two (2) will be provided by Mustard Seed Ministries during 2nd and 4th quarters of 2017-2018 PY. Both of these organizations are located within very low income minority areas in the City. 5) Currently providing 1st Time Homebuyer program – down payment and closing cost assistance.

Impediment #5 – Housing Market Segregation

Goal	Contributing Factors	Fair Housing Issues	Metrics, Milestones, and Timeframe for Achievement	Responsible	2017-2018 Program Year Activities
Eliminate Segregated Neighborhoods in Fort Pierce	Priority #1 – Lack of amenities in lower-income minority neighborhoods. Priority #2 – Lack of public and private investment in lower-income minority neighborhoods Priority #3 – Housing and Mortgage Market Discrimination	Housing Market Segregation	1) During 2016-2020, continue 'creative placemaking initiative'- self-guided cultural history trails, events we promote across the U.S., commercial façade grants, beautification projects, art shows, festivals, etc., in segregated neighborhoods; 2) During 2016-2020, provide land and incentives for investment development of grocery, retail, and other businesses in segregated neighborhoods; 3) During 2016-2020, continue collaborations with investors, developers and St. Lucie County to develop artist live/work areas in segregated historic neighborhoods; 4) During 2016-2020, work with the local Board of Realtors and Lending Consortium to promote Fair Housing. 5) Work with local Affordable Housing Advisory Committee to promote ways to enhance local land development regulations to augment fair housing.	City of Fort Pierce Grants Administration Division	1) Continuing 'Creative Placemaking Initiative" in lower-income historic neighborhoods; also commercial façade grant opportunities, beautification projects. Received grant and hired staff to focus on needs of underserved community. 2) Currently working on proposal including land and other incentives to promote development of grocery, retail and other businesses in segregated neighborhood. 3) Completed Arts and Culture Master Plan that identifies artist live/work community in segregated historic neighborhood 4) Providing Fair Housing brochures to Lending Consortium. 5) Collaborating with Planning and Building Departments to identify ways to enhance local land development regulations to augment fair housing.

City of Fort Pierce, Florida
Fair Housing Activities for PY16 and PY17

Impediment #4 – Fair and Equal Lending Disparities

Goal	Contributing Factors	Fair Housing Issues	Metrics, Milestones, and Timeframe for Achievement	Responsible	2017-2018 Program Year Activities
Promote Fair and Equal Lending Disparities	Priority #1 – Potential homebuyers are being turned down for lack of collateral, debt-to-income ratio and incomplete applications.	Disparities on loan approvals and denials by race and by Hispanic/ non-Hispanic ethnicity. African Americans and Hispanics tend to have higher loan application failure rates.	1) During 2016-2020, work with all members of St. Lucie County and Martin County Lending Consortiums to increase awareness of prevalent denial issues; 2) During 2016-2020, continue to provide referrals to credit counseling agencies to improve credit ratings, and debt-to-income ratios, for homeownership potential; 3) During 2016-2020, continue to provide promotional information for First-Time Homebuyer Workshops through public access venues; 4) During 2016-2020, promote and hold at least two (2) Fair Housing / Homeowner educational events each year. 5) During 2016-2020, promote and provide at least four First Time Homebuyer Workshops during each program year. 6) During 2016-2020, promote financial literacy educational events within the City of Fort Pierce; and 7) During 2016-2020, provide down payment and closing cost assistance to first-time homebuyers through the State Housing Initiatives Partnership (SHIP) program.	City of Fort Pierce Grants Administration Division	1) Fair Housing brochures provided to Lending Consortium members. Brochures include information on how to file a Fair Housing complaint. 2) Providing referrals to credit counseling agencies to improve credit ratings for potential new home buyers. 3) Promoting First Time Homebuyer Workshops that will be provided October 14, December 2, 2017 and in February and April of 2018 in various locations throughout St. Lucie, Martin, and Indian River Counties. 4) Two (2) Fair Housing Workshops will be provided by Lincoln Park Main Street and two (2) will be provided by Mustard Seed Ministries during 2nd and 4th quarters of 2017-2018 PY. Both of these organizations are located within very low income minority areas in the City. 5) Currently providing 1st Time Homebuyer program – down payment and closing cost assistance.

Impediment #5 – Housing Market Segregation

Goal	Contributing Factors	Fair Housing Issues	Metrics, Milestones, and Timeframe for Achievement	Responsible	2017-2018 Program Year Activities
Eliminate Segregated Neighborhoods in Fort Pierce	Priority #1 – Lack of amenities in lower-income minority neighborhoods. Priority #2 – Lack of public and private investment in lower-income minority neighborhoods Priority #3 – Housing and Mortgage Market Discrimination	Housing Market Segregation	1) During 2016-2020, continue 'creative placemaking initiative'- self-guided cultural history trails, events we promote across the U.S., commercial façade grants, beautification projects, art shows, festivals, etc., in segregated neighborhoods; 2) During 2016-2020, provide land and incentives for investment development of grocery, retail, and other businesses in segregated neighborhoods; 3) During 2016-2020, continue collaborations with investors, developers and St. Lucie County to develop artist live/work areas in segregated historic neighborhoods; 4) During 2016-2020, work with the local Board of Realtors and Lending Consortium to promote Fair Housing. 5) Work with local Affordable Housing Advisory Committee to promote ways to enhance local land development regulations to augment fair housing.	City of Fort Pierce Grants Administration Division	1) Continuing 'Creative Placemaking Initiative" in lower-income historic neighborhoods; also commercial façade grant opportunities, beautification projects. Received grant and hired staff to focus on needs of underserved community. 2) Currently working on proposal including land and other incentives to promote development of grocery, retail and other businesses in segregated neighborhood. 3) Completed Arts and Culture Master Plan that identifies artist live/work community in segregated historic neighborhood 4) Providing Fair Housing brochures to Lending Consortium. 5) Collaborating with Planning and Building Departments to identify ways to enhance local land development regulations to augment fair housing.

City of Fort Pierce, Florida -- 2017-2018 Activities to Address 2016-2020 Impediments to Fair Housing Report

Page 5 of 5

Fair Housing Activities Page 4/4

OMB Control No: 2506-0117 (exp. 06/30/2018)

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

a) Program Performance. The primary means of assessing program performance is through the development of the Consolidated Annual Performance and Evaluation Report (CAPER) at the end of each program year. The information that is provided in this report allows the City and HUD to review the overall program's performance. The performance measurement system clearly demonstrates whether the City has met the annual goals and objectives and is on target to meet its projected goals and objectives.

The final layer of program performance is provided through an annual audit by external independent auditors. Information obtained from these audits is evaluated and incorporated, as appropriate, as revisions to the City's policies and procedures.

- **Contract Agreements.** The City enters into binding contractual agreements with parties participating in federal programs. Such agreements are useful tools for insuring compliance with program provisions by the City and these parties. Additionally, these agreements provide a basis for enforcing program requirements and for identifying remedies in the event of a breach of the provisions by these parties. Elements contained in these agreements are inclusive of, but not limited to: type of activity, specific "boiler plate" provisions, other terms and conditions, special program requirements, budget, scope of services, reporting requirements, and other special provisions.
- **Onsite Monitoring Visits** - The Grants Administration Staff provides onsite monitoring visits to 'spot check' grant recipients' project/program/business and record keeping. Onsite monitoring reports are filed in individual project files.

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

The City follows our Citizen Participation Plan's directives on providing reasonable notice and opportunities for citizens to comment on performance reports. This Consolidated Annual Performance Report's availability and announcement for a Public Hearing was advertised in a local free paper on November 30, 2017, and on the City's website for 15 days. A public hearing, following a presentation of the 2016 Consolidated Annual Performance Report was held at a regularly-scheduled Fort Pierce City Commission meeting on December 18, 2017.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

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

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

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

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

The City's strategy is reflected in its 2016-2020 Consolidated and annual Action Plans and involves addressing code violations, improving infrastructure and helping to rebuild a sense of 'community' in our lower-income neighborhoods and commercial corridors, revitalizing and invigorating commercial areas, stabilizing and improving the sustainability of local businesses, addressing brownfields and environmental and expanding overall essential business and residential services.

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

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

CR-45 - CDBG 91.520(c)

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Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

City Commission Regular Meeting **12.b.**

Meeting Date: 12/18/2017

Re: Waiver of Distance - Pelican Seafood Restaurant - 733 North US Highway 1

Submitted For: Rebecca Grohall, Director, Planning & Zoning

SUBJECT:

An application for Waiver of Distance submitted by the property owners, Fifer Partners 1 LLC, and applicant/representative, Brian Paul, for approval of Waiver of Distance for a 2COP Alcoholic Beverage License in order to serve Beer and Wine for Consumption on Premises, within a proposed restaurant, at 733 North US Highway 1, Fort Pierce, Florida. The property is zoned General Commercial, C-3, and approximately 2.94 acres in size. The Parcel IDs for the property is 2403-717-0002-000-8, 2403-705- 0024-000-1, & 2403-717-0007-000-3.

SUMMARY:

- The applicant, Brian Paul, is requesting the review and approval of a waiver of distance restrictions provided by subsection 3-7(b) to establish a forty (40) seat restaurant capable of beer and wine service for consumption on premises at 733 N US Highway 1.
- The request is to secure a 2COP – Beer and Wine License to offer sale of alcohol, at the subject location, for consumption on-premises. Section 3-7 of the City Code restricts the sale or distribution of sealed alcoholic beverages for consumption on the premises where the establishment is located within 1,600 feet of a church, school, or other licensed establishments; unless a Waiver of Distance is granted. The request is based upon four (4) licensed establishments and one (1) church situated within 1,600 feet of the proposed establishment.
- The current establishment, Pelican Seafood, is currently a retail seafood store with approximately 875 square feet of gross floor area, with the proposal to expand to roughly 2,200 square feet to accommodate a restaurant, with the capacity to sell beer and wine with meals.
- A total of 60 notifications of the proposal were mailed to the owners of property located within 500 feet of the subject property. As of December 6, 2017, 0 responses have been returned. An update will be provided to the City Commission at the public hearing.
- The Planning Board, at their November 14th meeting, voted unanimously to recommend approval of the request with the conditions presented by staff, as incorporated below.

RECOMMENDATION:

Approval with the following conditions:
1) The proposed parking lot expansion, to support the restaurant and plaza, complies with minimum dimensions, curbing, and drainage provisions of City ordinance;
2) Site landscaping is in compliance with City Code Sections 22-187 General landscaping requirements (4), (6), and (7). , prior to zoning release of the alcohol license.
3) Site lighting is affirmed to be in compliance with City Code Sections Sec. 22-60 (j) & Sec. 22-59 (g)(6) Lighting, providing a minimum average of two (2) footcandle lighting, prior to zoning release of the alcohol license; and
4) The presented dumpster enclosure is screened with landscaping, pursuant to City Code Section 22-187 (11) Screening of refuse collection areas, prior to zoning release of the alcohol

license.

ALTERNATIVES:

- Approval with alternative conditions
- Denial

RESPONSIBLE STAFF:

Kori Benton, Senior Planner

COORDINATED WITH:

Technical Review Committee

Fiscal Impact

Budgeted Y/N: N

OTHER INFORMATION:

Potential increase of Ad-valorem & Sales tax revenue

Attachments

Staff Report
Aerial - 733 N US 1
Application
Floor Plan
Preliminary Site Improvement Plans - Parking Improvements

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	12/12/2017 11:59 AM

Form Started By: Kori Benton
Started On: 12/06/2017 04:35 PM
Final Approval Date: 12/12/2017

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO: Nicholas Mimms, PE, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Director

FROM: Kori Benton, Senior Planner

RE: **Application for Waiver of Distance – 2COP Alcoholic Beverage License**
Pelican Seafood Restaurant
733 North US Highway 1

DATE: December 6, 2017

STAFF REPORT

Applicant/Business Owner: Brian Paul
735 North US Highway 1
Fort Pierce, Florida 34950

Property Owner: Fifer Partners 1 LLC
165 Anchor DR
Vero Beach, FL 32963

Requested Action: Approval of Waiver of Distance for Alcoholic Beverage License

Type of License: 2COP: Beer and Wine for Consumption on Premises

Name of Establishment: Pelican Seafood Restaurant

Type of Establishment: Restaurant

Location: 733 North US Highway 1

Parcel(s): 2403-717-0002-000-8, 2403-705-0024-000-1, & 2403-717-0007-000-3

Current Zoning: C-3, General Commercial

Surrounding Zoning:

North	East	South	West
C-3	I-1/C-6	C-3	C-3 / R-4

Site Size: 2.94* acres

Utilities: Located within the FPUA Service Area

Staff Analysis:

Request

In accordance with Section 3-7 & 3-9 of the City Code, the applicant is requesting the review and approval of a waiver of distance restrictions provided by subsection 3-7(b) to establish a forty (40) seat restaurant capable of beer and wine service for consumption on premises at 733 N US Highway 1. The subject property is approximately 2.94 acres in size and is located within the General Commercial (C-3) zoning district.

The City Code requires a waiver of established distance requirements, for the sale of alcoholic beverages by retail for consumption on the premises, where the establishment is located within 1,600 feet of other licensed establishments, churches, or schools. The applicant is requesting a 2COP license to serve beer and wine for consumption on premises in a restaurant which will provide full service meals via a commercial kitchen and traditional seating. The establishment will contain approximately 2,200 square feet of gross floor area to include a kitchen, outdoor dining, an office, and restroom facilities for integration with the applicant's existing retail seafood store.

Four (4) licensed establishments are located within 1,600 feet of the proposed establishment, therefore a waiver of the minimum required distance of 1,600 feet between the applicant's establishment, and said licensed establishments is sought.

As specified by Section 3-15 of the City Code, a waiver of distance shall be granted only if it does not adversely affect community health, safety or general welfare and that the following are considered:

a. The actual location and distance of the proposed establishment with respect to other places of business licensed to sell intoxicating beverages, whether on or off the premises, as well as churches and schools;

Four (4) licensed establishments, Crocodillo's, the Tiwsted Tiki, Tillman's, and Captain's Galley, located within Egdartown to the east are located within 1,600 feet from the establishment. If serves remain active, one existing church, Apostolic Crossroads Church of Jesus located at 812 North 7th Street is approximately 1,200 feet from the establishment.

b. The type and size of the establishment, including any bar floor space and seating capacity, and whether, in view of such type or size, the proposed establishment is likely to create a public nuisance or traffic impediment by drawing crowds or persons milling about outside the building;

The establishment is currently a retail seafood store with approximately 875 square feet of gross floor area, with the proposal to expand to roughly 2,200 square feet to accommodate the restaurant, with the capacity to sell beer and wine with meals. The attached floor plan shows the plan layout and seating for forty (40) patrons. The type and size of this proposed establishment is not likely to create a public nuisance or traffic impediment by drawing crowds or persons milling about outside the building.

c. Whether adequate parking and landscaping for the facility are provided so as to meet the requirements set forth in sections 22-59 through 22-61;

The applicant and property owner have provided preliminary plans to expand and reconfigure the parking a area to provide adequate parking to support the plaza and the restaurant addition. Landscaping and lighting consistent with provisions of the land development code are required for permitting and completion of these necessary improvements. Upon completion of the parking lot expansion, sufficient parking would exist to accommodate the variety of uses within the plan and this restaurant request.

d. Whether the facility is physically separated or well buffered from all adjacent residentially zoned areas;

The establishment is not immediately adjacent to any residentially zoned property, and fronts on US Highway 1. Additional landscaping will be required to screen the parking and refuse collection areas.

e. Whether traffic generated by patrons or pickup/delivery vehicles will pass through low or moderate density residentially zoned neighborhoods;

The proposed establishment is accessible from US Highway 1 and traffic generated will not be required to pass through any residentially zoned neighborhoods.

f. Whether, if the facility is located within sixteen hundred (1,600) feet of a church or school, it will generate traffic which may adversely affect the safety of persons attending such church or school.

The facility is located approximately 1,200 feet from an existing church, Apostolic Crossroads Church of Jesus, located at 812 North 7th Street. The facility should not generate traffic which may adversely affect the safety of persons attending the church. No schools are located within 1600 feet of the facility.

In addition, Section 3-14 (1) of the City Code indicates the "Minimum requirements for an on premises consumption" license must be engaged in conducting a "bona fide restaurant establishment" defined as such by meeting the following criteria:

a. Have tables capable of seating not fewer than twenty (20) persons simultaneously for the purpose of serving meals.

b. Must dispense sales of beer and wine only to persons patronizing the establishment for the main purpose of ordering and consuming food.

c. Have permanent kitchen facilities located within the premises in which meals are regularly prepared for service to patrons of the establishment.

The proposed establishment will have seating for at least 20 persons and permanent kitchen facilities (floor plan is attached). Sales of beer and wine will be to persons patronizing the establishment for the purpose of ordering and consuming food.

Technical Review Committee

All affected Departments have reviewed and identified required adjustments to the proposed site improvements to expand parking at the commercial center. Said requirements are integrated as recommended conditions of approval for integration into site work permits for completion of parking, landscaping, and lighting upgrades to accommodate this business development in the plaza.

Property Owner Response Summary:

A total of 60 notifications of the proposal were mailed to the owners of property located within 500 feet of the subject property. As of December 6, 2017, 0 responses have been returned. An update will be provided to the City Commission at the public hearing.

Planning Board Recommendation:

The Planning Board, at their November 14th meeting, voted unanimously to recommend **approval** of the request with the conditions presented by staff, as incorporated below.

Staff Recommendation:

The proposed Waiver of Distance generally meets the requirements of the City Code and is found to be consistent with the City's Comprehensive Plan; therefore Staff recommends **approval** with the following conditions:

1) The proposed parking lot expansion, to support the restaurant and plaza, complies with minimum dimensions, curbing, and drainage provisions of City ordinance;
2) Site landscaping is in compliance with City Code Sections 22-187 General landscaping requirements (4), (6), and (7). , prior to zoning release of the alcohol license.
3) Site lighting is affirmed to be in compliance with City Code Sections Sec. 22-60 (j) & Sec. 22-59 (g)(6) Lighting, providing a minimum average of two (2) footcandle lighting, prior to zoning release of the alcohol license; and
4) The presented dumpster enclosure is screened with landscaping, pursuant to City Code Section 22-187 (11) Screening of refuse collection areas, prior to zoning release of the alcohol license.

THE SUNRISE CITY FORT PIERCE Florida

Site Aerial

733 N US Highway 1

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

WAIVER OF DISTANCE

Property address or Location 733 North US #1

Parcel ID #(s) 2403-717-0002-000-8

Project description Pelican Seafood Expansion

Property Owner(s) Fifer Partners 1 LLC

Street Address 165 Anchor Dr

City Vero Beach State FL Zip 32963

Phone Number 772 925 5154

Email Address Terrycalhoun@icloud.com

Applicant/Representative, Title, Company Brian Paul 735 N. US #1

Street Address Fort Pierce FL 34950

City State Zip 772 519 0464

Phone Number Brian@Hatchisland.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.*

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.

See Page 3

_____

Signature of Notary (seal)

INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 467-3000 x729

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 #_____

Intake Date Stamp

12. Will the proposed establishment create a public nuisance or traffic impediment by drawing crowds or persons milling about outside the building? No

13. Hours of operation:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
9amto 10pm	9am to 10pm	9am to 10pm	9am to 10pm	9am to 10pm	9am to 10pm	9am to 10pm

14. Is this a new establishment in the City of Fort Pierce? X Yes ____ No

a. If no, give location of the existing business: Addition to existing Pelican Seafood Market.

b. Is the business tax receipt active/current? ____ Yes X No

15. Name of property Owner(s): Fifer Partners 1 LLC

Signature of Owner(s): Michael D Fifer, Manager
Mailing Address: 165 Anchor DR
City Vero Beach State FL Zip 32963
Phone # (772) 925-5154

16. Name of Applicant: Eric Paul

Signature of Applicant:
Mailing Address: 735 North US Highway 1
City Fort Pierce State FL Zip 34950
Phone # (772) 461-2797 Fax # N/A
E-mail: ericpaul@pelicanseafoodcompany.com

17. Name of Representative: Ryan Chase

Signature of Representative:
Mailing Address: 2530 Main Street
City Brewster State MA Zip 02631
Phone # (863) 521-6775 Fax # N/A
E-mail: ryanchase351@msn.com

☐ WAIVER OF DISTANCE

Submit one (1) original & seven (7) hard copies and one (1) CD of the following. Additional copies will be required of subsequent submittals.

- ☐ As-built site drawing, to scale, including the building, front door, parking area, traffic ingress and egress, sidewalks, landscaping and exterior lighting
- ☐ Sketch of the building's interior layout including square footage of the following: kitchen, bar area, seating arrangement, and restrooms
- ☐ Complete, notarized

Application Type:

- ☐ 1 APS/2APS: Beer Only / Package Sales or On-Premises Consumption
- ☑ 1 COP/2COP: Beer and Wine/Package Sales or On-Premises Consumption
- ☐ 3 APS: Beer, Wine & Liquor/Package Sales Only
- ☐ 4 COP: Beer, Wine & Liquor/On-Premises Consumption

Business Information:

- ☑ New Business
- ☐ Transfer from:_____ Open since:_____
  address *year*

Building Size 2,200 SF Maximum Occupancy 60 Total Seating 40 Parking Spaces_____

Hours of Operation:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
to 11am-11pm	to 11am-11pm	to 11am-11pm	to 11am-11pm	to 11am-11pm	to 11am-11pm	to 11am-11pm

Application Outlook

Minimum requirements for on-premises consumption.

(1) An applicant holding a "Beer and Wine—Consume on Premises and Package Sales" license must be engaged in conducting a bona fide restaurant establishment, for which such waiver is sought, and to qualify as a bona fide restaurant the restaurant must:

(a) Have tables capable of seating not fewer than twenty (20) persons simultaneously, for the purpose of serving meals;

(b) Must dispense sales of beer and wine only to persons patronizing the establishment for the main purpose of ordering and consuming food;

(c) Have permanent kitchen facilities with a commercial stove, refrigerator and oven located within the premises in which meals are regularly prepared for service to patrons of the establishment.

(2) An applicant holding a "Beer, Wine and Liquor—Consume on Premises and Package Sales" license must demonstrate that any parking area provided for is illuminated by not less than three (3) footcandles per square foot of parking lot area.

18. **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 for the waiver of distance as described herein.

Fifer Partners 1 LLC — (772) 925-5154

Property Owner's Name (Please Print) — Phone

165 Anchor DR, Vero Beach — FL — 32963

Address — State — Zip

Michael D. Fifer, Manager — 06-29-2017

Property Owner's Signature — Date

STATE OF FLORIDA)
ST LUCIE COUNTY)

The foregoing instrument was acknowledged before me this 29 day of June, 2017, by Michael D. Fifer who is personally known to me or has produced _____ as identification.

Terry Calhoun

Signature of Notary (seal)

TERRY CALHOUN
MY COMMISSION # GG 083681
EXPIRES: April 28, 2021
Bonded Thru Budget Notary Services

To be completed by the City	
Date Received _____	By _____
Fee: _____	Receipt# _____

APPLICATION REQUIREMENTS:

a. **Application fee**

b. **Application submission shall include the following:**

- TRC (Initial Submission): One (1) original and (6) 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
- Board of Adjustment: 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. Photometric Plan;
2. Sketch showing parking and landscaping, and
3. Sketch showing building layout with square footage - including kitchen, bar area, seating, and restrooms.

Outside Dining
Breezeway
Front Door
735
733
731
Dry Goods
40'0"
Retail Shopping
30'3"
Wine
To-Go Ordering
Restrooms
Produce
Fresh Seafood
Cold Prepared
Hot To-Go
Storage Hallway
48
Freezer
Office
Cooler
Fish Cutting
Ice Hold
Recieving
3'0"
2'7"
3'0"

GENERAL NOTES

1. CONTRACTOR IS RESPONSIBLE FOR CHECKING ACTUAL SITE CONDITIONS BEFORE STARTING CONSTRUCTION.

2. ANY DISCREPANCIES ON THE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER BEFORE COMMENCING WORK.

3. CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS BEFORE COMMENCING WORK.

4. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATION OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL CONTACT ALL CONCERNED UTILITIES AT LEAST 72 HOURS IN ADVANCE OF CONSTRUCTION OPERATIONS.

5. NO FIELD CHANGES OR DEVIATIONS FROM DESIGN TO BE MADE WITHOUT PRIOR WRITTEN APPROVAL OF THE ENGINEER.

6. ENGINEER SHALL BE NOTIFIED AT LEAST 72 HOURS IN ADVANCE FOR ANY INSPECTION.

7. MINIMUM COVER OF ALL UTILITIES SHALL BE 36" UNLESS STATED OTHERWISE.

8. ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL CONDITION UNLESS NOTED OTHERWISE.

9. SOD ALL DISTURBED AREAS UPON COMPLETION.

10. CONTRACTOR SHALL BE THOROUGHLY FAMILIAR WITH THE PROJECT, THESE PLANS AND SPECIFICATIONS, AND ALL LOCAL, STATE AND FEDERAL AGENCY REQUIREMENTS FOR CONSTRUCTION OF THE PROPOSED IMPROVEMENTS PRIOR TO CONSTRUCTION.

11. CONTRACTOR SHALL COMPLY WITH ALL OSHA REQUIREMENTS FOR CONSTRUCTION.

12. ALL EXCESS CONSTRUCTION MATERIAL AND WASTE TO BE HAULED OFF-SITE AND DISPOSED OF PROPERLY AT CONTRACTOR'S EXPENSE.

13. CONTRACTOR SHALL TAKE EXTREME CAUTION WHEN EXCAVATING NEARBY EXISTING UTILITIES.

14. CONTRACTOR SHALL INFORM ENGINEER OF ANY CONFLICT BEFORE ANY FURTHER WORK IS COMPLETED.

15. ALL MATERIALS AND LABOR UNDER THIS PROJECT SHALL BE IN STRICT ACCORDANCE WITH REQUIREMENTS OF THE CITY, COUNTY, WATER MANAGEMENT DISTRICT, FDEP AND THESE PLANS AND SPECIFICATIONS.

16. MAINTENANCE OF TRAFFIC SHALL BE ACCORDING TO FDOT INDEXES.

17. ALL APPROVED PERMIT CONDITIONS, INCLUDING BUT NOT LIMITED TO DOT, FDEP, CITY AND COUNTY, SHALL BE MET BY CONTRACTOR PRIOR TO CERTIFICATION OF COMPLETION BY ENGINEER.

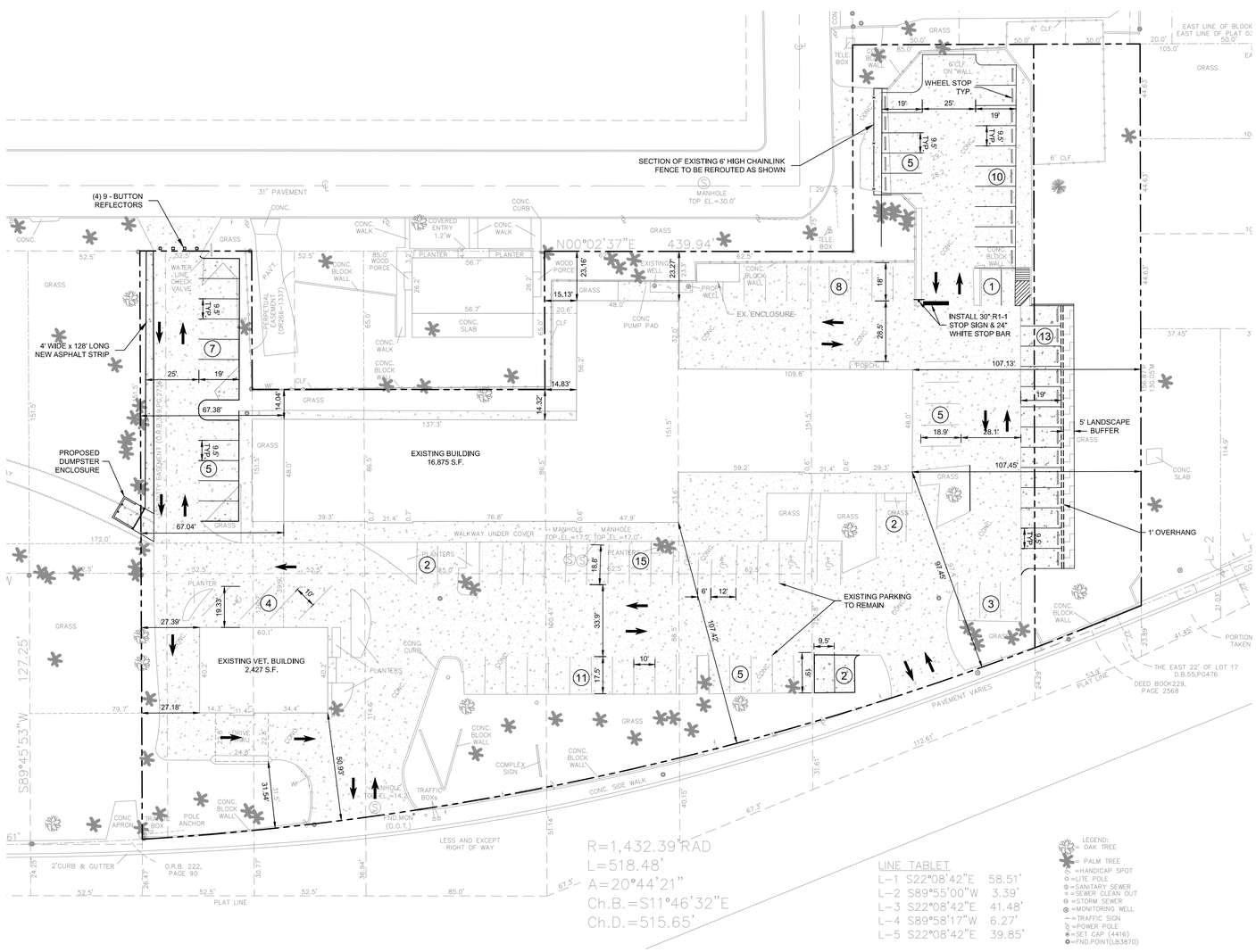
18. IN ADDITION TO SECTION 700 OF FDOT'S STANDARD SPECIFICATION FOR ROAD AND BRIDGE CONSTRUCTION, LATEST EDITION, ALL SIGN SHEET MATERIAL SHALL BE DIAMOND GRADE DG3 MANUFACTURED BY 3M COMPANY OR APPROVED EQUAL. SIGN POSTS/SUPPORTS SHALL BE AS PER CITY OF FORT PIERCE STANDARDS.

19. ALL PARKING SPACES WITH EXCEPTION OF THE HANDICAPPED PARKING SPACES SHALL BE STRIPED IN WHITE, TRAFFIC PAINT AND BE IN ACCORDANCE WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) STANDARD SPECIFICATIONS FOR FOR ROAD & BRIDGE CONSTRUCTION, SECTION 710, LATEST EDITION.

20. ALL HANDICAPPED PARKING SPACES SHALL BE PROPERLY SIGNED AND STRIPED IN ACCORDANCE WITH FDOT STANDARD INDEX 17346, LATEST EDITION.

21. COMMERCIAL/MULTI-FAMILY BUILDINGS SHALL POST A MINIMUM 6 INCH NUMERICAL ADDRESS.

22. ALL STRIPING WITHIN CITY RIGHT OF WAY SHALL BE RETRO REFLECTIVE TRAFFIC PAINT (THERMOPLASTIC).



72 HOURS BEFORE DIGGING
CALL TOLL FREE
811
KNOW WHAT'S BELOW
SUNSHINE811.COM

SITE PLAN

SCALE: 1" = 30'

GRAPHIC SCALE
0 30 60
(IN FEET)
1 inch = 60 ft.

SITE INFORMATION

SITE ADDRESS
717 - 735 N. U.S. HIGHWAY #1
FT. PIERCE, FLORIDA 34950

OWNER/APPLICANT
FIFER PARTNERS, LLC
165 ANCHOR DR
VERO BEACH, FLORIDA 32963
CONTACT PHONE (772) 589-1786

ENGINEER
MBV ENGINEERING, INC.
1835 20TH STREET
VERO BEACH, FLORIDA 32960
PHONE (772) 569-0035

SURVEYOR
HAYHURST LAND SURVEYING INC.
445 9TH ST. S.W. Unit-7
VERO BEACH, FLORIDA 32962
PHONE (772) 569-6680

TAX PARCEL I.D. NUMBER(S)
2403-717-0002-000-8 & 2403-705-0024-000-1

ZONING
C3

LAND USE
GC

FLOOD ZONE
THE SUBJECT PROPERTY IS LOCATED IN FLOOD ZONE 'X' PER FLOOD INSURANCE RATE MAP #12111C0179J, DATED FEB. 16, 2012.

EXISTING SITE DATA

SITE AREA	= 101,036 SF	= 2.32 Ac	= 100.00 %
EXISTING BUILDING AREA	= 19,474 SF	= 0.45 Ac	= 19.27 %
EXISTING CONCRETE AREA	= 56,983 SF	= 1.31 Ac	= 56.40 %
TOTAL IMPERVIOUS AREA	= 76,457 SF	= 1.76 Ac	= 75.67 %
TOTAL OPEN AREA	= 24,579 SF	= 0.56 Ac	= 24.33 %

PROPOSED SITE DATA

EXISTING SITE AREA	= 101,036 SF	= 2.32 Ac	= 88.06 %
PROPOSED SITE AREA	= 13,696 SF	= 0.31 Ac	= 11.94 %
TOTAL SITE AREA	= 114,732 SF	= 2.63 Ac	= 100.00 %
SITE AREA	= 114,732 SF	= 2.63 Ac	= 100.00 %
EXISTING BUILDING AREA	= 19,474 SF	= 0.45 Ac	= 16.97 %
EXISTING CONCRETE AREA	= 56,983 SF	= 1.31 Ac	= 49.67 %
EXISTING CONCRETE (TO BE REMOVED)	= (1,924) SF	= 0.04 Ac	= - 1.68 %
PROPOSED CONCRETE AREA	= 10,974 SF	= 0.25 Ac	= 9.56 %
TOTAL CONCRETE AREA	= 66,033 SF	= 1.52 Ac	= 57.55 %
TOTAL IMPERVIOUS AREA	= 85,507 SF	= 1.96 Ac	= 49.67 %
TOTAL OPEN AREA	= 29,225 SF	= 0.67 Ac	= 25.47 %

PELICAN PLAZA EXISTING USES

RETAIL	= 7,480 SF
PROFESSIONAL OFFICE	= 2,290 SF
MEDICAL OFFICE	= 7,100 SF
VETERINARIAN OFFICE	= 2,400 SF

REQUIRED PARKING FOR EXISTING USES

RETAIL = 1 SPACE/200SF = (7,480 SF/200 SF)	= 38 SPACES
PROFESSIONAL OFFICE = 1 SPACE/300 SF = (2,290 SF/300 SF)	= 10 SPACES
MEDICAL OFFICE = 1 SPACE/200 SF = (7,100 SF/200 SF)	= 36 SPACES
VETERINARIAN OFFICE = 1 SPACE/300 SF = (2,400 SF/300 SF)	= 8 SPACES
	TOTAL = 92 SPACES

EXISTING PARKING PROVIDED = 76 SPACES (72 STANDARD, 4 HANDICAP)

PELICAN PLAZA PROPOSED AND EXISTING USES

EXISTING RETAIL	= 5,480 SF
EXISTING PROFESSIONAL OFFICE	= 2,290 SF
EXISTING MEDICAL OFFICE	= 7,100 SF
EXISTING VETERINARIAN OFFICE	= 2,400 SF
PROPOSED RESTAURANT	= 2,000 SF

REQUIRED PARKING FOR PROPOSED AND EXISTING USES

EXISTING RETAIL = 1 SPACE/200SF = (5,480 SF/200 SF)	= 27 SPACES
EXISTING PROFESSIONAL OFFICE = 1 SPACE/300 SF = (2,290 SF/300 SF)	= 10 SPACES
EXISTING MEDICAL OFFICE = 1 SPACE/200 SF = (7,100 SF/200 SF)	= 36 SPACES
EXISTING VETERINARIAN OFFICE = 1 SPACE/300 SF = (2,400 SF/300 SF)	= 8 SPACES
PROPOSED RESTAURANT = 1 SPACE/100 SF = (2,000 SF/100 SF)	= 20 SPACES
	TOTAL = 101 SPACES

PROPOSED PARKING PROVIDED = 95 SPACES (90 STANDARD, 5 HANDICAP)
WILL REQUIRE ANNEXATION OF NORTH PARCEL & PAYMENT INTO PARKING IN LIEU FUND FOR (6) ADDITIONAL SPACES

PERMITS REQUIRED

WASTEWATER SOURCE
FORT PIERCE UTILITIES AUTHORITY

POTABLE WATER SOURCE
FORT PIERCE UTILITIES AUTHORITY

TRAFFIC STATEMENT
~~(834) DRIVE THROUGH RESTAURANT(1,617 SF) 496.127/ 1000 SF = 901 TRIP S~~

CONSTRUCTION SCHEDULE

BEGIN CONSTRUCTION	MONTH YEAR
END CONSTRUCTION	MONTH YEAR

LEGAL DESCRIPTION

PARCEL 1:
THE SOUTH 40 FEET OF LOT 1, ALL OF LOT 2 AND THE NORTH 20 FEET OF LOT 3, BLOCK 4, DUTTON TERRACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 8, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
PARCEL 2:
LOT 1, BLOCK 1, GLIDDEN'S RESUBDIVISION OF BLOCKS 1, 2 AND 3 OF LOT 11 OF ASSESSOR'S MAP OF THE NORTH PART OF FT. PIERCE, FLORIDA, AS RECORDED IN PLAT BOOK 7, PAGE 6, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, EXCEPT A PARCEL OF SAID LOT 1 DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, FOR A POINT OF BEGINNING, RUN THENCE SOUTHERLY 26.4 FEET ALONG THE WEST LINE OF SAID LOT 1, TO A POINT THENCE AT AN ANGLE OF 90ÂWITH THE WEST LINE RUN EASTERLY 46 FEET TO A POINT, THENCE WITH A FORWARD ANGLE OF 9Â02' RIGHT RUN EASTERLY 18.0 FEET TO A POINT, THENCE WITH A FORWARD ANGLE OF 5Â82' RIGHT RUN EASTERLY TO THE NORTHEAST CORNER OF SAID LOT 1, THENCE RUN WEST ALONG THE NORTH LINE OF SAID LOT 1 TO THE POINT OF BEGINNING.
PARCEL 3:
LOT A, SUBDIVISION OF THE S. W. JENNINGS ESTATE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 22, LESS THE 3 FEET ON THE NORTH SIDE AND 10.63 FEET ON THE SOUTH SIDE, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
PARCEL 4:
LOT 1, SUBDIVISION OF THE S. W. JENNINGS ESTATE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 22, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
PARCEL 5:
LOT 2, LESS THE EAST 22 FEET, LOT 3, LESS THE EAST 7 FEET, AND ALL OF LOTS 4 AND 5, SUBDIVISION OF THE S. W. JENNINGS ESTATE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 22, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
PARCEL 6:
LOT 6, SUBDIVISION OF THE S. W. JENNINGS ESTATE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 22, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
PARCEL 7:
LOT 9, FULTZ'S RESUBDIVISION OF RESUBDIVISION OF BLOCK 2 OF DITTMARS ADDITION TO EDGARTOWN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 36, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. LESS THAT PORTION THEREOF CONVEYED TO THE STATE OF FLORIDA IN OFFICIAL RECORDS BOOK 222, PAGE 90.
PARCEL 8:
LOT 4, LESS THE EAST 86.5 FEET, MRS. ANNA M. FULTZ'S RESUBDIVISION OF LOTS 1, 2, 3 AND 4 OF FULTZ'S RESUBDIVISION OF BLOCK 2 OF DITTMAR'S ADDITION TO EDGARTOWN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGE 30, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
PARCEL 9:
LOT 6, LESS THE EAST 86.5 FEET, FULTZ'S RESUBDIVISION OF RESUBDIVISION OF BLOCK 2 OF DITTMARS ADDITION TO EDGARTOWN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 36, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
PARCEL 10:
LOTS 10 AND 11, FULTZ'S RESUBDIVISION OF RESUBDIVISION OF BLOCK 2 OF DITTMARS ADDITION TO EDGARTOWN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 36, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
PARCEL 11:
LOT 19, BLOCK "A", ASSESSOR'S MAP OF NORTH PART OF FORT PIERCE, AS PER PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 164, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
LOTS 1, 2, 3, 5, 6 AND THE EAST 86.5 FEET OF LOT 4, MRS. ANNA M. FULTZ'S RESUBDIVISION OF LOTS 1, 2, 3 AND 4 OF FULTZ'S RESUBDIVISION OF BLOCK 2 OF DITTMAR'S ADDITION TO EDGARTOWN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGE 30, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
LOTS 5, 7, 8 AND THE EAST 86.5 FEET OF LOT 6, BLOCK 2, FULTZ'S RESUBDIVISION OF RESUBDIVISION OF BLOCK 2 OF DITTMARS ADDITION TO EDGARTOWN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 36, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
PARCEL 12:
LOT 17, ASSESSOR'S MAP OF NORTH PART OF FORT PIERCE, AS PER PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 164, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, LESS AND EXCEPTING LANDS DEEDED TO THE STATE OF FLORIDA IN OFFICIAL RECORDS BOOK 229, PAGE 2568 AND LANDS DEEDED TO THE CITY OF FORT PIERCE AS RECORDED IN DEED BOOK 55, PAGE 476, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
PARCEL 13:
THE SOUTH 30 FEET OF LOT 3 AND ALL OF LOTS 4 AND 5, BLOCK 4, DUTTON TERRACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 8, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

ALL CONTAINING 4.72 ACRES MORE OR LESS

LEGEND

EXISTING CONCRETE

PROPOSED CONCRETE

REVISIONS	DATE
1	
2	
3	
4	
5	
6	
7	

JOB NO.	15-462
DESIGNED	TJH
DRAWN	GWR
DATE	MATCH 2016
CHECKED	GWR
DATE ISSUED	MARCH 2016
SCALE	AS NOTED

1835 - 20TH STREET
VERO BEACH, FL 32960
PH. (772) 569-0035
FX. (772) 778-3617

MELBOURNE, FL - PH (321) 253-1510
FT. PIERCE FL - PH (772) 468-9055

MBV ENGINEERING, INC.
MOIA BOWLES VILLAMIZAR & ASSOCIATES
CONSULTING ENGINEERING CA #3728

SITE PLAN

PELICAN CENTER PARKING IMPROVEMENTS

CITY OF FORT PIERCE FLORIDA

AARON J. BOWLES
FL. P.E.#55313

DATE:

SHEET
C3
OF
15-462

15-462

TECHNICAL SPECIFICATIONS

MATERIALS

A.) DRAINAGE PIPING:

1.) MINIMUM SIZED PIPING SHALL BE 15" OR EQUIVALENT ELLIPTICAL SIZE AND 18" MINIMUM ON COLLECTOR ROADS, UNLESS OTHERWISE NOTED.

2.) ALL STORM PIPING SHALL MEET MANUFACTURER'S SPECIFICATIONS. CONTRACTOR TO COORDINATE WITH MANUFACTURER TO ENSURE PROPOSED PIPING DOES NOT REQUIRE ADDITIONAL INSTALLATION MATERIALS, INCLUDING BUT NOT LIMITED TO, STRAPPING, ANCHORING, BUOYANCY, ETC.

3.) ALL JOINTS SHALL BE WRAPPED WITH FILTER FABRIC.

4.) SAFETY BARS SHALL BE PLACED ON PIPE AND MITERED END SECTIONS WHERE DETERMINED NECESSARY.

5.) OUTFALL END RUN TO DITCHES SHALL HAVE A MITERED END SECTION WITH SAFETY BARS TO MATCH EXISTING DITCH BANK SLOPE WITH APPROPRIATE EROSION CONTROL MEASURES UNLESS OTHERWISE NOTED.

B.) DRAINAGE STRUCTURES:

1.) ALL DRAINAGE STRUCTURES SHALL MEET SPECIFIC PLANNED USE AS DETERMINED BY THE DESIGN ENGINEER AND THE LOCAL GOVERNING AGENCY.

2.) ALL CATCH BASINS, INLETS OR MANHOLE STRUCTURES SHALL BE OF PRECAST REINFORCED TYPE PURSUANT TO FDOT DESIGN STANDARDS, LATEST EDITION, UNLESS OTHERWISE APPROVED.

3.) ALL STRUCTURES SHALL BE FREE OF DEFECTS SUCH AS CRACKING, HONEY COMBS AND EXPOSED STEEL REINFORCING INCLUDING BLEED THROUGH.

4.) SHOP DRAWINGS SHALL BE SUBMITTED BEFORE ORDERING MATERIAL FOR PLANNED PROJECT. CORRESPONDING SHALL BE BETWEEN THE DESIGN ENGINEER AND THE LOCAL GOVERNING AGENCY AND IS THE RESPONSIBILITY OF THE CONTRACTOR.

C.) OUTFALL SPECIFICATIONS:

1.) OUTFALL STRUCTURES SHALL INCLUDE ALUMINUM SKIMMERS, WEIR DEVICES, WEEP HOLES AND DRAW DOWN SYSTEMS AS DETERMINED BY DESIGN ENGINEER AND THE LOCAL GOVERNING AGENCY AS REQUIRED.

2.) HARDWARE TO ATTACH DEVICES TO OUTFALL STRUCTURES SHALL BE STAINLESS STEEL MATERIAL.

3.) CONTRACTOR TO COORDINATE WITH RESPECTIVE JURISDICTIONAL AGENCY FOR OUTFALL PIPE INTO JURISDICTIONAL CANAL, OR ANY OTHER WATER BODY. TO ENSURE PROPER CONSTRUCTION MEANS AND METHODS PROPOSED ARE ACCEPTABLE. IT IS RECOMMENDED THIS COORDINATION IS DONE PRIOR TO CONTRACTOR'S PRICING.

D.) MANHOLE COVERS & GRATES:

1.) MANHOLE FRAMES, COVERS AND GRATES SHALL MEET SPECIFIC PLANNED USE AS DETERMINED BY DESIGN ENGINEER AND THE LOCAL GOVERNING AGENCY.

2.) MANHOLE FRAMES AND COVERS SHALL BE OF CAST IRON MATERIALS, UNLESS OTHERWISE NOTED, AND BE FREE FROM CRACKS, HOLES OR COLD SHUTS. FRAMES AND COVERS SHALL CONFORM TO A MINIMUM STANDARD OF USF 1260 SERIES OR EQUIVALENT WITH COVERS STATING "STORM SEWER."

3.) FRAMES AND GRATES SHALL BE OF CAST IRON MATERIALS, UNLESS OTHERWISE NOTED, AND BE FREE FROM CRACKS, HOLES AND COLD SHUTS. FRAMES AND GRATES SHALL CONFORM TO A MINIMUM STANDARD OF USF 4160-6210 OR EQUIVALENT.

CLEAN-UP

THE CONTRACTOR MUST PROVIDE CLEAN-UP OF EXCESS CONSTRUCTION MATERIAL UPON COMPLETION OF THE PROJECT. THE SITE MUST BE LEFT IN A NEAT, CLEAN, GRADED CONDITION.

DRAINAGE SPECIFICATIONS

STORM INLETS AND MANHOLES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STANDARD DESIGN CRITERIA OF THE FLORIDA DEPARTMENT OF TRANSPORTATION, LATEST ADDITION.

PRECAST CONCRETE MANHOLES AND STORM INLETS MAY BE USED UPON THE ENGINEER'S APPROVAL OF THE MANUFACTURER'S SHOP DRAWINGS.

CONCRETE

UNLESS OTHERWISE SPECIFIED OR INDICATED, ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH AT 28 DAYS OF 3000 PSI. ALL WORK SHALL COMPLY WITH THE CURRENT EDITION OF THE AMERICAN CONCRETE INSTITUTE (ACI) BUILDING CODE AND THE APPLICABLE BUILDING CODES HAVING JURISDICTION IN THE AREA.

GROUNDWATER

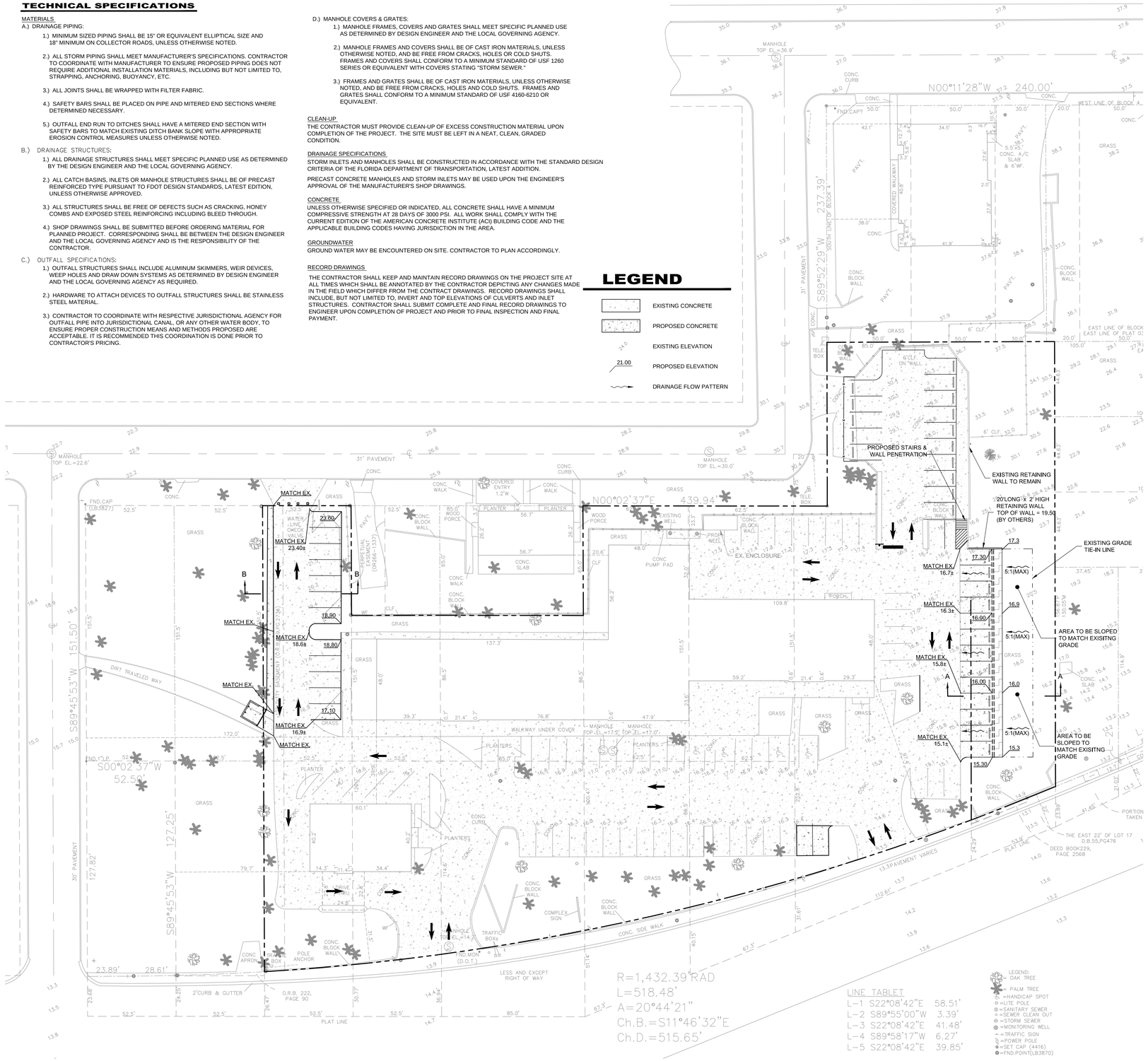
GROUND WATER MAY BE ENCOUNTERED ON SITE. CONTRACTOR TO PLAN ACCORDINGLY.

RECORD DRAWINGS

THE CONTRACTOR SHALL KEEP AND MAINTAIN RECORD DRAWINGS ON THE PROJECT SITE AT ALL TIMES WHICH SHALL BE ANNOTATED BY THE CONTRACTOR DEPICTING ANY CHANGES MADE IN THE FIELD WHICH DIFFER FROM THE CONTRACT DRAWINGS. RECORD DRAWINGS SHALL INCLUDE, BUT NOT LIMITED TO, INVERT AND TOP ELEVATIONS OF CULVERTS AND INLET STRUCTURES. CONTRACTOR SHALL SUBMIT COMPLETE AND FINAL RECORD DRAWINGS TO ENGINEER UPON COMPLETION OF PROJECT AND PRIOR TO FINAL INSPECTION AND FINAL PAYMENT.

LEGEND

- EXISTING CONCRETE
- PROPOSED CONCRETE
- EXISTING ELEVATION
- 21.00 PROPOSED ELEVATION
- DRAINAGE FLOW PATTERN



PAVING, GRADING AND DRAINAGE PLAN

SCALE: 1" = 30'

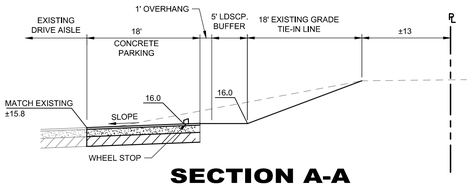
GRAPHIC SCALE

0 30 60

(IN FEET)
1 inch = 60 ft.

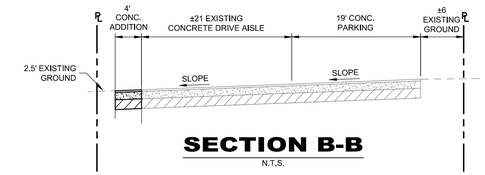
72 HOURS BEFORE DIGGING
CALL TOLL FREE
811
KNOW WHAT'S BELOW
SUNSHINE811.COM

15-462



SECTION A-A

N.T.S.



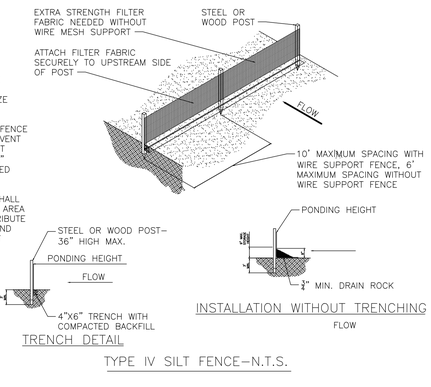
SECTION B-B

N.T.S.

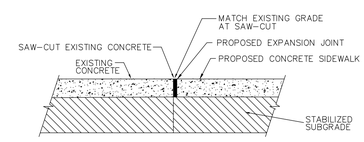
STAPLE DETAIL

NOTES:

1. SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.
2. INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN NECESSARY. 9" MAXIMUM RECOMMENDED STORAGE HEIGHT.
3. REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND CAN BE PERMANENTLY STABILIZED.

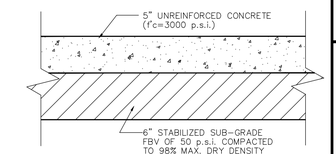


TYPE IV SILT FENCE-N.T.S.



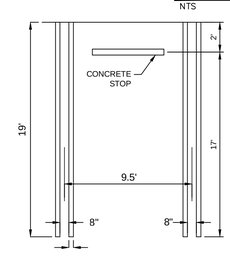
CONCRETE SAW-CUT AND BUTT JOINT

N.T.S.



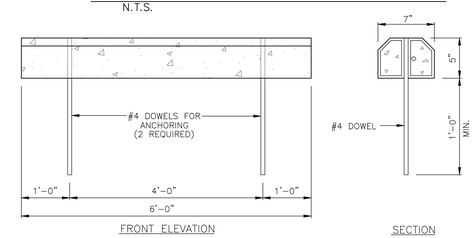
CONCRETE PAVEMENT SECTION

NTS



TYP. PARKING SPACE STRIPING DETAIL

N.T.S.



PRE-CAST CONCRETE WHEEL STOP DETAIL

N.T.S.

REVISIONS	DATE
1	
2	
3	
4	
5	
6	
7	

JOB NO.	15-462
DESIGNED	TJH
DRAWN	GWR
DATE	MATCH 2016
CHECKED	GWR
DATE ISSUED	MARCH 2016
SCALE	AS NOTED

1835 - 20TH STREET
VERO BEACH, FL 32960
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MELBOURNE, FL - PH (321) 253-1510
FT. PIERCE, FL - PH (772) 468-9055

MBV ENGINEERING, INC.
MOJA BOWLES VILLAMIZAR & ASSOCIATES
CONSULTING ENGINEERING CA #3728

PAVING, GRADING AND DRAINAGE PLAN

PELICAN CENTER PARKING IMPROVEMENTS

CITY OF FORT PIERCE FLORIDA

AARON J. BOWLES
FL. P.E.#55313

DATE:

SHEET C4 OF 15-462

City Commission Regular Meeting **12.c.**

Meeting Date: 12/18/2017

Re: Conceptual Development Plan - Southwick Commons - Oleander Avenue

Submitted For: Rebecca Grohall, Director, Planning & Zoning

SUBJECT:

Review and approval of a Conceptual Development Plan submitted by property owners, Oleander Oaks LLC. and representative Ryan Von Weller of Warwick Commons Ltd, which conceptualizes establishment of an 80-100 unit affordable housing complex exclusively for seniors 55 and older, located on the west side of Oleander Avenue, south of Bell Avenue, and north of Tumblin Kling Road in Fort Pierce, Florida. The property is zoned R-4 Medium Density Residential (south 12.88 acres) and C-3, General Commercial (north 4.3 acres). The development of this project would commence on the south 12.88 acres zoned R-4. The parcel ID for the property is 2433-144-0001-000-6

SUMMARY:

- The applicant is requesting the review and approval of a Conceptual Development Plan pursuant to Section 22-58(e) of the City Code. Section 22-58(e) of the City Code provides that prior to, but not in lieu of, submission of a complete application and site plan the applicant may, solely at the applicant's own election advance this preliminary proposal.
- The conceptual development plan proposes the establishment of an 80-100 unit affordable housing complex exclusively for seniors 55 and older. This project is for independent living and is not proposed as an ALF product.
- The proposal seeks to develop land that is currently vacant
- The Planning Board will review the Conceptual Development Plan at their meeting on December 12, 2017. An update will be provided after that meeting.

RECOMMENDATION:

Approval

ALTERNATIVES:

Denial

RESPONSIBLE STAFF:

Brandon Creagan, LEED Green Associate, Planner

COORDINATED WITH:

Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

No fiscal impact is presented with this proposal.

Attachments

Staff Report
Application for Conceptual Site Plan Review
Aerial Map
Planning Staff Review Comments
Survey

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	12/12/2017 11:59 AM

Form Started By: Brandon Creagan
Started On: 12/06/2017 09:28 AM
Final Approval Date: 12/12/2017

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO: Nicholas Mimms, P.E, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Director

FROM: Brandon Creagan, LEED Green Associate, Planner

SUBJECT: **Conceptual Development Plan**
Southwick Commons – Affordable Housing Complex for Seniors 55 and Older
Oleander Avenue - 2433-144-0001-000-6

DATE: December 6, 2017

STAFF REPORT

Owner(s)/Applicant(s): Oleander Oaks LLC
5801 S US Highway 1
Fort Pierce, FL 34982-3946

Representative: Ryan Von Weller
Warwick Commons Ltd
1105 Kensington Park Drive, Suite 200
Altamonte Springs, FL 32714

Requested Action: Approval of a Conceptual Development Plan

Location: on the west side of Oleander Avenue, south of Bell Avenue, and north of Tumblin Kling Road in Fort Pierce, Florida.

Parcel IDs: 2433-144-0001-000-6

Collective Size: 17.18 acres

Zoning (Split): R-4 Medium Density Residential (south 12.88 acres) and C-3, General Commercial (north 4.3 acres)

Future Land Use (Split): RM, Medium Density Residential (south 12.88 acres) and GC, General Commercial (north 4.3 acres).

Surrounding Zoning:

North	East	South	West
C-3	I-1, R-1, R-4	R-4	County

Request:

The applicant is requesting the review and approval of a Conceptual Development Plan pursuant to Section 22-58(e) of the City Code. Section 22-58(e) of the City Code provides that prior to, but not in lieu of, submission of a complete application and site plan the applicant may, solely at his own election, utilize the following procedure:

1. A conceptual development plan may be submitted to the department of planning and development, which shall schedule a meeting for its consideration by the city planning board. The conceptual development plan shall include a map showing the general layout of the proposed development, statements describing in detail the character and intended use of the development and information bearing on the ownership and control of the proposed use;

2. The city planning board shall review the conceptual development plan and make recommendations as appropriate for its approval or disapproval;

3. The city commission shall hold a hearing and approve or disapprove the conceptual development plan or approve it with conditions.

Staff Analysis:

The Applicant is requesting review of a Conceptual Developemnt Plan for an Affordable Housing Complex for seniors 55 and older on a parcel of land along Oleander Avenue. The location is on the west side of Oleander Avenue, south of Bell Avenue, and north of Tumblin Kling Road in Fort Pierce, Florida. The size of the property is 17.18 acres and was annexed into the City of Fort Pierce in April of 2007. The property is currenly vacant

The subject site has a split Zoning Designation of R-4 Medium Density Residential (south 12.88 acres) and C-3, General Commercial (north 4.3 acres). The subject property also has a split Future Land-Use designation of RM, Medium Density Residential (south 12.88 acres) and GC, General Commercial (north 4.3 acres). This Conceptual Development Plan only has plans to develop on the south 12.88 acres. There are residential houses and vacant land surrounding this parcel.

Conceptualized Operation

The proposal seeks to provide a minimum of 80 units and a maximum of 100 units. The maximum allowable density in the R-4 Zoning District is 10 units per acres. The project site is 12.88 acres which would allow a maximum of 128.8 residential units. The applicant is only proposing a maximum of 100 units. There will be a mix of 1 bedroom/1 bath untis and 2 bedroom/2 bath units. The development proposes to include amenities such as a pool, outdoor recreation area, common dining area, movie room, etc. On site management will be provided. This project is for independent living and is not proposed as an ALF product. The building is proposed at 3 stories which would be consistanct with the maximum allowable height of 45 feet in the R-4 Zoning District. The development would provide 1 space per unit while City Code 22-60 only requires .5 parking spaces per unit.

Development Review Requirement

The type and scale of the development will necessitate formal Site Plan, Design Review, and Concurrency Review. The development would not require Conditial Use approval because multi-dwelling buildings are allowed in the R-4 Zoning District. Regarding Design Review, the request for new construction will be reviewed pursuant to the established design review guidelines in City Code Section 22-59, as it is proposed along an arterial roadway and requires site plan consideration.

This Conceptual Development Plan would seek to develop vacant land in a primarily residential area. The applicant is seeking review and approval of this Conceptual Developemnt Plan so that they can submit an application to the Florida Housing Finance Corporation (FHFC) for an allocation of 9% tax credits that will fund the development of this complex.

When the applicant submits an application for formal Site Plan/Design Review they will need to provide a full landscape and lighting plan. They will need to submit a tree removal plan that shows all native tress 14 inces DBH. Pursuant to City Code 22-60 they need to provide bicycle parking that will accommodate 1 space for every 10 units. The development would need accomadations for 10 bicycles if they build 100 units. A Traffic Report would need to be provided as well as an Environmental Impact Report. The applicant did nto provide any of the items listed above for staff to review, but is aware that they are required for formal review.

Technical Review Committee:

All affected departments have reviewed the proposed Conceptual Development Plan with regards to the requirements of the City Code. All outstanding responses from reviewing departments have been statisfied by the applicant and their representative at this current stage with the understanding that no development can commence until the development goes through the formal Site Plan, Design Review, and Concurrency Review process. Planning Staff comments from the review will be provided to view by the Planning Board.

Planning Board:

The Planning Board at their December 12, 2017 meeting voted 7-0 to recommend approval to the City Commission of the Conceptual Development Plan as presented.

Staff Recommendation:

Staff recommends that the City Commission review the Conceptual Development Plan and approve the conceptual parameters of the proposal.

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

DEVELOPMENT REVIEW

Property address or Location TBD Oleander Avenue Ft. Pierce FL 34982

Parcel ID #(s) 2433-144-0001-000-6

Project description Low income Senior living Facility

Oleander Oaks LLC	Ryan von Weller / Warwick Commons Ltd.
Property Owner(s)	**Applicant/Representative, Title, Company**
5801 S. US Hwy 1	1105 Kensington Park Drive Suite 200
Street Address	Street Address
Ft Pierce FL 34982	Altamonte Springs, FL 32714
City State Zip	City State Zip
772 834 8732	407-333-3233 Ex 294
Phone Number	Phone Number
toe645@hotmail.com	rvonweller@wendovergroup.com
Email Address	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. The undersigned consents to inspection and photographing of the subject property by the Planning staff for purposes of consideration of this Application and/or presentation to the Planning Board and City Commission.*

Property Owner(s) Signature(s)

STATE OF FLORIDA -- COUNTY

The foregoing instrument was acknowledged before me this 5 day of October, 20 07, by

✓ who is personally known to me or has produced

as identification.

Signature of Notary (seal)

JOE C. LOTT
Notary Public - State of Florid
My Comm. Expires Feb 2, 20
Commission # FF 088908

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

❑ DEVELOPMENT REVIEW

General Information

- ❑ Incomplete application packets cannot be accepted.
- ❑ Site Plan approval is valid for one (1) year following City Commission approval. In order to maintain site plan approval, vertical improvements, permitted by the Building Department must commence prior to the 12-month expiration date, and building permits must be maintained until site plan is completed, per plans, or approval shall lapse.

Choose Application Type:

Application Type		
❑ Site Plan	❑ Conditional Use with New Const.	❑ Major Amendment
☒ Conceptual Development Plan		❑ Minor Amendment

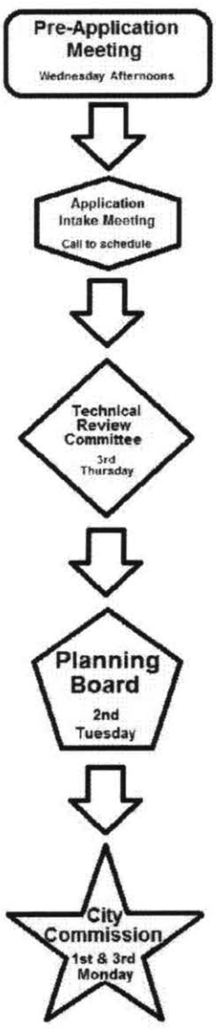
Site Information:

Non-Residential: Proposed Sq. Ft.: _____ Residential: Proposed Units: 80-100

Surrounding Uses: *(i.e. single family home, retail, industrial, etc.)*

North	South	East	West
R	R	R	R

Application Outlook



Site Plan submittal requirements:

Submit one (1) original & thirteen (13) hard copies and one (1) CD of the following. Additional copies will be required of subsequent submittals.

- ❑ Complete notarized application
- ❑ Warranty Deed
- ❑ SLC Property Record Card
- ❑ Statements of ownership & control of proposed development. Statement describing in detail: character & intended use.
- ❑ General location map (see Section 22-58.d.2)
- ❑ Survey (see Section 22-58.d.3)
- ❑ Site Plan (see Section 22-58.d.4)
- ❑ Landscaping Plan (see Section 22-187)
- ❑ Storm Drainage Plan (see Section 22-58.d.6)
- ❑ Environmental Impact Report
- ❑ Beach/Dune System protection plan, if applicable (see Section 22-58.d.7)
- ❑ Lighting Plan (see Section 22-58.d.8)
- ❑ Design Review submittals (see Design Review application)
- ❑ Traffic Impact Report
- ❑ Concurrency Review submittals (see Concurrency Review application)

FLORIDA HOUSING FINANCE CORPORATION
LOCAL GOVERNMENT VERIFICATION OF STATUS
OF SITE PLAN APPROVAL FOR MULTIFAMILY DEVELOPMENTS

FHFC Application Reference: _____

Indicate the name of the application process under which the proposed Development is applying/has applied for funding from the Corporation such as the Request for Proposal/Application number and/or the name of the Request for Proposal/Application.

Name of Development: _____

Development Location: _____

At a minimum, provide the address number, street name and city and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county).

Mark the applicable statement:

1. ○ The above-referenced Development is (a) new construction, or (b) rehabilitation with new construction, or (c) rehabilitation, without new construction, that requires additional site plan approval or similar process. The final site plan, in the applicable zoning designation, was approved on or before the submission deadline for the above referenced FHFC Request for Proposal/Application by action of the appropriate City/County legally authorized body; e.g. council, commission, board, department, division, etc., responsible for such approval process.

2. ○ The above-referenced Development is (a) new construction, or (b) rehabilitation with new construction, or (c) rehabilitation, without new construction, that requires additional site plan approval or similar process, and (i) this jurisdiction provides either preliminary site plan approval or conceptual site plan approval which has been issued, or (ii) site plan approval is required for the new construction work and/or the rehabilitation work; however, this jurisdiction provides neither preliminary site plan approval nor conceptual site plan approval, nor is any other similar process provided prior to issuing final site plan approval. Although there is no preliminary or conceptual site plan approval process and the final site plan approval has not yet been issued, the site plan, in the applicable zoning designation, has been reviewed.

   The necessary approval and/or review was performed on or before the submission deadline for the above referenced FHFC Request for Proposal/Application by the appropriate City/County legally authorized body; e.g. council, commission, board, department, division, etc., responsible for such approval process.

3. ○ The above-referenced Development, in the applicable zoning designation, is rehabilitation without any new construction and does not require additional site plan approval or similar process.

CERTIFICATION

I certify that the City/County of _____ has vested in me the authority to verify status of site plan
(Name of City or County)
Approval as specified above and I further certify that the information stated above is true and correct.

_____ _____
Signature Print or Type Name

_____
Print or Type Title

This certification must be signed by the applicable City's or County's Director of Planning and Zoning, chief appointed official (staff) responsible for determination of issues related to site plan approval, City Manager, or County Manager/Administrator/Coordinator. Signatures from local elected officials are not acceptable, nor are other signatories. If this certification is applicable to this Development and it is inappropriately signed, the certification will not be accepted.

(Form Rev. 08-16)

WENDOVER

HOUSING PARTNERS, LLC
1105 KENSINGTON PARK DRIVE, SUITE 200
ALTAMONTE SPRINGS, FLORIDA 32714
TEL: (407) 333-3233 FAX: (407) 333-3919

Applicant Contact Information:

Ryan von Weller
Wendover Housing Partners
1105 Kensington Park Drive, Suite 200
Altamonte Springs, Florida 32714
Tel: (407) 333-3233 x294

Name of Development: Southwick Commons

Proposed Development:

Site Narrative: This development will be an affordable housing apartment complex exclusively for seniors 55 and older. The applicant will be submitting this site to Florida Housing (FHFC) for the competitive allocation of 9% tax credits that will fund the development of this complex. The development itself will consist of a maximum of 50 1BR/1BA units and a maximum of 50 2BR/2BA units for a total of no more than 100 units. The exact amount of units to be planned and applied for will be determined by many factors, including tax credit pricing at the time of application. **However, in no instance will the unit count exceed 100 and will likely be 80 total units as shown on the attached preliminary site plan.** A wide variety of amenities will also be included, such as a pool, outdoor recreation area, common dining area, movie room, etc. On site management will also be provided. This project is for independent living, and is not an ALF product. The building will be 3 stories with elevators and will be designed to comply with Ft. Pierce's development codes and guidelines.

Number of Buildings Proposed: 1

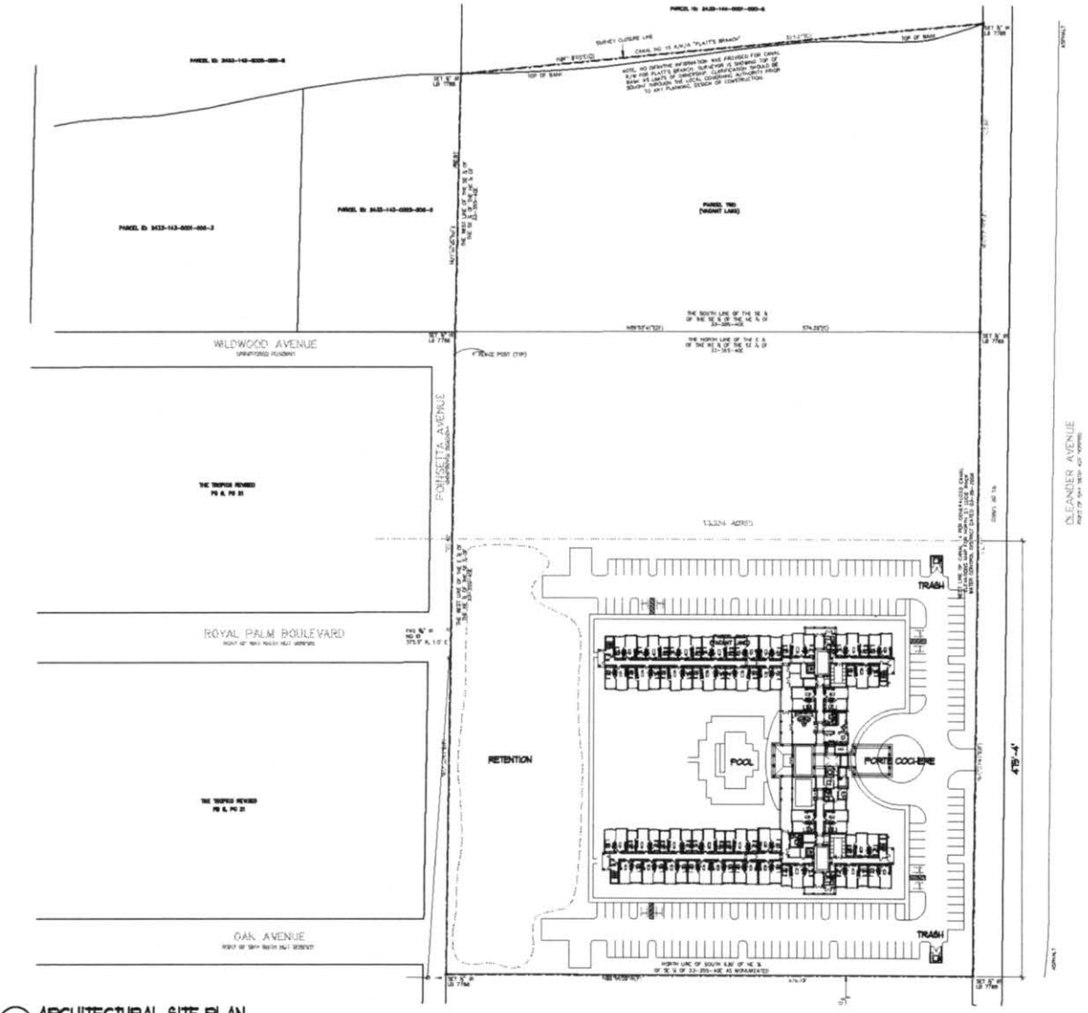
Building Height: 3 stories

Type of Construction: concrete or wood frame (depending on final FHFC RFA specs)

Number of Parking Spaces Required: as this is a development for senior 55 and older, the typical parking ratio we construct is around 1 space per unit. However, Southwick Commons will abide by the parking ratio mandated by Ft. Pierce.

Number of Parking Spaces Proposed: as this is a development for senior 55 and older, the typical parking ratio we construct is around 1 space per unit. However, Southwick Commons will abide by the parking ratio mandated by Ft. Pierce.

Number of Handicap Spaces: to be determined and final designed as per code requirements



1 ARCHITECTURAL SITE PLAN
SCALE: 1" = 30'-0"

REVISIONS

SLOCUM PLATTS
ARCHITECTS, P.A.
SUNDIAL I, 2 SUGROW LA 32202, WILLIAM P. PLATTS LA 17243
470 NORTH ORLANDO AVENUE, SUITE 1 WINTER PARK, FL 32751
TEL. (407) 644-3919 FAX (407) 645-2171
WWW.SLOCUMPLATTS.COM

WILLIAM P. PLATTS AR0012

FLORIDA

ARCHITECTURAL SITE PLAN

DRAWN: CAD
CHECKED: WPP
DATE: XX-XX-12
SCALE: AS NOTED
JOB NO.: XX-XXX
SHEET: A1.0

Boundary Survey

ADDRESS:
PARCEL ID: 2433-144-0001-0004
ORLEANDER AVENUE
FORT PIERCE, FL 34982

LEGEND

- □ = Concrete Monument (CM)
- ● = Drill Hole (DH)
- O = Iron Pipe & Cap (IP)
- □ = Iron Rod & Cap (IR)
- ⊕ = Nail & Disk (N&D)
- PCP = Permanent Control Point
- PRM = Permanent Reference Monument
- OR Book = Official Record Book
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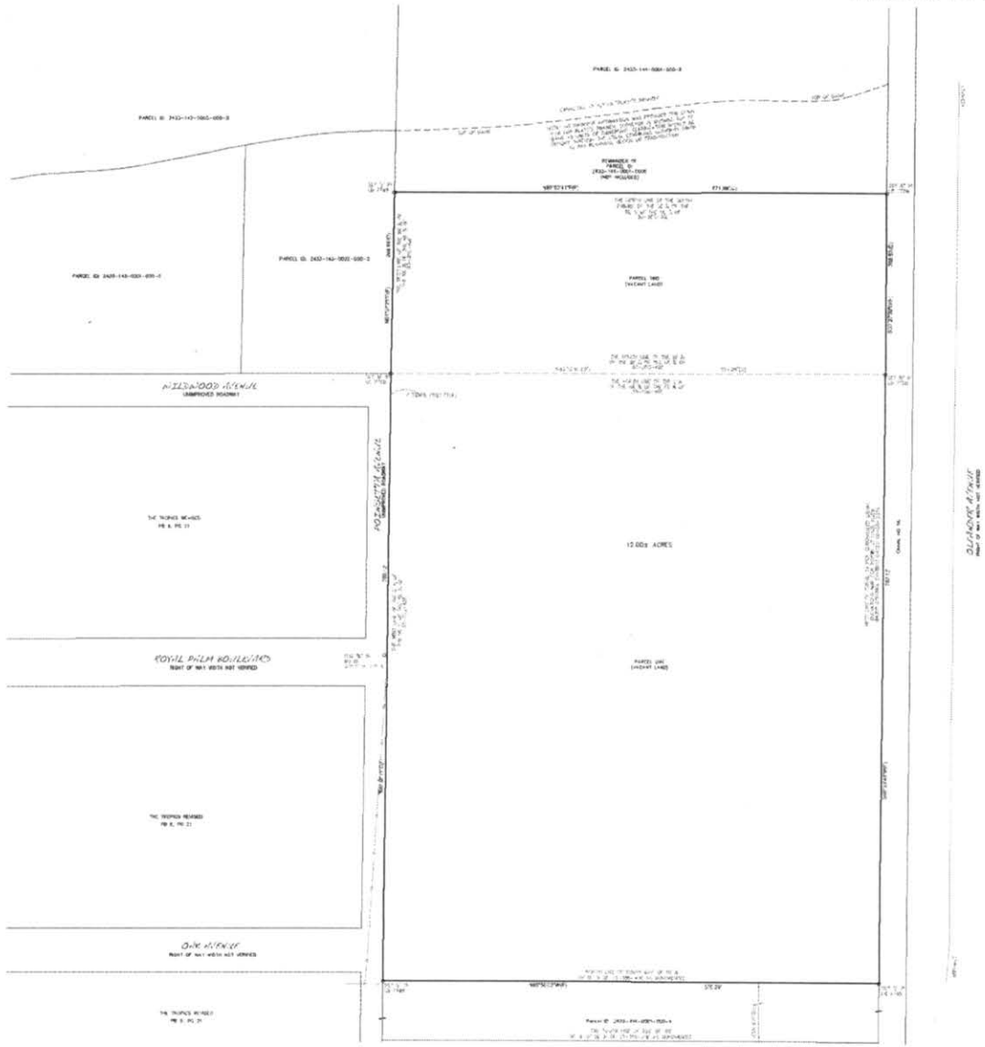
- R = Radius
- CB = Chord Bearing
- CH = Chord Length
- FND = Found
- ID = Identification
- LB = Licensed Business
- LS = Licensed Surveyor
- PVC = Polyvinyl Chloride
- TYP = Typical
- = Cable TV Riser
- = Catch Basin/Inlet
- = Drainage Manhole
- = Electric Box
- = Fire Hydrant
- = Guy Wire
- = Light Pole
- = Sanitary Cleanout
- = Sanitary Manhole
- = Sign
- = Telephone Riser
- = Transformer
- = Power Pole
- = Overhead Utilities
- = Well
- = Water Meter
- = Water Valve
- (C) = Calculated Distance
- (D) = Deed Dimension
- (F) = Field Measurement
- (R) = Radial
- (P) = Plat Measurement
- ons/offs = On Site/Off Site
- A/K/A = Also Known As



JOB #:	VISCEL-1947
CLIENT #:	
FIELD DATE: 06-05-16	CREW: 2506
DRAFTER: DB	
APPROVED: RSV	
SCALE: 1" = 40'	

COPYRIGHT 2011

Legal Description (as Furnished)

That part of the Northeast Quarter of the Southwest Quarter and the Southeast Quarter of the Northwest Quarter of Section 33, Township 35 South, Range 40 East, St. Lucie County, Florida being more particularly described as follows:
Parcel 1: Lot, Lot 1 of the Northeast Quarter of the Southeast Quarter of said Section 33 Less Ps. Block 130.00 feet and Less the East 92.00 feet thereof for Oleander Avenue and Canal.
AND
Parcel 2: The South 208.00 feet of the Southeast Quarter of the Southeast Quarter of the Northeast Quarter of said Section 33 Less the East 92.00 feet thereof for Oleander Avenue and Canal.
Containing 12.00 acres more or less.

ADDITIONAL NOTES:
1. Additions or deletions to this survey by persons other than the signing party or parties is prohibited, without the written consent of the signing party or parties.
2. The property shown hereon is subject to all easements, exceptions and reservations which may be shown or noted on the recent plat and on the public records of the county the subject property is located. This survey and depiction is only related information such as easements and setbacks that are shown on a recent plat or have been furnished to the Surveyor.
3. Building tie or dimensions for improvements should not be used to reconstruct boundary lines.

VISCELAND

Proposed legal description:

That part of the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 33, Township 35 South, Range 40 East, St. Lucie County, Florida being more particularly described as follows:

Parcel 1:

The East Half of the Northeast Quarter of the Southeast Quarter of said Section 33 Less the South 630.00 feet and Less the East 92.00 feet thereof for Oleander Avenue and Canal.

AND

Parcel 2:

The South 208.80 feet of the Southeast Quarter of the Southeast Quarter of the Northeast Quarter of said Section 33 Less the East 92.00 feet thereof for Oleander Avenue and Canal.

Containing 12.00 acres more or less.

OFFICE OF THE CITY CLERK
CITY OF FT. PIERCE
100 N. U.S. 1
P.O. BOX 1480
FT PIERCE, FL 34954

ORDINANCE NO. K-474

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE APPROXIMATELY 18 ACRES LOCATED ON THE **WEST SIDE OF OLEANDER AVENUE, SOUTH OF BELL AVENUE AND NORTH OF TUMBLIN KLING ROAD** (GENERALLY IN THE 4000 BLOCK OF OLEANDER AVENUE); DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF THE FINAL DATE OF ENACTMENT OF THIS ORDINANCE; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

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 to the said City approximately 18 acres located on the west side of Oleander Avenue, south of Bell Avenue and north of Tumblin Kling Road (generally in the 4000 block of Oleander Avenue); legally described as:

Parcel I.D. 2433-144-0001-000-6
Address: Oleander Avenue

33-35-40 - SE 1/4 OF SE 1/4 OF NE 1/4 - LESS RD AND CANAL RS/W - AND E 1/2 OF NE 1/4 OF SE 1/4 - LESS S 630 FT AND LESS RD AND CANAL RW/W (18.16 AC) (OR 379-1208, 1209: 988-882: 1194-1:1213-2569)

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 described in Section 1 hereof as of the final date of enactment of this ordinance 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 the City Clerk shall cause notice of this annexation to be published once each week for two consecutive weeks prior to final passage in The Fort Pierce Tribune in Fort Pierce, Florida.

EDWIN M. FRY, JR., CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 3036698 04/05/2007 at 09:26 AM
OR BOOK 2793 PAGE 1039 - 1041 Doc Type: ORDN
RECORDING: $27.00

SECTION 4. That upon this ordinance becoming effective, the Future Land Use and Zoning of the land hereinabove described and annexed to the territorial limits of the City of Fort Pierce shall be as follows: (1) The NORTH 4.3 acres shall be and the same is zoned C-3, General Commercial Zone, and the Future Land Use Designation is CG, General Commercial Land Use; and (2) The SOUTH 12.88 acres shall be and the same is zoned R-4, Medium Density Residential Zone, and the Future Land Use Designation is RM, Medium Density Residential Land Use, in accordance with the Zoning Ordinance of the City of Fort Pierce, Florida.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. This ordinance shall be and become effective immediately upon final passage.

STATE OF FLORIDA)
ST. LUCIE COUNTY) ss

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. K-474 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the Fort Pierce Tribune on March 5, 2007, and on March 12, 2007; 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 March 19, 2007; and was duly introduced, read by title only, and passed on second and final reading on April 2, 2007, by the City Commission of the City of Fort Pierce, Florida.

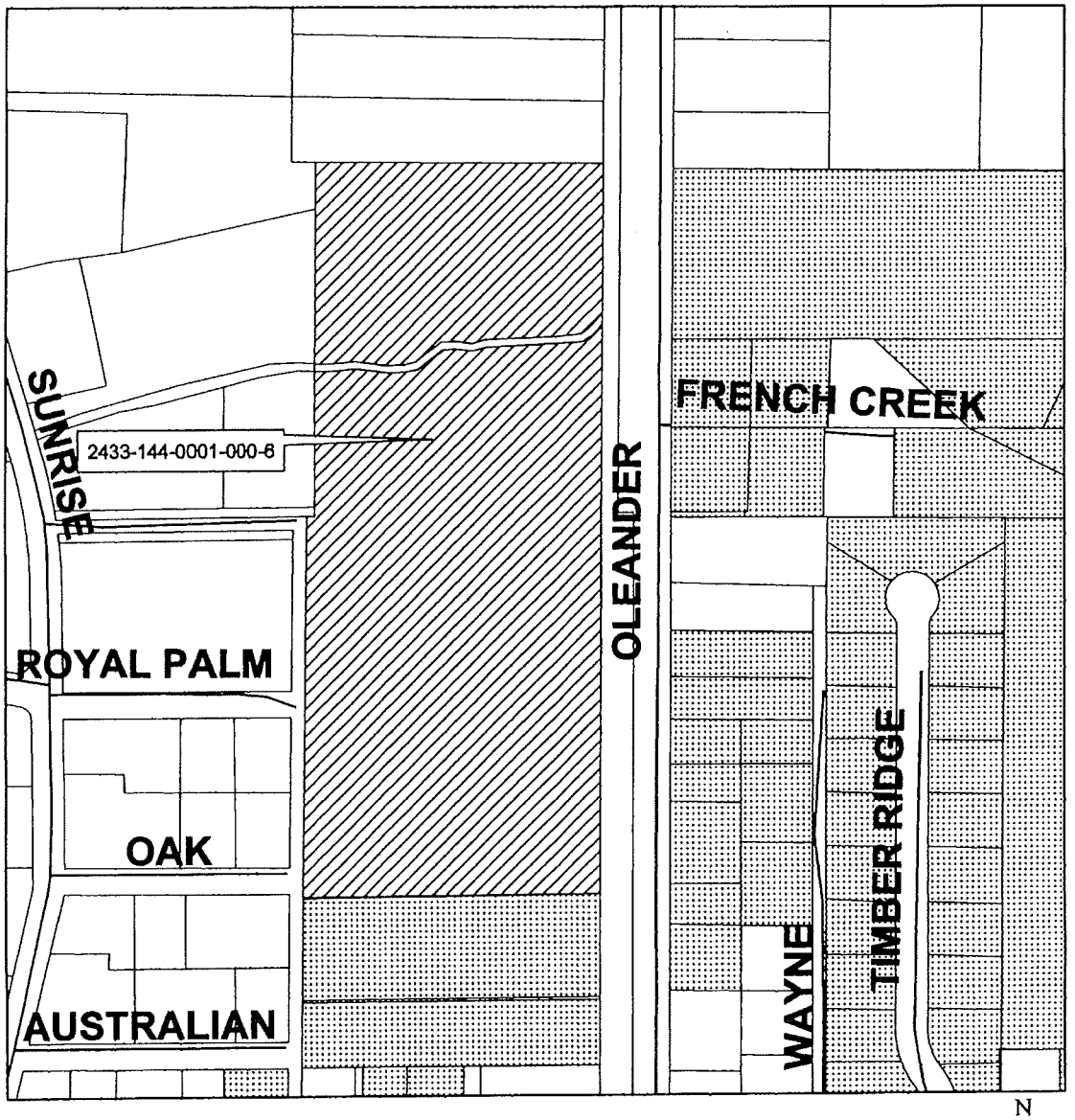
IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 3rd day of April 2007.

MAYOR COMMISSIONER

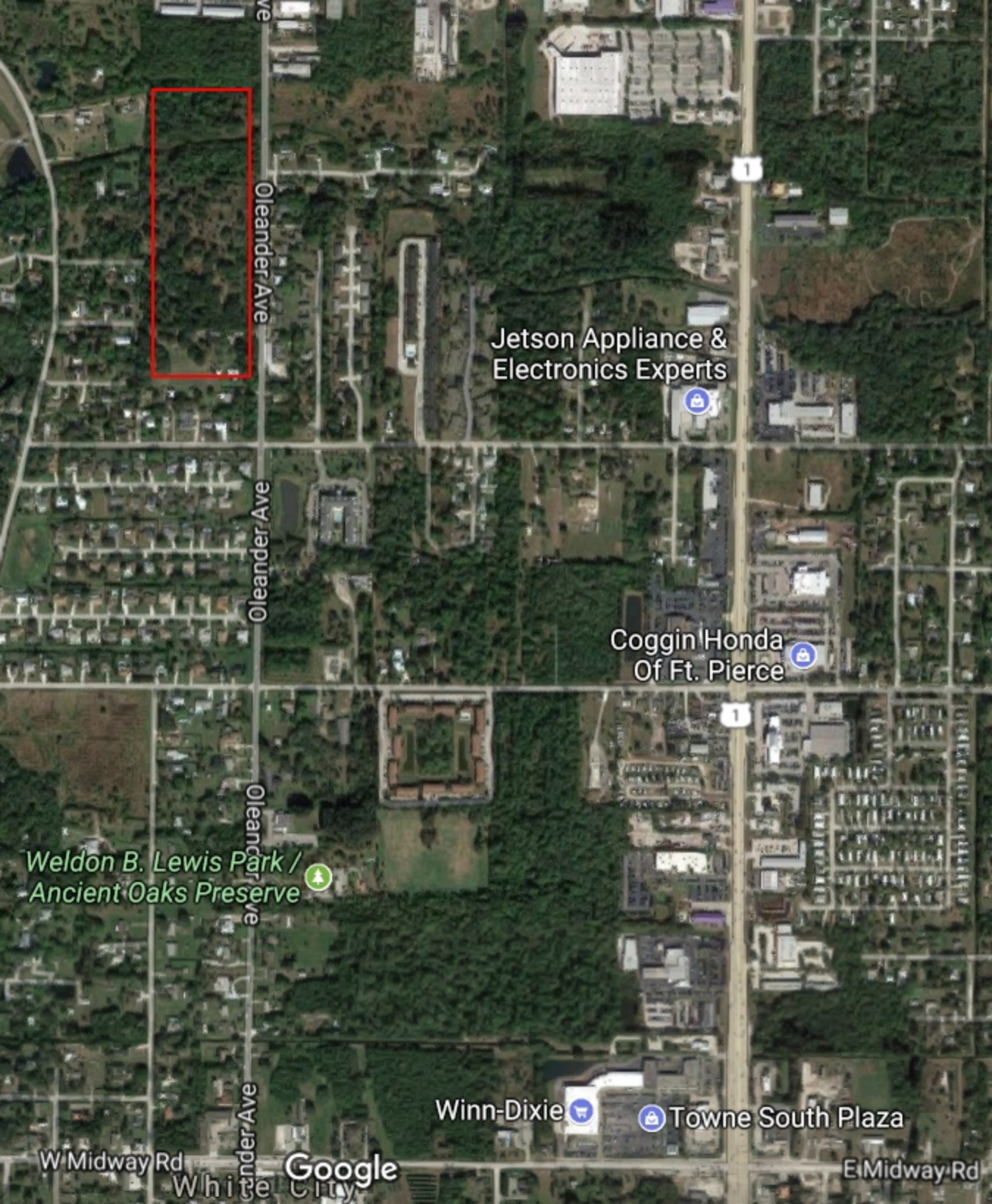
Cassandra Stile
CITY CLERK

(CITY SEAL)

ATTACHMENT TO ORDINANCE NO. K-474



Revised Corporate Limits


Oleander Ave
Oleander Ave
Oleander Ave
Oleander Ave
1
1
Jetson Appliance &
Electronics Experts
Coggin Honda
Of Ft. Pierce
Weldon B. Lewis Park /
Ancient Oaks Preserve
Winn-Dixie
Towne South Plaza
W Midway Rd
E Midway Rd
Google

Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

Property Identification

Site Address:	OLEANDER AVE
Parcel ID:	2433-144-0001-000-6
Account #:	33036
Map ID:	24/33N
Use Type:	4000
Zoning:	RM-9
City/County:	Fort Pierce

Ownership

Oleander Oaks LLC
5801 S US Highway 1
Fort Pierce, FL 34982-3946

Legal Description

33 35 40 SE 1/4 OF SE 1/4 OF NE 1/4-LESS RD AND CANAL RS/W-AND E 1/2OF NE 1/4 OF SE 1/4-LESS S 630 FT AND LESS RD AND CANAL RS/W- (18.16 AC) (OR 3988-1547; 3994-1479: 3995-2451; 4050-2327)

Current Values

Just/Market Value:	$1,265,700
Assessed Value:	$1,265,700
Exemptions:	$1,265,700
Taxable Value:	$0

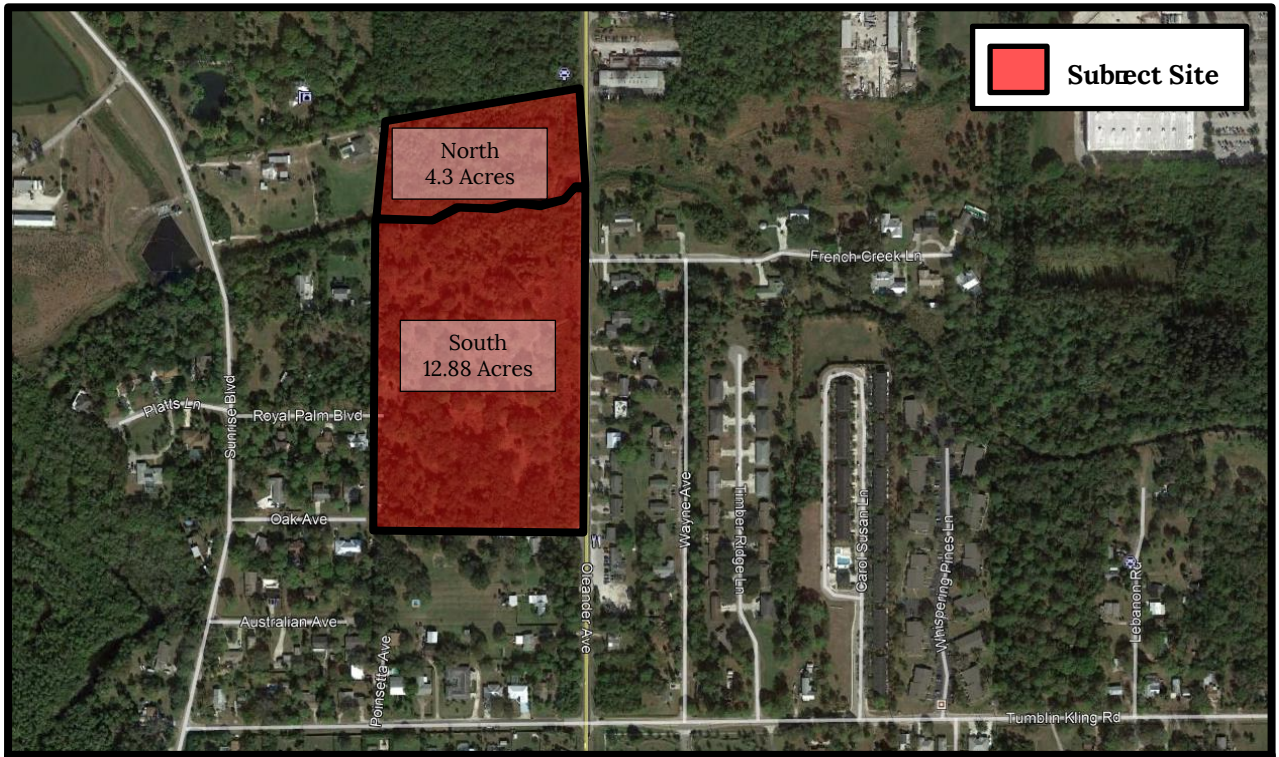
Taxes for this parcel: SLC Tax Collector's Office

Download TRIM for this parcel: Download PDF

Total Areas

Finished/Under Air (SF):	0
Gross Area (SF):	0
Land Size (acres):	18.16
Land Size (SF):	791,049.6

This information is believed to be correct at this time but it is subject to change and is not warranted.
© Copyright 2017 Saint Lucie County Property Appraiser. All rights reserved.



THE SUNRISE CITY
FORT PIERCE
Florida

Conceptual Development Plan
Southwick Commons – Oleander Avenue
Aerial Map

N
W E
S

November 16, 2017

Ryan Von Weller / Warwick Commons LLC
1105 Kensington Park Drive Suite 200
Altamonte Springs, FL 32714

SUBJECT: Southwick Commons – Oleander Avenue
TECH ICAL RE IE PROJECT: 1-04000013
CO CEPTUAL DE ELOPME T PLA

The following are comments from the Planning Department s review of the Application for Development Review (Conceptual Development Plan), based upon the plans provided:

Landscaping Trees:

City Code 22-1 General Landscaping Requirements

When the formal Application for Site Plan review is submitted the applicant must include a landscape plan that meets the requirements of City Code 22-187, General Landscaping Requirements.

City Code 22-1 4 Tree Protection and Mitigation

Before any clearing of the land can commence you will need to provide a tree removal plan that will indicate all native trees over 14 inches DBH. The exception is that an palms shall be shown on the plan that have a minimum clear trunk of 10 feet. Any desired removal of trees that meet the criteria above can be mitigated and moved to a different location on site, moved to city owned land, and or a new tree of the same species can be plated.

Parking Lighting:

City Code 22-60 Off-Street Parking Loading

The plans for the development are to have 1 parking space per unit. City Code 22-60 only requires .5 parking spaces when a residential development is for public housing for the elderly. With that said 1 space per unit would help alleviate any parking conflicts if they do arise.

Bicycle Parking is also required and the ratio is 1 space for every 10 dwelling units. If 100 units are constructed then 10 bicycle parking spaces shall be provided. Bicycle parking can be provided in the form of bicycle racks.

Lighting for off-street parking shall be provided at a minimum average of one foot candle for the whole parking lot area.

Traffic Impact Report:

When the Application for Site Plan Review is filed please provide a Traffic Impact Report. This report will show the daily traffic impact from the proposed development as well as the current traffic conditions. The Traffic Impact Report will also help to determine if a turn lane would need to be added on Oleander to allow drivers a safe way to turn into the development.

Environmental Impact Report

The Environmental Impact Report will outline any native trees on site, any protected species of animals that live on site, and any environmental concerns.

Additional Comments:

Items that will be required at time of Site Plan submittal.

1. Application for Development Review (Site Plan)
    a. Original Complete Notarized Application
    b. Warrantee Deed
    c. SLC Property Card
    d. Statement of Ownership
    e. General Location Map
    f. Sign and Sealed Survey
    g. Sign and Sealed Site Plan
    h. Sign and Sealed Landscape Plan
    i. Sign and Sealed Storm Drainage Plan
    j. Environmental Impact Report
    k. Sign and Sealed Lighting Plan
    l. Traffic Impact Report
    m. Application for Design Review and all required documents for that application.
    n. Concurrency Review Submittals

The presented review is specific to the proposed facility. Please contact me should you have any questions regarding the project at (772) 467-3742 or by e-mail: Bcreagan city-ftpierce.com.

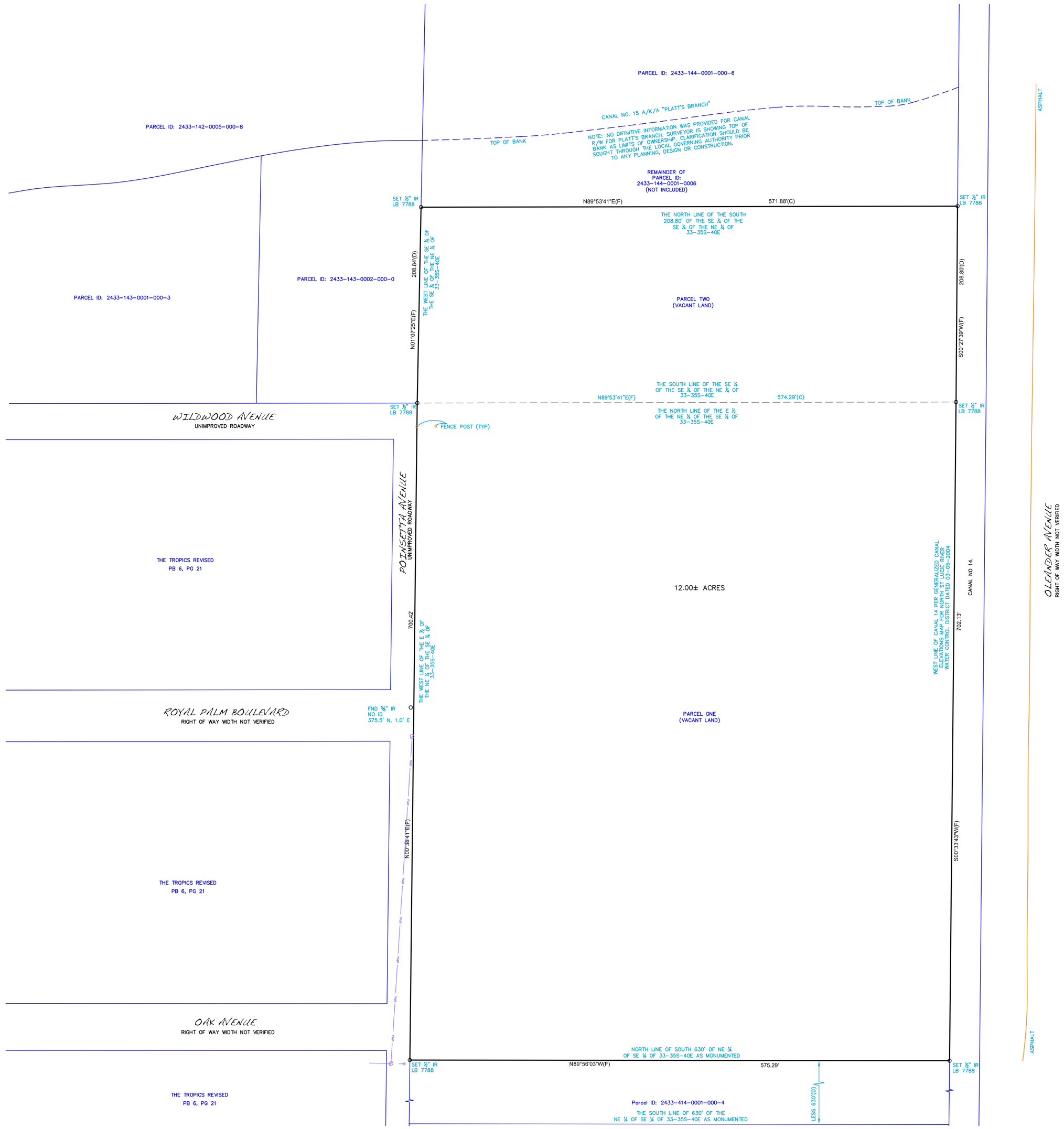
Sincerely,

Brandon Creagan, LEED Green Associate
Planner

Boundary Survey

1" 0 60'
SCALE 1"=60'

ADDRESS
PARCEL ID: 2433-144-0001-000-6
ORLEANDER AVENUE
FORT PIERCE, FL 34982



LEGEND

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- ○ = Iron Pipe & Cap (IP)
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- = Catch Basin/Inlet
- = Drainage Manhole
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- = Fire Hydrant
- = Guy Wire
- = Light Pole
- = Sanitary Cleanout
- = Sanitary Manhole
- = Sign
- = Telephone Riser
- = Transformer
- = Power Pole
- ohu = Overhead Utilities
- = Well
- = Water Meter
- = Water Valve
- (C) = Calculated Distance
- (D) = Deed Dimension
- (F) = Field Measurement
- (R) = Radial
- (P) = Plat Measurement
- ons/offs = On Site/Off Site
- A/K/A = Also Known As

JOB #: VLSR16-15907	
CLIENT #:	
FIELD DATE: 06-09-16	CREW: 2500
DRAFTER: DB	
APPROVED: JEW	
SCALE: 1" = 60'	

COPYRIGHT 2011

X
Borrower's Acknowledgment and Acceptance

X
Borrower's Acknowledgment and Acceptance

Patent Pending

Legal Description (as furnished)

That part of the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 33, Township 35 South, Range 40 East, St. Lucie County, Florida being more particularly described as follows:
Parcel 1: The East Half of the Northeast Quarter of the Southeast Quarter of said Section 33 Less the South 630.00 feet and Less the East 92.00 feet thereof for Oleander Avenue and Canal.
AND
Parcel 2: The South 208.80 feet of the Southeast Quarter of the Southeast Quarter of the Northeast Quarter of said Section 33 Less the East 92.00 feet thereof for Oleander Avenue and Canal.
Containing 12.00 acres more or less.

ADDITIONAL NOTES:
3. Additions or deletions to this survey by anyone other than the signing party or parties is prohibited without the written consent of the signing party or parties.
4. The property shown hereon is subject to all easements, restrictions and reservations which may be shown or noted on the record plat and within the public records of the county the subject property is located. This survey only depicts survey related information such as easements and setbacks that are shown on a record plat or have been furnished to the Surveyor.
5. Building ties and dimensions for improvements should not be used to reconstruct boundary lines.

CERTIFIED TO: (AS PROVIDED)
VISIONLAND VENTURES XXVIII, LLC, A FLORIDA LIMITED LIABILITY COMPANY
ZIMMERMAN, KISER AND SUTCLIFFE, P.A.
FIRST AMERICAN TITLE INSURANCE COMPANY

FLOOD ZONE
SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN FLOOD ZONE "X", UNSHADED, AS SCALED FROM THE FLOOD INSURANCE RATE MAP (FIRM) OF THE FLOODPLAIN, PER F.I.R.M. PANEL NUMBER 1211 (10TH) LAST REVISION DATE 05-16-12. THIS DETERMINATION IS BASED ON THE FLOOD INSURANCE RATE MAP (FIRM) INFORMATION. THE LOCAL F.E.M.A. AGENT SHOULD BE CONTACTED FOR VERIFICATION.

LIST OF POSSIBLE ENCROACHMENTS:
NONE OBSERVED AT THE TIME OF SURVEY

BASIS OF BEARING:
ASSUMED ALONG THE WEST LINE OF SUBJECT PARCEL WHICH HAS A BEARING OF N01°25'41"E ASSUMED.

NOTES
1. UNDERGROUND UTILITY INSTALLATIONS, UNDERGROUND IMPROVEMENTS, FOUNDATIONS, UTILITIES AND ENCROACHMENTS WERE NOT LOCATED BY THIS SURVEY.
2. THE PURPOSE OF THIS SURVEY IS FOR USE IN OBTAINING TITLE INSURANCE AND THIS SURVEY IS NOT INTENDED FOR CONSTRUCTION PURPOSES.
THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES LISTED HEREON. ANY OTHER USE OR USERS ARE NOT BE TRANSFERRED OR ASSIGNED.

LB 7788

VISIONLAND
SURVEYING
245 S Washington Ave, Winter Park, FL 32789 | (689) 399-8874

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THIS SURVEY IS A TRUE AND ACCURATE REPRESENTATION OF A SURVEY I SUPERVISED AND WORKED.

DATE	REVISION	DATE	REVISION
06-20-16	BOUNDARY		

DATED: 06-17-16

Joseph E. Williamson, PLS
PROFESSIONAL LAND SURVEYOR
FLORIDA REGISTRATION NUMBER 6285
NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND/OR ORIGINAL RAISED SEAL OF THE LICENSED FLORIDA LICENSED SURVEYOR AND MAPPER

City Commission Regular Meeting **12.d.**

Meeting Date: 12/18/2017

Re: Ordinance No. 17-037 - Amendment to Chapter 5 - Section 5-19 (a)

Submitted For: Paul Thomas, Building Official, Building

SUBJECT:

Legislative Hearing - Ordinance 17-037 amending Chapter 5 - Buildings and Building Regulations, Section 5-19(a) in order to remove the Director of Building and Community Response from the Board of Examiners of Contractors. SECOND READING

SUMMARY:

To ensure there is no conflict with the Government in the Sunshine Laws and to adhere to its provisions, it is necessary to remove the Building Director from the Board of Examiners of Contractors.

RECOMMENDATION:

To adopt Ordinance 17-037 to remove the Building Director from the Board of Examiners of Contractors to be in compliance with the Government in the Sunshine Laws.

ALTERNATIVES:

To not adopt Ordinance 17-037 as it is written to remove the Building Director from the Board of Examiners of Contractors.

RESPONSIBLE STAFF:

Paul Thomas, Building Official
Shaun Coss, Building Department Coordinator

COORDINATED WITH:

Iola Mosley, Assistant City Attorney

Fiscal Impact

Budgeted Y/N: N
Fiscal Year: NA
Account: NA
Amount: NA
OTHER INFORMATION:
No fiscal impact.

Attachments

Ord. 17-037

Form Review

Inbox	Reviewed By	Date
Building	Paul Thomas	11/20/2017 10:10 AM
City Manager	Nick Mimms	11/27/2017 02:08 PM

Form Started By: Karen Murphy
Started On: 11/16/2017 03:42 PM
Final Approval Date: 12/05/2017

ORDINANCE NO. 17-037

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMENDING **CHAPTER 5 - BUILDINGS AND BUILDING REGULATIONS, SEC. 5-19 (a) IN ORDER TO REMOVE THE DIRECTOR OF BUILDING AND COMMUNITY RESPONSE FROM THE BOARD OF EXAMINERS OF CONTRACTORS**; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The State of Florida has comprehensive and well defined Government in the Sunshine Laws; and

WHEREAS, The City of Fort Pierce is bound to adhere to the provisions of Florida Law; and

WHEREAS, The City of Fort Pierce Board of Examiners of Contractors is bound to adhere to the provisions of Florida Law; and

WHEREAS, it is necessary to remove the Building Director from the Board of Examiners of Contractors in order to ensure that there is no conflict with the Government in the Sunshine Laws; and

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

SECTION 1. Chapter 5, Article II, Division 1, Sec. 5-19(a) of the Code of Ordinances of the City of Fort Pierce, Florida, is hereby amended so that the same shall read thereinafter as follows:

ARTICLE II. – CONTRACTORS
DIVISION 1. - GENERALLY

Sec. 5-19. – Board of examiners of contractors- members; officers generally; meetings; rules

(a) There shall be appointed by a majority vote of the city commission a board of examiners of contractors, consisting of ~~ten (10)~~ nine (9) members who have been residents of the county for at least two (2) years prior to the date of their appointment. ~~except that this shall not apply as to the director of building and community response~~. The term of office of each member of the board shall be for four (4) years, but the city commission may remove any member of the board without cause, notice or hearing. Members appointed to fill vacancies caused by death, resignation or removal shall serve during the unexpired terms of their predecessors. The board shall consist of ~~the director of building and community response,~~ three (3) consumer representatives, and six (6) members licensed in the State of Florida from any of the following fields: architect; engineer; swimming pool, roofing, or other specialty contractor; general, residential, or building contractor; electrical contractor; plumbing contractor; or mechanical or air-conditioning contractor.

SECTION 2. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain

in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

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

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

APPROVED AS TO FORM & CORRECTNESS:

_____
James M. Messer, Esq.
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No.17-037 was duly advertised by title only in the St. Lucie News Tribune on November 24, 2017; 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 December 4, 2017; and was duly introduced, read by title only, and passed on second and final reading on December 20, 2017 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 20th day of December, 2017.

_____
Linda Hudson
Mayor Commissioner

ATTEST:

_____
Linda W. Cox
City Clerk

(City Seal)

OFFICE OF THE
State Attorney
NINETEENTH JUDICIAL CIRCUIT OF FLORIDA
SERVING
INDIAN RIVER, MARTIN, OKEECHOBEE
AND ST. LUCIE COUNTIES

Bruce H. Colton
State Attorney

411 South Second Street
Fort Pierce, Florida 34950
(772) 465-3000
Fax: (772) 462-1214

RECEIVED
SEP 20 2017
By

September 20, 2017

Mr. James Messer
City Attorney
City of Fort Pierce
100 North U.S. 1
Fort Pierce, FL 34950

Re: Board of Examiners of Contractors

Dear Mr. Messer,

The State Attorney's Office has completed its review of a Sunshine Law complaint involving the Board of Examiners of Contractors (the "Board"). After interviewing witnesses, reviewing documents related to the complaint, and researching the operation of the Board pursuant to the Code of Ordinances and the Rules of Procedure For Disciplinary Matters before the Board, we have determined that the Board's current operational structure violates Florida Statute 286.011. We recommend that the city commission take immediate steps to remedy the continuing violation of the Sunshine Law by amending the Code of Ordinances.

A brief summary of how this issue came to light may be helpful in understanding how we reached this conclusion. Section 5-19 of the Code of Ordinances of the City of Fort Pierce (the "Code") creates the Board of Examiners of Contractors. The Board is responsible for adjudicating complaints of misconduct by contractors possessing a certificate of competency issued by the City of Fort Pierce or licensed by the State of Florida. The Board consists of ten members appointed by the city commission. One member of the Board is the City's Director of Building and Community Response. Three members of the Board are consumer representatives, and the remaining six members must be state licensed in various contracting disciplines enumerated in the ordinance. Section 5-20 of the Code provides that the Director of Building and Community Response (the "Director") shall serve as the Secretary of the Board. In addition to the secretary, the Board also elects a chairman and a vice-chairman.

The procedure for investigating complaints is contained in Section 5-51 of the Code and the Board's Rules of Procedure For Disciplinary Matters. When a person files a complaint

against a contractor with the Board, a copy of the complaint is forwarded to the Board's chairman and a building department official. The complaint is also sent to the contractor. The building department staff conducts an investigation and makes a recommendation to the chairman of the board and the Director about whether probable cause exists for the complaint. The chairman and the Director then meet to discuss the complaint and decide whether or not there is probable cause. This meeting is not publicly noticed or open to the public. The matter is referred to the entire Board for a hearing if they find probable cause. If they do not find probable cause, then the matter is closed.

On July 13, 2017, a business owner filed a complaint with the City against a contractor. The contractor at issue happened to be a member of the Board. After he received a copy of the complaint he contacted the board chairman and informed him of the nature of the complaint. Both the board member and the chairman confirmed to the State Attorney's Office that the contact occurred. The complaint was eventually reviewed by the vice-chairman and the Director, in a meeting that was not publicly noticed. They found probable cause to set the complaint for a hearing before the entire board.

Florida Statute 286.011(1) provides that all meetings of any board of any municipal corporation "at which official acts are to be taken" shall be open to the public. The statute also provides that such meetings must be reasonably noticed to the public. Florida courts have interpreted this section broadly to include any meeting between members of a board where two or more members of the same board or commission discuss some matter on which foreseeable action will be taken by that public board or commission. See, e.g., *Hough v. Stembridge*, 278 So.2d 288 (Fla. 3rd Dist. 1973); *Board of Public Instruction of Broward County v. Doran*, 224 So.2d 693 (Fla. 1969); and *City of Miami Beach v. Berns*, 245 So.2d 38 (Fla. 1971). In *Times Publishing Company v. Williams*, 222 So.2d 470 (Fla. 2nd Dist. 1969), the court held that every step in the decision-making process, including the decision itself, is a necessary preliminary step to formal action, and therefore subject to the Sunshine Law.

When a board's decision making authority is delegated to one or more individual members of that board, their decision making process must also be made in public. In *News-Press Publishing Company, Inc. v. Carlson*, 410 So. 2d 546 (Fla. 2d DCA 1982), the court held that delegates or even a single member of a board who are authorized, directed, or designated by such board to act or exercise authority for the entire board stand in the place of the entire board and are subject to the provisions of the Sunshine Law. The enacting ordinances for the Board of Examiners of Contractors expressly provide that the decision to find probable cause is delegated to the chairman and the secretary of the Board. Ordinance section 5-51(b) provides that a finding of no probable cause is final, with no right of appeal to the entire board. There is no question that the Board's enacting ordinances confer decision making authority on two members of the board.[1] There is also no question that their meetings to determine probable cause are not open to the

[1] The Director reported that as the secretary of the Board he participates in Board meetings, but is a non-voting member. The Attorney General's Office determined in AGO 2005-18 that non-voting members of a public body must still comply with the Sunshine Law.

public or advertised, as required by Florida Statute 286.011. This means that every time the chairman and Director meet to discuss complaints filed with the Board, the Sunshine Law is violated. The City Commission should take steps to remedy this structural flaw in the Board's enacting ordinances. The Commission should also undertake a review of other city boards that may suffer from the same structural flaws.

In our interviews with the board chairman and the member of the board who was the subject of a pending complaint, both stated that very little Sunshine Law training had been provided to them during their time on the board. Although the chairman recognized that a conversation with another member of the Board about a pending complaint was problematic, the other member was unaware that his actions violated the Sunshine Law. He told this office that he believed he could contact any member of the board about the complaint, just as a private citizen could. It appears that Board members would benefit from periodic training in the Sunshine Law. This office expresses no opinion on whether the member's contact with the chairman violated Florida's Code of Ethics for public officials, as codified in Florida Statutes 112.311 through 112.3261. Violations of the Code of Ethics are within the jurisdiction of the Florida Commission on Ethics.

Please don't hesitate to contact me if you have any questions about this matter. Thank you for asking us to review this issue.

Sincerely,

Ryan L. Butler
Assistant State Attorney
Attorney In Charge
Legal Affairs Division

City Commission Regular Meeting **12.e.**

Meeting Date: 12/18/2017

Re: Ordinance 17-029 - Amending Sec. 15-7 - Permitted Signs

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

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SUBJECT:

Legislative Hearing - Ordinance No. 17-029 amending Chapter 15 - Signs and Billboards. FIRST READING

SUMMARY:

On June 19, 2017, the City of Fort Pierce Commission adopted Ordinance 17-019 for the purpose of amending Chapter 15 - Signs and Billbords. Sec. 15-7 of the ordinance provided specific size restrictions for temporary signs based upon their zoning district. Due to the wide range of lot sizes throughout the R4, R4A and R5 zones, two size regulations are necessary based upon lot size.

RECOMMENDATION:

Staff recommends allowing signs up to 32 square feet on lots of 1 acre or more. Lots under 1 acre in size are restricted to signs up to 8 square feet.

ALTERNATIVES:

Amend staff's recommendation.
Deny staff's recommendation.

RESPONSIBLE STAFF:

Margaret M. Arraiz, Code Compliance Manager

COORDINATED WITH:

Rebecca Grohall, Planning Director

Fiscal Impact

OTHER INFORMATION:

None

Attachments

17-029

R4, R4A, & R5 Zoning Districts

Parcels 1+ Acre (R4, R4A, R5)

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	12/12/2017 11:59 AM

Form Started By: Peggy Arraiz Started On: 10/09/2017 08:38 AM
Final Approval Date: 12/12/2017

ORDINANCE NO. 17-029

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMENDING THE PROVISIONS OF FORT PIERCE CODE OF ORDINANCES **CHAPTER 15 – SIGNS AND BILLBOARDS, SEC 1 DEFINITIONS** BY AMENDING THE DEFINITION OF A MURAL AND **SEC. 15-7 PERMITTED SIGNS** BY ESTABLISHING SIGN SIZES FOR R4, R4A AND R5 ZONING DISTRICTS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS on June 19, 2017, the City of Fort Pierce Commission adopted Ordinance 17-019 for the purpose of amending Chapter 15 - Signs; and

WHEREAS Ordinance 17-019 provides size restrictions for temporary signs determined by the zone district in which the sign is located; and

WHEREAS due to the variation of lot sizes throughout the R4, R4A and R5 residential zones, two sign size specifications are established based upon the size of the parcel.

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

SECTION 1. Chapter 15 – Signs and Billboards, Sec. 15-1 – Definitions of the Code of Ordinances of the City of Fort Pierce, Florida, is hereby amended so that the same shall read thereinafter as follows:

Chapter 15 - SIGNS AND BILLBOARDS

Sec. 15-1. - Definitions.

The following definitions shall apply in this chapter:

"A" frame or sandwich sign: A portable upright, rigid supporting sign in the form of a triangle or an inverted V.

Advertising structure: A sign or sign structure erected or intended for advertising purposes, with or without advertisement displayed thereon, situated upon or attached to real estate, upon which any poster, bill, printing, painting or device is fastened, affixed or displayed.

Animated sign: A sign which depicts action or motion or which changes color. An animated sign differs from a flashing sign in that it uses movement to create a special effect or scene, rather than as an attention-getting technique.

Banner sign: A sign made of cloth, fabric, paper, nonrigid plastic or similar type of material.

(1) A sign erected by an official government agency to denote the name of any thoroughfare; to point out the route to any city, educational institution, public building, historic place or hospital; to direct and regulate traffic; and to denote any railroad crossing, bridge or other transportation facility for the convenience and safety of the general public.

(2) A sign giving directions or information about an establishment without advertising except that business logos are permitted. Such name and/or logo shall not exceed fifty (50) per cent of sign area. Directional signs may be used to identify entrances, exits, parking areas, clearances, standpipes, business hours, restrictions and traffic directions and order boards.

Facade: (See wall face.)

Flag of the United States of America: Often referred to as the American flag, it consists of thirteen (13) equal horizontal stripes of red (top and bottom) alternating with white, with a blue rectangle in the canton (referred to specifically as the "union") bearing fifty (50) small, white, five-pointed stars arranged in nine (9) offset horizontal rows, where rows of six (6) stars (top and bottom) alternate with rows of five (5) stars.

Flag—All other: A piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as the symbol or emblem of a country or institution or as a decoration during public festivities.

Flashing sign: Any sign which contains a continually intermittent or sequential flashing light source.

Ground sign: A sign affixed to the ground, either flush or on poles, and not attached to any building for support, which may include a reader board (also called a detached, pole or freestanding sign).

Group of establishments: Two (2) or more commercial, industrial or public establishments that share common frontage, access points, off-street parking, loading and identity containing one or more structures approved as a single development.

Illuminated sign: Any sign designed to emit artificial light or designed to reflect light from one or more sources of artificial light.

Interchange of copy: The change or replacement of lettering on a sign without the replacement of the sign face itself.

Main street: An abutting public right-of-way which has the greatest vehicular design capacity or current traffic volume relative to all other abutting public rights-of-way.

Marquee: Any hood, awning or canopy of permanent construction which projects from the wall face of a building.

Marquee sign: A sign which is attached to a marquee.

Message sign: An electronically changeable sign upon which graphic displays, symbols

Obscene: The status of material which the average person, applying contemporary community standards, would find, taken as a whole, appeals to the prurient interest, or depicts or describes, in a patently offensive way, sexual conduct, or taken as a whole lacks serious literary, artistic, political or scientific value.

Off-premises sign: Any sign which advertises a use, establishment, product or service that is sold, produced, manufactured or furnished at a place other than on the property on which said sign is located. (Also called an outdoor advertising sign or billboard.)

On-premises sign: A sign which advertises or directs attention to a use or establishment located on-premises or a product or service available on-premises.

Out parcel: A parcel of property containing a single structure with one tenant located within a group of establishments which may be separately owned or leased from the owner of the group of establishments.

Parapet: A false front or wall extension above the roof line.

Pedestrian sign: A sign which is attached to the underside of a cantilevered roof, portico or overhang that extends from the wall face of an establishment or use and covers a pedestrian passageway.

Pennant: Any relatively long, tapering flag or banner.

Pole banner: A banner that is attached to and displayed upon an upright pole or staff; also called a vertical banner or feather banner.

Portable sign: A moveable sign not secured or permanently attached to the ground. (Also a trailer, "A" frame or sandwich sign.)

Projecting sign: A sign which is affixed to and extends from the outside wall or facade of a building.

Reader board: A sign upon which copy is manually changed periodically to advertise special sales or to otherwise convey a message to the public.

Roof sign: Any sign erected over or on the roof of a building.

Sign: Any exterior identification, description, illustration or device which directs attention to a product, service, place, activity, person, establishment, institution or business; or any emblem, painting, banner, pennant, placard or temporary sign designed to advertise, identify or convey information.

Sign areas:

(1) *Ground and projecting signs:* The entire area within and enclosed by the exterior perimeter of all cabinets or modules within a single, continuous geometric figure, including but not limited to, all written copy, logos, symbols, decorative embellishments and border or roof treatments. This shall include all open areas within said perimeters and all space separating said cabinets or modules. Only

Sign structure: All the interrelated parts and materials, such as beams, poles, and mounts, which are constructed for the purpose of supporting or displaying a message or informative content.

Special event sign: A sign which calls attention to activities of a temporary nature.

Temporary sign: A sign which advertises, for a limited period of time, issues including but not limited to political candidates, parties or issues; active construction projects and proposed development projects; real estate for sale, rent or lease; business grand openings, sales events or other types of special events that do not require a special event permit under section 12-301.

Trailer sign: An advertising structure mounted on skids, wheel or wheels, constructed for the sole purpose of advertising, licensed or unlicensed.

Vehicular sign: A sign affixed to a vehicle or trailer for the purpose of advertising. For the purposes of this chapter, such signs shall only be applicable when said vehicle or trailer is temporarily or permanently located on a parcel for the primary purpose of conveying a business message.

Wall face: The entire building front, including the parapet.

Wall sign: A sign erected parallel to the outside wall facade of any building including flat, painted, individual letter or cabinet signs. Mansard and marquee signs shall conform to wall sign provisions.

Window sign: A sign which is painted on or displayed within a storefront window or door.

SECTION 2. Chapter 15 – Signs and Billboards, Sec. 15-7 – Permitted Signs of the Code of Ordinances of the City of Fort Pierce, Florida, is hereby amended so that the same shall read thereinafter as follows:

Sec. 15-7. - Permitted signs.

The following types and sizes of signs or advertising structures shall be permitted within the following zoning districts:

(1) *Single-family residential zoning districts (E-1,E-2, E-3 R-1, R-2 and R-3).*

a. *Semi-restricted uses.* Temporary signs that comply with Sec. 15-6(d) and that do not to exceed eight (8) square feet and one non-illuminated–wall sign per individual dwelling unit, which shall not exceed one square foot in sign area.

b. *Conditional uses.* Types and sizes of signs or advertising structures as permitted by section 15-8(3) in an office commercial zoning district, except that ground signs shall not exceed eighteen (18) square feet in sign area.

(2) *Multi-family residential zoning districts (R-4, R-4A and R-5).*

a. *Semi-restricted uses:*

1. Temporary signs that comply with Sec. 15-6(d) and that do not to exceed thirty-two (32) square feet on lots of one (1) acre or more, or

b. *Conditional Uses.* Types and sizes of signs or advertising structures as permitted by section 15-8(4) in limited commercial zoning districts except that ground signs shall not exceed thirty-two (32) square feet in sign area.

(3) *Office commercial and Edgartown Settlement zoning districts (C-1, ES).*

a. *Semi-restricted uses.*

1. Temporary signs that comply with Sec. 15-6(d) and that do not to exceed thirty-two (32) square feet. Temporary signs must be placed a minimum of twenty-five feet (25') apart and one wall sign per tenant or occupant which shall not exceed two (2) square feet in sign area.

2. One wall sign per building, which shall not exceed twenty-four (24) square feet in sign area.

3. Any establishment, or group of establishments, which has main street lot frontage of sixty (60) linear feet or more, shall also be permitted one ground sign, which shall not exceed forty-eight (48) square feet in sign area and six (6) feet in height.

4. Directional signs, which shall not exceed six (6) square feet in sign area may be installed as needed with the approval of the director in accordance with section 15-9.

b. *Conditional uses.* Types and sizes of signs or advertising structures as permitted by section 15-8(4) in limited commercial zoning districts unless restricted by the city commission when the conditional use is approved.

(4) *Limited commercial and Open Space / Recreational zoning districts (C-2, C-5, C-6, OS-1, OS-2, A-1 and A-2).*

a. *Semi-restricted uses.*

1. One wall sign or one projecting sign per tenant, which shall not exceed a sign area equal to twenty (20) per cent of the total wall face area fronting on the main street.

2. Any establishment, or group of establishments, which has a main street lot frontage of sixty (60) linear feet or more, shall also be permitted one ground sign. Such sign shall not exceed a sign area equal to one square foot for every three (3) linear feet of main street of lot frontage, up to a maximum of two hundred (200) feet. Structures on out parcels with a single tenant having sixty (60) feet of frontage or more shall also be permitted a separate ground sign subject to the restrictions above. The out parcel frontage shall not be subtracted in calculating the frontage for the group of establishments.

3. One pedestrian sign per tenant, which shall not exceed six (6) square feet in sign area.

4. One rear entrance wall sign per tenant which shall not exceed six (6) square feet in sign area.

5. Window signs per tenant, which shall not exceed twenty-five (25) per cent of such open window display area.

6. Directional signs, which shall not exceed six (6) square feet each in sign area, may be installed as needed with the approval of the director in accordance with section 15-9.

2. One wall sign or one projecting sign per tenant, which shall not exceed a sign area equal to twenty (20) per cent of the total wall face area fronting on the main street.
3. Any establishment, or group of establishments, which has a main street lot frontage of sixty (60) linear feet or more, shall also be permitted one ground sign. Such sign shall not exceed a sign area equal to one square foot for every three (3) linear feet of main street of lot frontage, up to a maximum of two hundred (200) square feet except that one additional ground sign shall be permitted when the main street lot frontage exceeds five hundred (500) feet. The second ground sign shall not exceed a sign area equal to one square foot for every three (3) linear feet of main street lot frontage in excess of the first five hundred (500) feet of frontage, up to a maximum of two hundred (200) square feet. Structures on out parcels with a single tenant having sixty (60) feet of frontage or more shall also be permitted a separate ground sign subject to the restrictions above. The out parcel frontage shall not be subtracted in calculating the frontage for the group of establishments.
4. One pedestrian sign per tenant, which shall not exceed six (6) square feet in sign area.
5. One rear entrance wall sign per tenant, which shall not exceed six (6) square feet in sign area.
6. Window display signs per tenant, which shall not exceed twenty-five (25) per cent of such open window area.
7. Directional signs, which shall not exceed six (6) square feet in sign area, may be installed as needed.
8. Temporary signs that comply with Sec. 15-6(d) and that do not to exceed thirty-two (32) square feet. Temporary signs must be placed a minimum of twenty-five feet (25') apart.

b. *Conditional uses.* Same as semi-restricted uses.

(6) *Planned development and planned unit redevelopment zoning district (PD or PUR).* Except for temporary signs that comply with Sec. 15-6(d) and that do not exceed thirty-two (32) square feet, the types and sizes of signs and advertising structures permitted shall be determined by the city commission as part of the final development or redevelopment plan except that in no instance may the permitted signage exceed that permitted by section 15-8(5)(a)2, 3, 4, 5, 6, 7 and 15-8(5)(b).

(7) *I-95 and turnpike interchange district.*

a. *Area defined.* The area subject to this section shall include all commercial and industrial lots or parts thereof located within:

- One half mile of where I-95 N intersects with State Road 70; or
- One half mile of the commencement of the southbound turnpike off ramp; or
- Extends a half mile both north and south of State Road 70 between the two interchanges.

b. *Ground sign standards.* Any establishment or group of establishments, which has a main street frontage of sixty (60) linear feet or more, located on

SECTION 3. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4. All Ordinances or parts of Ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

SECTION 5. This Ordinance is and the same shall become effective immediately upon final passage hereof.

APPROVED AS TO FORM
AND CORRECTNESS:

_____

James M. Messer, Esquire
City Attorney

STATE OF FLORIDA)
ST. LUCIE COUNTY)SS

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.17-029 was duly advertised by title only in the St. Lucie News Tribune on December 8, 2017; 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 December 18, 2017; and was duly introduced, read by title only, and passed on second and final reading January 2, 2018 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 2nd day of January, 2018.

_____

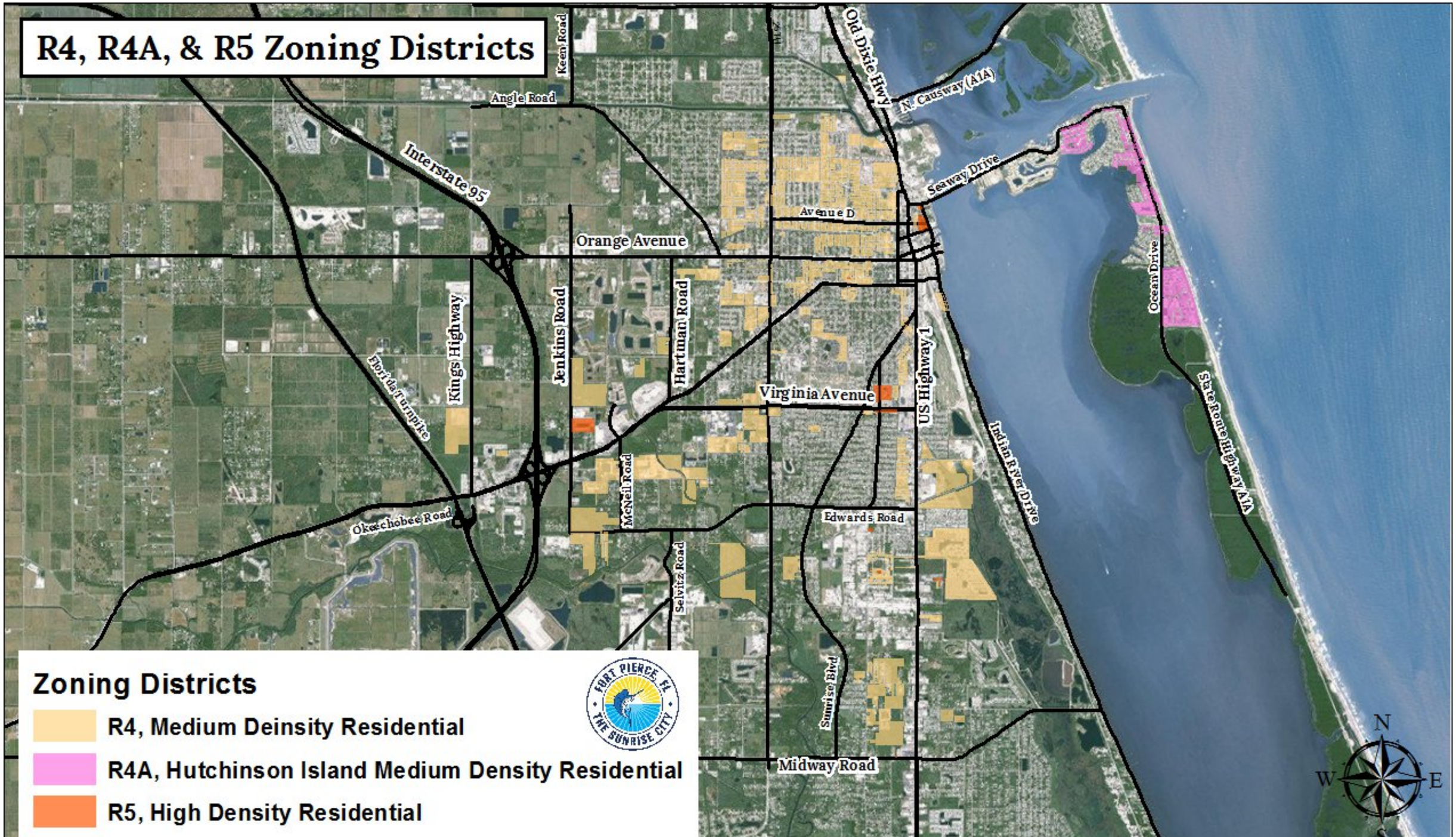
Linda Hudson,
Mayor Commissioner

ATTEST:

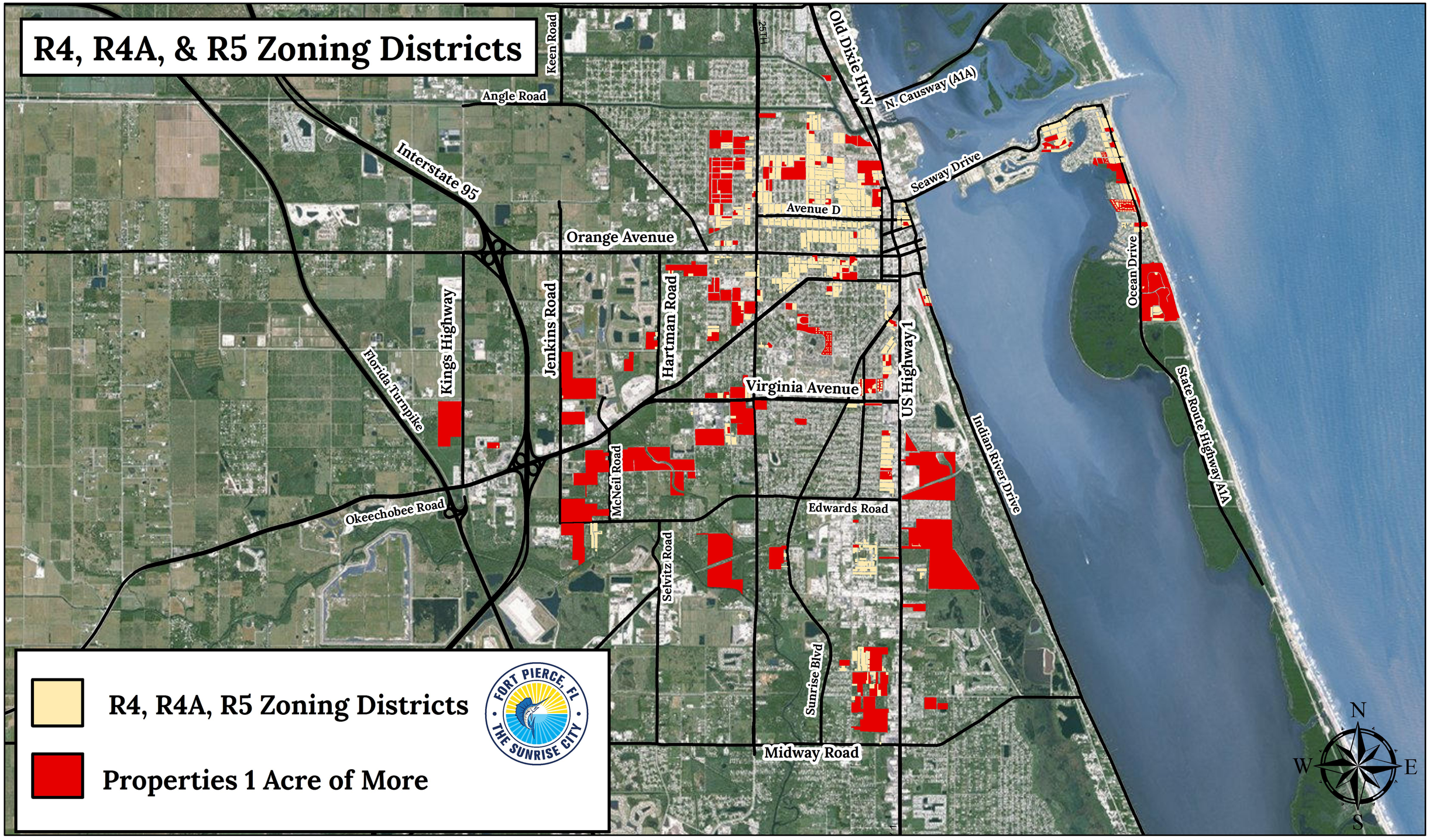
_____

Linda W. Cox

R4, R4A, & R5 Zoning Districts



R4, R4A, & R5 Zoning Districts



City Commission Regular Meeting **12.f.**

Meeting Date: 12/18/2017

Re: Animal Control Ordinance update

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

---

SUBJECT:

Legislative Hearing - Ordinance No. 17-039 Amending Chapter 4 - Animals to resolve issues identified by staff during the first year of enforcement efforts regarding tethering. FIRST READING

SUMMARY:

An ordinance amendment to resolve issues identified by staff during the first year of enforcement efforts regarding tethering.

- Provides a definition for "responsible person".
- Specifically requires a responsible person to be outside and in view of the animal whenever it is tethered.
- Amends the penalty from $50.00 to $100.00.

RECOMMENDATION:

Approve the ordinance as presented.

ALTERNATIVES:

Make additional amendments to the ordinance.
Deny the recommended amendments and maintain current ordinance.

RESPONSIBLE STAFF:

Margaret M. Arraiz, Code Compliance Manager

COORDINATED WITH:

Iola Mosely, Assistant City Attorney

Fiscal Impact

OTHER INFORMATION:

None

Attachments

17-039

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	12/12/2017 11:59 AM
Form Started By: Peggy Arraiz		Started On: 12/06/2017 01:17 PM

Final Approval Date: 12/12/2017

ORDINANCE 17-039

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; **CHAPTER 4 – ANIMALS**; AMENDING **ARTICLE I** – GENERAL; **SEC. 4-1** – DEFINITIONS, AMENDING **ARTICLE II** – ANIMAL CONTROL; **SEC. 4-22** – RESTRAINT OF ANIMALS, GENERALLY; PROVIDING FOR A SEVERABILITY CLAUSE; AND REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 4 of the Code of Ordinances of the City of Fort Pierce, Florida provides for the regulation and control of animals within the city limits; and

WHEREAS, on August 15, 2016, the City Commission of the City of Fort Pierce, in recognition that the keeping of dogs outdoors without proper shelter, food or water and in extreme weather conditions constitutes animal cruelty and neglect, adopted Ordinance No. 16-015 to establish regulations for the tethering of dogs; and

WHEREAS, periodic amendments to the Code of Ordinances are necessary to address deficiencies identified during the enforcement of the ordinance; and

WHEREAS, it has been shown that dogs suffering from cruelty and neglect often become aggressive, posing a threat to the health and safety of the local community; and

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

SECTION 1. Chapter 4, Article I, Section 4-1 of the Code of Ordinances of the City of Fort Pierce, Florida, is hereby amended so that the same shall read thereinafter as follows:

Sec. 4-1 Definitions.

As used in this chapter, the following terms shall have the indicated meaning.

Animal. Any non-speaking, live, vertebrate creature, domestic or wild.

Animal control officer. Any person employed or appointed by the city who is authorized to investigate, on public or private property, civil infractions relating to animal control or cruelty, licensure of animals, or seizure and impoundment of animals and to issue citations as provided in this article.

Animal shelter. Any facility operated by a humane society or municipal agency or its authorized agents for the purpose of impounding or caring for animals held under the authority of this chapter or state law.

At large. Any animal which is off the premises of its owner or keeper and not under the restraint of its owner or keeper.

Attack. An event whereby an unprovoked animal lunges at, runs after or otherwise chases or approaches a person or other animal and such event either occurs in a threatening or menacing manner or causes some type of injury.

Bird or Fowl. Any member of the avian species, regardless of sex.

Bite. An actual puncture or tear of the skin inflicted by the teeth of an animal.

Breeder. Any person who owns, keeps, harbors, maintains, or has custody of dogs or cats that produce any litter or offspring that are offered for sale, or that produce a combined total of two or more litters during a twelve month period.

Cat. Any feline, regardless of sex.

Citation. A written notice, issued to any person by an officer, that the officer has probable cause to believe that the person has committed a civil infraction in violation of a duly enacted ordinance and that the county court will hear the charge. Pursuant to F.S. § 828.27, the citation shall contain:

(1) The date and time of issuance.

(2) The name and address of the person.

(3) The date and time the civil infraction was committed.

(4) The facts constituting probable cause.

(5) The ordinance violated.

(6) The name and authority of the officer.

(7) The procedure for the person to follow in order to pay the civil penalty, to contest the citation, or to appear in court.

(8) The applicable civil penalty if the person elects to contest the citation.

(9) The applicable civil penalty if the person elects not to contest the citation.

(10) A conspicuous statement that if the person fails to pay the civil penalty within the time allowed, or fails to appear in court to contest the citation, the person shall be deemed to have waived his or her right to contest the citation and that, in such case, judgment may be entered against the person for an amount up to the maximum civil penalty.

Confined. Physically preventing an animal from leaving the premises of its owner or keeper. Control. The possession, ownership, care and custody of animals.

Controlled burial. Burying at least two (2) feet below the surface of the ground and one hundred (100) feet from any water well.

Cruelty. Any act of neglect, torture or torment that causes the unjustifiable pain or suffering of an animal.

Dangerous dog. Any dog that according to the records of the appropriate authority:

(1) Has aggressively bitten, attacked, or endangered or has inflicted severe injury of a human being on public or private property;

(2) Has more than once severely injured or killed a domestic animal while off the owner's property; or

(3) Has, when unprovoked, chased or approached a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, provided that such actions are attested to in a sworn statement by one or more persons and dutifully investigated by the division. Dog. Any animal of the canine species, regardless of sex.

Domestic animal. Dogs, cats, or other animals that are kept primarily as pets for pleasure rather than utility and that do not require a special permit by the Florida Fish and Wildlife Conservation Commission.

Exposed to rabies. A person, dog, cat or other animal that has been bitten by, or been exposed to, any animal known to have been infected with rabies.

Extreme weather. for the purposes of this chapter shall include but not be limited to the following conditions:

(1) Hurricane;

(2) Tropical storm;

(3) Above 85 degrees Fahrenheit with a heat index of 100 degrees heat index; or

(4) Below 40 degrees Fahrenheit with a 35 degrees wind chill factor.

In determining whether extreme weather conditions exist, an animal control officer shall consider extenuating circumstances that provide for the safety of the animal through other means.

Feral. Any dog or cat exiting in a wild or untamed state, or any dog or cat that has returned to an untamed state from domestication.

Harbor. The act of keeping and caring for an animal or providing premises to which the animal returns for food, shelter, or care for five consecutive days. This shall not include those circumstances wherein an individual temporarily captures or holds a stray animal and immediately returns the animal to its owner or an animal control officer.

Hunt or hunting. To follow, search, or pursue any animal or the use of structures or tree stands for the purpose of capturing or killing either for food or in sport, or the use of any animal or hunting falcon for this purpose.

Impoundment. The taking of or picking up of and confinement of an animal by an officer under the provisions of this article.

Leash or lead. A cord, rope, chain or similar device which holds an animal under restraint and is not more than six (6) feet in length.

Livestock. Horses, mules, donkeys, cattle, calves, sheep, goats, pigs, hogs or any other grazing animal.

Microchip. A small chip implanted under an animal's skin that transmits an identification number to an electronic scanner, which provides pet ownership data through cross reference to microchip registry.

Officer. Any law enforcement officer defined in, F.S. § 943.10, or any animal control officer employed by the city.

Ordinance. Any ordinance relating to the care, custody, control of or cruelty to animals enacted by the city, the violation of which is a civil infraction.

Owner. Any person, partnership, corporation or entity possessing, owning, keeping, caring for, or harboring one or more animals including any custodian or other person in charge of an animal.

Proper enclosure of a dangerous dog. While on the owner's property, a dangerous dog is securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top to prevent the dog from escaping over, under, or through the structure and shall also provide protection from the elements.

Public nuisance.

(1) Any animal which:

a. Attacks passersby or passing vehicles without provocation;

b. Attacks other animals;

c. Is repeatedly at large and not under restraint;

d. Trespasses on school grounds;

e. Damages private or public property;

f. Repetitively barks, whines, howls, chirps, caws, or whistles for a period of five (5) minutes or more so as to disturb adjacent residents; or

g. Causes an annoyance in the neighborhood by acts such as overturning garbage cans, defecating, digging holes on other than its owner's property, or such other acts as are generally regarded to create an annoyance.

(2) Any activity, such as, but not limited to, the feeding of wild animals or fowl, which:

a. Causes the fouling of the air by odor and thereby creates unreasonable annoyance or discomfort to those in close proximity to the premises where the animals or fowl congregate; or

b. Causes a sanitary nuisance as defined in F.S. § 386.01.

(3) The keeping of any wild animal in violation of the provisions of F.S. Ch. 372 and regulations promulgated by the Florida Game and Fresh Water Fish Commission.

Quarantine. A strict confinement, isolation and observation imposed on animal(s) suspected of having rabies or any other infectious zoonotic disease, or premises or other defined geographic areas, to prevent the spread of disease or pests.

Responsible Person. A responsible person is an individual who is at least fifteen (15) years of age or older who my provide temporary supervision or care for an animal as permitted by the owner of the animal. A responsible person as described herein may be the owner, or may be a person who is not the owner but has been permitted by the owner to provide temporary supervision or care.

Severe injury. Any physical injury that results in broken bones, multiple bites, or disfiguring lacerations requiring sutures or reconstructive surgery.

Sterilized. Rendered permanently incapable of reproduction.

Tease. To intentionally disturb, provoke, interfere with, or annoy any animal.

Tether. To tie or otherwise attach an animal to a stake, pole, tree, or other stationary object without providing direct control and supervision of the animal.

Under restraint. Any animal confined within the premises of its owner or keeper, or under immediate, continuous physical control, secured by a leash or lead.

Unprovoked. The victim what has been conducting himself or herself peacefully and lawfully has been bitten or changed in a menacing fashion or attacked by an animal.

Unsterilized. Any non-spayed or non-neutered animal.

Vicious animal. Any fierce or dangerous animal that constitutes a physical threat to human beings or other animals, or any animal for which the animal control officer has documentation to establish that the animal has bitten any person or other animal on two (2) separate occasions without provocation within a period of one year.

SECTION 2. Chapter 4, Article II, Section 4-22 of the Code of Ordinances of the City of Fort Pierce, Florida, is hereby amended so that the same shall read thereinafter as follows:

Sec. 4-22. - Restraint of animals; generally.

(a) Animals shall not be allowed outside the confines of their own homes without proper restraint except as provided in this section.

(1) Dogs, cats and small domestic animals shall not be kept outside in crates, whether metal, wood, plastic or other material.

(2) Dogs, cats and small domestic animals may be kept outside in a fenced enclosure if the enclosure contains a shelter which meets the following requirements:

(a) Is weatherproof and made of durable materials so as to provides adequate protection from the sun, wind and rain;

(b) Provides a solid floor. Wire, grid or slat floors of structures that permit the animal's feet to pass through openings, or sag under the animal's weight, or that otherwise do not protect the animal's feet or toes from injury are prohibited;

(c) Provides a solid roof;

(d) Contains clean and dry bedding material;

(e) Elevated a minimum of six inches from the ground and be free standing of water;

(f) Provides sufficient space for each animal to comfortably stand up, sit down, lie down and turn around in the shelter. If the shelter is used for more than one animal at the same time, it must provide enough space for each animal to comfortably stand up, sit down, lie down, and turn around simultaneously; and

(g) Provides ingress and egress for the animal to enter and exit the shelter at all times.

(h) Be kept in a clean and sanitary condition free from accumulated waste and debris.

(3) Any animal left unattended in an outdoor fenced enclosure shall be provided a minimum open space, excluding the shelter(s) within the enclosure, based upon the dog’s size as set forth below:

(a) Twenty pounds or less (small): Thirty-two square feet.

(b) Twenty-one pounds to Fifty pounds (medium): Sixty square feet.

(c) Over Fifty pounds (large): Eighty square feet.

(d) An additional Sixteen square feet is required for each additional dog.

(4) Sufficient food and water shall be provided at all times daily, including weekend and holidays.

(5) No animal shall be tethered unless all of the following provisions are met:

(a) A responsible person must be outside and within view of the animal must be in view of the person responsible for the animal at all times while tethered.

(b) Animals younger than six months old, older than seven years, or ill shall not be tethered.

(c) The length and weight of the tether shall be appropriate for the animal breed and shall be a minimum of ten feet long or four times the length of the animal (measured from tip of nose to base of tail), whichever is greater.

(d) The tether must have swivels at both ends of the rope, chain or similar restraint for holding an animal in place, allowing a short radius in which it can move about and not become tangled.

(e) Prong, choke or chain collars are prohibited in the use of tethering animal.

(f) Area which the animal may reach while tethered shall be free of entanglements.

(g) The length and location of the tether must not allow the animal to reach a fence or neighboring property.

(h) Collar weight shall be appropriate for the animal as determined by a reasonable person.

(i) A trolley system is permitted.

(j) An animal may not be tethered in extreme weather, including but not limited to hurricanes, tropical storms or tornados.

(k) The animal shall have access to a water, shade and a dry and raised area at all times.

(6) Any enclosed area where a dog is confined shall be kept free of objects that may injure the dog and shall be cleaned regularly to remove feces.

(7) Dogs on residentially zoned property shall not be maintained outdoors during periods of extreme weather.

(b) It shall be unlawful for any operator of a motor vehicle to allow an animal to ride in any unenclosed section of the vehicle without enclosing the animal in a cage that is secured to the vehicle or securing the animal with a restraint device that will not permit the animal to reach the outside perimeter of the vehicle.

(c) A violation of this section shall constitute a Class ~~A~~ B civil infraction, punishable as provided within this chapter.

SECTION 3. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4. All Ordinances or parts of Ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

SECTION 5. This Ordinance is and the same shall become effective immediately upon final passage hereof.

APPROVED AS TO FORM
& CORRECTNESS:

_____

James M. Messer
City Attorney

STATE OF FLORIDA)
ST. LUCIE COUNTY)SS

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. 17-039 was duly advertised by title only in the St. Lucie News Tribune on December 8, 2017; 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 December 18, 2017; and was duly introduced, read by title only, and passed on second and final reading on January 2, 2018, 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 2nd day of January, 2018.

_____
Linda Hudson,
Mayor Commissioner

ATTEST:

_____
Linda W. Cox
City Clerk

(CITY SEAL)

City Commission Regular Meeting **13.a.**

Meeting Date: 12/18/2017

Re: North Causeway Bridge Observation Deck - Resolution of Support to FDOT

Submitted For: John Andrews, City Engineer, Engineering

SUBJECT:

Resolution 17-R42 to the Florida Department of Transportation (FDOT) showing the City Commission's support for the inclusion of an observation deck into the design and construction of the North Causeway Bridge Replacement project.

SUMMARY:

A request for the City Commission to show support to the FDOT for construction of a observation deck to be constructed beneath, and concurrently, with the construction of the new North Causeway Bridge. Construction costs would be at the expense of FDOT with maintenance obligations the responsibility of the City.

RECOMMENDATION:

Staff recommends approval

ALTERNATIVES:

Withdraw support of the observation deck and have FDOT proceed with the bridge replacement only.

RESPONSIBLE STAFF:

Engineering

COORDINATED WITH:

Public Works, St. Lucie TPO

Fiscal Impact

Budgeted Y/N: N/A

Fiscal Year: N/A

Account: N/A

Amount: N/A

OTHER INFORMATION:

Future costs will be encountered as they relate to the maintenance of the observation deck.

Attachments

Resolution

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	12/12/2017 12:00 PM

Form Started By: Tracy Telle
Started On: 12/05/2017 11:02 AM
Final Approval Date: 12/12/2017

THE SUNRISE CITY
FORT PIERCE
CITY ATTORNEY'S OFFICE Florida

RECEIVED
TIME _____
DEC 4 2017
CITY OF FT. PIERCE
CITY MANAGER'S OFFICE

TO : Nicholas C. Mimms, P.E., City Manager

FROM : James M. Messer, City Attorney

RE : Proposed Resolution No. 17-R42 Supporting the Construction of an Observation Deck in conjunction with North Causeway Bridge Replacement

DATE : December 4, 2017

This above referenced Resolution has been Approved as to Form and Correctness by the City Attorney.

Please feel free to contact this office if you have comments or inquiries concerning this matter.

JM/aw

Attachment

C: John R. Andrews, City Engineer
Linda Cox, City Clerk

OK
12/5/17

THE SUNRISE CITY
FORT PIERCE
CITY ATTORNEY'S OFFICE

RECEIVED
DEC 01 2017
BY Florida

RECEIVED
TIME
NOV 30 2017
CITY OF FT. PIERCE
CITY MANAGER'S OFFICE

CITY ATTORNEY USE ONLY

Date Received:	12/01/17
Assigned To:	
File:	
Due Date:	12/04/17
Hours:	1.9

REQUEST FOR LEGAL SERVICES

TO: JAMES M. MESSER, CITY ATTORNEY

SUBMITTED BY: JOHN R. ANDREWS, P.E., CITY ENGINEER JRA

CITY MANAGER AUTHORIZATION: NICHOLAS C. MIMMS, P.E., CITY MANAGER NCM

RE: PROPOSED RESOLUTION SUPPORTING CONSTRUCTION OF AN OBSERVATION DECK IN CONJUNCTION WITH NORTH CAUSEWAY BRIDGE REPLACEMENT

DATE: NOVEMBER 30, 2017

Service Required: (please circle or underline)

Review Documents	**Draft Document**	**Written Opinion Requested**
Attend Meetings	**Advise**	**Other:** _____

Upon review and/or "Approval as to Form and Correctness," the Department submitting the RLS is responsible for placement of any related item on a Commission or Board Agenda.

1. **Brief statement of the nature of the request or problem:** Request review and approval of proposed resolution showing the support of the City of Fort Piece for the construction by FDOT of an observation deck beneath the proposed North Causeway Bridge replacement.

2. **Discussion of the implications and the possible impact if not apparent from preceding information:** None

3. **Time considerations and their significance:** Requested by St. Lucie TPO Director to have adoption by end of December 2017.

4. **Are City funds required? If so, list approvals obtained for expenditure of funds:** No funding is requested at this time, but future maintenance responsibilities must be committed.

5. **Factual background:** Provide City's desire and support to FDOT to provide public access to the water for recreational activities.

6. **List and/or attach all related documents and known authorities (e.g., statute, ordinance, resolution, administrative code, legal case, RFP, bidder's response, contract, lease, letter, memorandum, prior legal opinion, deed, etc.): Not applicable**

7. **Identify prior legal assistance on this or a related matter and the attorney who handled it: None**

8. **If this is a request for review of a contract, provide the following:**

    a. **List of individuals who have read and approved the business terms and conditions of the contract and confirmed the ability to carry out the terms of the contract as they apply to the City:** Not Applicable

    b. **Insurance requirements that differ from the City's template insurance terms:** Not Applicable

CITY ATTORNEY USE ONLY			
Routed for Review	**Date**	**Response Deadline**	**Response**

RESOLUTION 17-R42

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **SUPPORTING THE CONSTRUCTION OF AN OBSERVATION DECK** UNDER THE WESTERN END OF THE REPLACEMENT STATE ROAD A1A NORTH CAUSEWAY BRIDGE, COMMITTING TO THE MAINTENANCE OF THE OBSERVATION DECK UPON THE COMPLETION OF ITS CONSTRUCTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Transportation ("FDOT") will be constructing the State Road ("SR") A1A North Causeway Bridge Replacement Project (FPID# 4299362);

WHEREAS, as part of the SR A1A North Causeway Bridge Replacement Project ("Project"), the existing SR A1A North Causeway Bridge will be demolished;

WHEREAS, the FDOT has constructed observation decks under replacement causeway bridges recently constructed in Indian River and Martin Counties;

WHEREAS, FDOT may construct an observation deck under the western end of the replacement SR A1A North Causeway Bridge as part of the Project;

WHEREAS, the western end of the Project is located within the municipal boundaries of the City of Fort Pierce ("City");

WHEREAS, the City identified the need for additional public fishing facilities within the municipal boundaries of the City; and,

WHEREAS, FDOT requested that the City adopt a resolution expressing its support for the construction of and its commitment to the maintenance of an observation deck underneath the western end of the replacement SR A1A North Causeway Bridge.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, THAT:

SECTION 1. The City Commission supports the construction of an observation deck under the western end of the replacement SR A1A North Causeway Bridge as part of the Project.

SECTION 2. The City Commission commits to the City of Fort Pierce entering into an agreement for the maintenance of the observation deck and maintaining it upon the completion of its construction.

SECTION 3. This Resolution becomes effective immediately upon its adoption.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 4th day of December, 2017.

_____
Linda Hudson, Mayor

ATTEST:

_____
Linda Cox, City Clerk

Approved as to Form
And Correctness:

_____
James M. Messer, Esq.
City Attorney

City Commission Regular Meeting **13.b.**

Meeting Date: 12/18/2017

Re: Request for Letter of Support for Brownfield Clean-up Activities at 1150 S US Highway 1

Submitted For: Rebecca Grohall, Director, Planning & Zoning

SUBJECT:

Request for letter in support of redevelopment of Brownfield Site ID #BF560702001 located at 1150 South U.S. Highway 1, Ft. Pierce, FL 34950 (Parcel 2415-602-0002-000-2)

SUMMARY:

- The subject site was previously declared a Brownfield, with previous remediation efforts taking place on-site.
- The Property Owners, LGFTP I LLC, completed additional soil tests upon acquisition of the property, in preparation for future development. Upon findings of contamination, potentially a rebound situation, the applicant has engaged coordiantion for the Floride Department of Environmental Protection (FDEP) to explore resolution.
- The FDEP is exploring the option to reopen the previous Brownfield, and treat the found contamination as a potential rebound situation, subject to additional testing in the near term.
- The property owners are requesting a letter of support from the City, to further this effort to finalize clean-up of the site.

RECOMMENDATION:

Staff recommends approval of the attached letter of support.

ALTERNATIVES:

Staff will proceed as directed by the City Commission.

RESPONSIBLE STAFF:

Kori Benton, Senior Planner

COORDINATED WITH:

Linda Cox, MBA, Assistant City Manager

Fiscal Impact

OTHER INFORMATION:

There is not fiscal impact to the City of Fort Pierce, as it does not present any commitment of resources.

Attachments

Draft Letter of Support

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	12/12/2017 05:12 PM

Form Started By: Kori Benton
Started On: 12/06/2017 05:00 PM
Final Approval Date: 12/12/2017

THE SUNRISE CITY
FORT PIERCE
OFFICE OF THE MAYOR AND CITY COMMISSION
Florida

December 6, 2017

Diane Pupa
Brownfields Coordinator, Southeast District
Florida Department of Environmental Protection
3301 Gun Club Road, MSC 7210-1
West Palm Beach, Florida 33406
561-681-6782
Diane.Pupa@dep.state.fl.us

Re: Brownfield Site ID #BF560702001
Letter of Support

Dear Ms. Pupa:

The purpose of this letter is to express the City of Fort Pierce's support for redevelopment of Brownfield Site ID #BF560702001, located at 1150 South U.S. Highway 1, Ft. Pierce, FL 34950.

The property's current zoning is General Commercial, C-3. This zoning category allows a range of uses, intended to provide for a broad variety of business activities including shoppers' goods stores, convenience goods and service establishments, offices and tourist/entertainment facilities. Subject to applicable Land Development Code, the Comprehensive Plan, and building permitting, the City supports the redevelopment of this property from its current vacant state to the uses allowed by the encompassing zoning district.

With the recent redevelopment of the adjacent parcel to the immediate south as an Aldi grocery store, this property presents a redevelopment opportunity along our US Highway 1 corridor, and is important to the City's economic development goals and redevelopment efforts.

Thank you for your assistance with this property. Should you have any questions, please let me know.

Sincerely,

Please feel free to contact me with any questions or requests for additional information.

Sincerely,

Mayor Linda Hudson

Site Aerial - 12/2016
US Highway 1
Ohio Avenue

Site Aerial - 10/2017
New ALDI

City Commission Regular Meeting **13.c.**

Meeting Date: 12/18/2017

Re: Planning Board

Submitted For: Nick Mimms, City Manager, City Manager

SUBJECT:

Follow-up discussion of the Planning Board membership led by Commissioner Johnson.

Attachments

Report from Perona

Procedures

17-024 Change number of members

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/27/2017 02:06 PM
City Manager	Nick Mimms	11/27/2017 02:06 PM

Form Started By: Jennifer Robinson

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December 14, 2018

Mayor Linda Hudson, Mayor
Commissioner Jeremiah Johnson
Commissioner Rufus Alexander
Commissioner Reggie Sessions

Dear Fellow Commissioners:

I met with Bob Burdge last week and we talked about his role on the Planning Board. He has had a hard time with the recent changes the commission made that affected his board. As chairman, he felt the it was his responsibility to voice any issues that he had with the new structure as it dealt with the function of the board.

In my conversation with him, I spoke about the need for these changes as they relate to new laws and updated city policies. To say the least, Bob is intense and takes his roll as chairman very seriously. We both agreed that he may not be best suited to lead the Planning Board through these improvements and; therefore, has stepped down as chairman. He has asked to stay on the board as a regular member.

As a retired St. Lucie County Teacher and a past Fort Pierce City Commissioner, I would be hard pressed to replace Bob with someone of his experience and knowledge. Volunteers for our many different boards sacrifice their time and efforts to help guide our city. They have made an investment in the governance of their community and should be given every possible consideration for their commitment. I feel compelled to ask my fellow commissioners to indulge me in my continued support and appointment of Bob Burdge.

Thank you.

Sincerely,

Tom Perona
Commissioner District 2

CITY OF FORT PIERCE PLANNING BOARD PROCEDURES

1. The City of Fort Pierce Planning Board will meet the second Tuesday in each month at 6:00 pm in the Fort Pierce City Hall Commission Chambers.

2. Additional meetings may be held at any time upon the call of the chairman or upon request of the Mayor-Commission, following at least twenty-four (24) hours notice to each member of the Board.

3. The Board at its first regular meeting in September of each year shall elect a chairman, vice-chairman, and a secretary.

4. The duties and powers of the officers of the Planning Board shall be as follows:

a. Chairman:
(1) Preside at all meetings of the Board.
(2) Call special meetings of the Board in accordance with these procedures.
(3) Sign documents of the Board.
(4) See that all actions of the Board are properly taken.

b. Vice-Chairman:
(1) During the absence, disability, or disqualification of the chairman, the vice-chairman shall exercise or perform all the duties and be subject to all the responsibilities of the chairman.

c. Secretary:
(1) The secretary shall be custodian of the records and that person need not be a member of the board, provided that if not a member of the board, they shall not be entitled to vote.

5. A majority of the members of the Board entitled to vote shall constitute a quorum for the transaction of business. All recommendations from the Board for either approval or disapproval of any agenda item shall be by a majority vote of the members of the Board entitled to vote.

6. Robert's Rules of Order are hereby adopted for the government of the Board in all cases not otherwise provided for in these procedures.

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7. Procedures may be amended at any meeting by a vote of the majority of the entire membership of the Board, provided five days' notice has been given to each member of the Board.

8. The following order will normally be observed; however, it may be rearranged by the chairman for individual items if necessary for the expeditious conduct of the business:
a. Pledge of Allegiance
b. Roll Call
c. Consideration of Absences
d. Certification of Alternate Member voting status
e. Approval of Minutes
f. Annexations
g. Ordinance amendments
h. Comprehensive Plan amendments
i. Re-zonings
j. Conditional Uses
k. Site Plans
l. Other Business
m. Board Comments

9. Procedures for discussion. The following procedure will normally be observed:
a. Committee and staff presents report and makes recommendation
b. The Board may ask questions regarding the committee or staff report.
c. Proponents of the agenda item make presentation.
d. Opponents make presentation.
e. Applicant makes rebuttal of any point not previously covered.
f. Board asks any questions it may have of the proponents, opponents, or staff and then take a vote.

10. Deadline for consideration of non-agenda items:
No non-agenda item shall be taken after 10:00 pm, except that the chairman may waive this rule at his discretion.

11. Designation of voting order: Voting to be by verbal vote; and the order of voting is to be rotated each vote, except that the chairman shall vote last.

12. Each member, including alternate, of the Planning Board who has knowledge of the fact that he will not be able to attend a scheduled meeting of the Planning Board shall notify the Planning Department at City Hall at the earliest possible opportunity, and in any event, prior to 12:00 pm the date of the meeting. An explanation for the absence shall be provided. The Planning Director shall notify the chairman of the Board in the event that projected absences will produce the lack of a quorum. In case of absences, the alternate will be the first to fill absence. If a quorum is not met, then ex officio members will be contacted to fill absences. Upon their selection by the Chairman, alternate and ex officio members will have full voting privileges and count toward quorum requirements as long as the total sum of the resident appointees and participating alternate and ex officio members does not exceed seven (7).

13. The chairman shall be an ex-officio member of all committees, with voice but no vote.

14. In the event any office of the Board becomes vacant before the September meeting, a special election to fill the vacancy shall be held at the next meeting following the date the office became vacant, with the term of such office to end at the time of the September meeting.

15. Any decision or recommendation of the Planning Board may be rescinded or reconsidered at or during the same meeting the decision was taken or the recommendation was made. If, for good cause, the Board wishes thereafter to reconsider or rescind a measure, it may at any time recommends to the City Commission that it be given leave to reconsider as appropriate any earlier recommendation.

Adopted 9/28/2017

ORDINANCE NO. 17-024

AN ORDINANCE AMENDING THE PROVISIONS OF FORT PIERCE CODE OF ORDINANCES **CHAPTER 2, ARTICLE XII, SECTIONS 2-221 AND 2-223, REDUCING THE NUMBER OF PLANNING BOARD MEMBERS AND ELIMINATING ITS POWER TO ADOPT RULES AND REGULATIONS**; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Pierce, Florida established a planning board; and

WHEREAS, the City of Fort Pierce, Florida desires to reduce the number of planning board members to seven (7) members and (1) alternate, and eliminate its power to adopt rules and regulations.

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

SECTION 1. That chapter 2 – Administration, article XII, City Planning Board, sections 2-221 and 2-223 of the Code of Ordinances of the City of Fort Pierce, Florida, is hereby amended to read as follows:

Sec. 2-221. - Appointment; qualifications of members; terms.

There shall be appointed by the city commission a city planning board (referred to in this article as the "board") consisting of ~~ten (10)~~seven (7) members, and ~~two (2)~~ one (1) alternate member~~s~~, who have been residents of the city for the last two (2) years. ~~each of whom serve for a term of two (2) years.~~ Each member of the City Commission shall appoint one (1) member, to serve concurrently with the appointee's term. Additionally, two (2) at-large and one (1) alternate member shall be appointed by majority vote of the City Commission. Each at-large and/or alternate member shall serve for a term of two (2) years. Any member may be removed with or without cause by the city commission. The members of the city commission and the city manager shall be ex officio members of the city planning board.

Sec. 2-223. - Powers and duties.

The board shall have the following powers and duties:

(1) Personnel. The board is authorized to employ personnel necessary to make surveys and compile data essential to the preparation of a plan for municipal improvements and otherwise to assist the board in the execution of its powers and duties under this article. The employment of such personnel and the amount of salary to be paid shall be approved by the city commission. The board shall not in any manner obligate the city commission without prior approval of the city commission.

(2) Officers. Elect its own chairman, vice-chairman and secretary.

(3) ~~Rules and regulations.~~ Procedures. Adopt ~~rules and regulations~~ procedures for its guidance, provided the same are consistent with the ordinances of the city and applicable state laws.

(4) Disposal of city property. No real property shall be leased by or disposed of by the city until proposal for the leasing or disposition of the same is submitted to the board for its recommendation, provided, however, the city

commission shall have authority to overrule the disapproval of the board on any such proposal.

(5) Official city map. Draft an official map of the city with the assistance of the director of public works.

(6) Neighborhoods. Make and adopt plans for the improvement and development of neighborhoods.

(7) Public relations. Promote public interest in and understanding of the master plan and other proposals submitted by the board.

(8) Budget. Submit annually to the city manager, not less than ninety (90) days prior to the beginning of the budget year, a list of recommended capital improvements which the board considers necessary or desirable to be constructed during the next ensuing three-year period and establish a priority of such recommended improvements for such period of time.

(9) Recommend public buildings and lands. Recommend the erection and use of a building or the use of premises in any zoning district when found to be necessary for the public health, convenience, safety or welfare for the following purposes: A public utility; any municipal purpose; community center; cemetery; golf course; educational, philanthropic, charitable or religious use; public or private school (except child nurseries and kindergartens); public or private parks or playgrounds.

(10) Voting. All recommendations from the planning board, for either approval or disapproval of any measure, petition, plan, program or proposal of any nature, shall be by a majority of the members serving on said board. Such recommendations from the board shall be in writing and shall indicate thereon the names of the members of the board present at the meeting where the recommendations were made and the disposition of the votes of the members of the board, which writing can consist of a copy of the minutes of said board's meeting. If the board is unable to arrive at or make any recommendation hereunder then such inaction shall also be reported in writing in the same manner above prescribed.

(11) Annexation. Review applications for voluntary annexation to city and make recommendation to city commission.

SECTION 2. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

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

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

APPROVED AS TO FORM & CORRECTNESS:

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James M. Messer, Esq., City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No.17-024 was duly advertised by title only in the St. Lucie News Tribune on July 28, 2017; 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 August 7, 2017; and was duly introduced, read by title only, and passed on second and final reading August 21, 2017 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 17th day of August, 2017.

_____
Linda Hudson,
Mayor Commissioner

ATTEST:

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Linda W. Cox,
City Clerk

(City Seal)