

CITY OF FORT PIERCE

CONFERENCE AGENDA

Conference Agenda Meeting - Monday, June 10, 2019 - 9:00 a.m.

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

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **New Business**
 - a. Legislative Update - Nicole Fogarty, Legislative Affairs Director
 - b. Quarterly Report / Smart Neighborhood Initiative Presentation from FPUA Director, John Tompeck.
 - c. Discussion regarding the formalization of Parks Advisory Committee and Parking Committee
 - d. Discussion on Parking Policies for City Hall Parking Garage
 - e. Discussion of City Charter Officer responsibilities and procedures for complaints against Charter Officers and City Commissioners at the request of Commissioner Perona.
 - f. City Manager Annual Performance Evaluation
 - g. City Attorney Performance Evaluation
 - h. City Clerk Annual Performance Evaluation
5. **City Commission Boards and Committees Updates**
6. **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.
7. **Adjournment**

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) 467-3065 at least 48 hours prior to the meeting.

City Commission Conference Agenda

4.a.

Meeting Date: 06/10/2019

Re:

SUBJECT:

Legislative Update - Nicole Fogarty, Legislative Affairs Director

Attachments

Presentation

Form Review

Form Started By: Linda Cox
Final Approval Date: 05/15/2019

Started On: 05/15/2019 02:28 PM



Legislative Wrap - Up Session 2019

June 10, 2019
Nicole Fogarty
Legislative Affairs Director

2019 Summary

- Regular session March 5th – May 3rd
 - (extended to May 4th)
- Bills
 - 3,571 bills filed
 - Over 1,500 were filed appropriation projects
 - 196 passed
 - About 350 tracked for possible impact on local governments
 - 32 of those passed which had a direct or indirect impact

BUDGET

Health & Human Services

- ✓ Ardie R. Copas Veterans Nursing Home \$7,032,819
- ✓ New Horizons of the Treasure Coast \$1,393,482
 - ✓ New Horizons CAT Services \$750,000
- ✓ Mental Health & Substance Abuse Local Grants \$9,000,000
- ✓ Healthy Start \$41,172,757

Economic Development

- ✓ Florida Seaport Infrastructure \$122.7 million
- ✓ Florida Seaport Transportation and Economic Development (FSTED) \$25 million
 - ✓ \$200,000 Port Master Plan
 - ✓ \$626,354 Port rehab on South Dock
- ✓ Florida DOT Work Plan to SLC \$70.5 million
 - ✓ \$2.8 million TCIA Runway Microsurfacing
 - ✓ \$2 million TCIA Airfield Signage & Lighting
 - ✓ \$409,500 TCIA Runway Extension Environmental
 - ✓ \$467,257 City of Fort Pierce Traffic Signal on US 1
- ✓ Visit Florida \$50 million
- ✓ Florida Job Growth Grant \$40 million
- ✓ Enterprise Florida \$16 million

Economic Development

- ✓ Affordable Housing, Housing Finance Corp (HFC) \$39 million
- ✓ State Housing Initiative Partnership (SHIP) \$46.5 million
- ✓ Affordable Housing for Hurricane Michael Recovery \$105 million
- ✓ Indian River State College PECO \$4.1 million
- ✓ Economic Development Tools \$24.6 million

Agriculture & Natural Resources

- ✓ Taylor Creek Muck Removal
\$585,210
- ✓ Comprehensive Everglades Restoration Plan
\$195.5 million
- ✓ Beach Restoration & Inlet Management
\$50 million
 - ✓ \$1,685,000 Fort Pierce Shore Protection
 - ✓ \$3,399,719 South St. Lucie County Beach
 - ✓ \$74,146 Post Monitoring
- ✓ Northern Everglades & Estuary Protection
\$32 million

Agriculture & Natural Resources

- ✓ EAA Reservoir (Senate Bill 10) \$107 million
- ✓ Treasure Coast Food Bank \$700,000
- ✓ Blue Green Algae Task Force \$10.8 million
- ✓ \$25 million for Water Quality Improvements
 - Chief Science Office will be responsible in deciding what this is to be used for
- ✓ \$25 million for TMDL innovation projects
- ✓ Water Quality Improvements – Everglades Restoration
 - CERP projects which will achieve greatest reductions in discharges
- ✓ ORCA Kilroys \$250,000
- ✓ Indian River Lagoon National Estuary Program \$250,000
- ✓ UF/IFAS Invasive Plant Research \$540,000

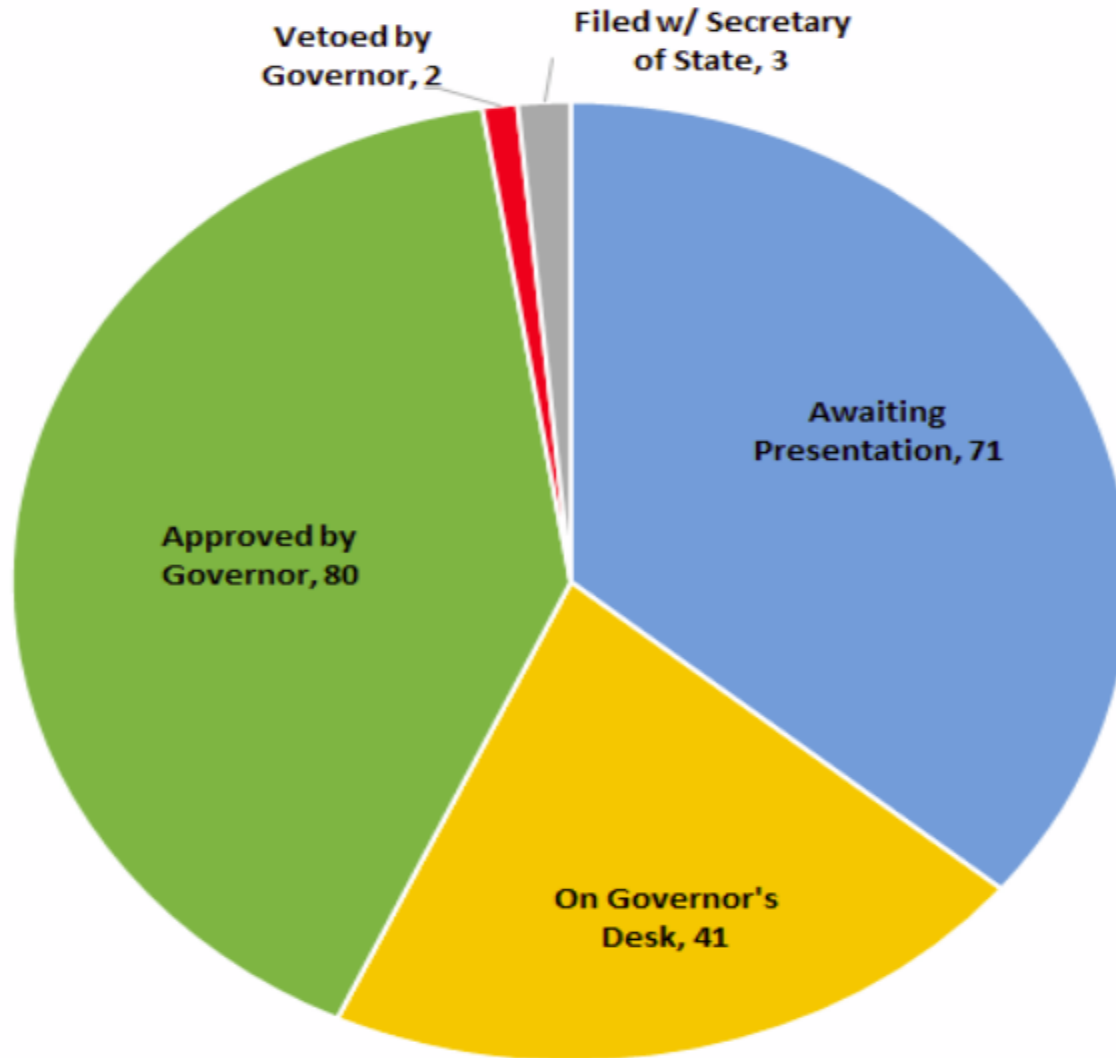
St. Lucie County Total

\$94,227,259

Directly and Indirectly to St. Lucie County

**Legislation to be
presented to or approved
by the Governor**

Status of 2019 Enrolled Bills



HB 7123 - Tax Reduction Plan

- Sales Tax Holiday:
 - 7 day Disaster Preparedness Holiday
 - May 31 – June 6
 - 5 day Back to School
 - August 2 – August 6
- Sales tax rate on the rental of commercial property from 5.7 percent to 5.5 percent.
- Regarding exemption from documentary stamps, removes the 1-year limitation of transfers of homestead property between spouses.
- Increases from 9 percent to 18 percent the reduction to a traffic fine.

HB 7123 - Tax Reduction Plan

- The bill excludes from the definition of a “pass-through provider,” a person who does not remit communications services tax, but who sells communications services to another person who does collect the tax.
 - The result is that these excluded entities are not subject to a county’s or municipality’s fees for the use of a right-of-way.
- Requires revenues from school district voted discretionary milleages to be shared with charter schools.
 - Only applies to referendums held after July 1, 2019.

HB 7030 – School Safety

- Implements the recommendations from the Marjory Stoneman Douglas Commission
 - Sheriff must, at a minimum, provide access to a guardian program
 - Removes prohibition of full time teachers from becoming a guardian
 - Delineates the four safe-school officers options
 - School Resource Officer
 - School Safety Officer
 - School Guardian
 - School Security Guard

HB 7030 – School Safety

- Adds second degree felony for impersonating a school guardian or school security officer
- Mental Health Assistance Allocation
 - Created to train educators and other school personnel in detecting and responding to mental health issues
 - Connect children and families with appropriate services
- Specifies charter schools are not exempt from the requirements of this legislation

HB 325 – Coastal Management

- Revises and updates the criteria FDEP is to use for ranking beach and inlet projects

Beach Management Ranking Points ²⁷		
Statutory Criteria	Number of Component Criteria	Available Points
Significance	6	20
Local Sponsor Financial and Administrative Commitment	6	10
Previous State Commitment	4	10
Availability of Federal Funds	3	10
Recreational and Economic Benefit	1	10
Severity of Erosion	1	10
Mitigation of Inlet Effects	1	10
Threat to Upland Structures	1	10
Project Performance	2	10
Innovative Technologies	2	5
Regionalization	1	5
Enhance Refuges of Nesting Sea Turtles	1	5

HB 325 – Coastal Management

Proposed New Ranking

- Tier One 20%: tourism-related return on investment and the economic impact of the beach project.
- Tier Two 45%: Requires FDEP to weigh the following criteria equally:
 - Federal funding
 - Storm damage reduction:
 - Current condition of the project
 - Overall potential threat to existing upland development
 - Value of upland property benefiting from the protection
 - Cost effectiveness of the project

HB 325 – Coastal Management

Proposed New Ranking

- Tier Three 20%: Requires FDEP to weigh the following criteria equally:
 - Previous state commitment
 - Recreational benefit
 - Extent the project mitigates impacts of inlets on adjacent beach
 - Degree the project addresses most significant erosion problems
- Tier Four 15%: Requires FDEP to weigh the following criteria equally:
 - Prioritization on this projects not previously funded
 - Environmental habitat enhancement
 - Overall readiness of the project

HB 447 – Building Permits

- Establishes a number of processes and related procedures for property owners and local governments to close open and expired building permits.
- Prohibits carrying forward an amount greater than its average cost for enforcing the Florida Building Code for the previous four fiscal years;
- Requires a local government to use any excess code enforcement funds to rebate or reduce code enforcement fees; and
- Prohibits a local government from charging surcharges or similar fees not directly related to enforcing the Florida Building Code.

****Not yet approved by Governor****

HB 127 – Permit Fees

- Requires local government to post its building permit and inspection fee schedules on its website.
- Requires that by December 31, 2020, the governing body will post a newly required building permit and inspection utilization report.
 - The report will include costs incurred and revenues derived from the enforcement of the Florida Building Code.

****Not yet approved by Governor****

HB 7103 – Community Development

- Requires a local government to review an application for completeness and notify the applicant within 30 days.
- If deficiencies are identified, the applicant has 30 days to submit the required additional information.
- Within 120 days after an application is deemed complete, or 180 days for applications that require a quasi-judicial hearing or public hearing, a local government must approve, approve with conditions, or deny the application.

HB 7103 – Community Development

- Prohibits local governments from requiring the payment of impact fees prior to a building permit.
- Requires an impact fee to be proportional and have a reasonable connection, or rational nexus to the expenditure.
- Prohibits impact fees to be used to pay debt or previously approved projects, unless a reasonable connection, or rational nexus and requires the earmark of the fee.
- Clarifies that water and sewer connection fees are not governed as impact fees.

HB 7103 – Community Development

- Requiring a local government to credit against an impact fee any contributions related to public educational facilities.
- Providing that if a local government increases its impact fee rates, the holder of any impact fee credits in existence prior to the increase is entitled to the full benefit of the intensity or density, prospectively
- Authorizing a local government to waive impact fees for the development or construction of affordable housing.

Not yet approved by Governor

HB 861 – Financial Reporting

- Requires counties and municipalities to post their annual budgets to their respective websites for at least two years and tentative budgets to their websites for at least 45 days.
- Information to report to EDR includes:
 - government spending and debt per resident,
 - median income within the county or municipality,
 - average local government employee salary,
 - percentage of budget spent on employee salaries and benefits,
 - and the number of taxing districts within the local government's jurisdiction.
- Annual reporting of information must begin on October 15, 2019.

HB 829 – Attorney Fees and Costs

- Authorizes an award of attorney fees and costs in challenges on preemption cases.
 - Only the prevailing party is entitled
 - Only for those challenges on or after July 1, 2019
- Section 2 allows for local governments to continue to enforce or extend their ordinances (adopted before February 1, 2019) relating to the land application of Class B biosolids until it is repealed or FDEP establishes their rules.

****Not yet approved by Governor****

HB 5 – Ballot Measures

- Creates additional requirements and procedures relating to the constitutional amendment initiative process and paid petition signature gatherers.
- Mandates that all referenda to adopt or amend a local discretionary sales surtax be held at a general election.
- Establishes additional requirements and time frames with respect to the statutorily-required performance audit for proposed discretionary sales surtaxes.
 - Disqualifies referenda results for failure to comply with some of the new requirements.

SB 1000 – Communication Services

- Prohibiting a municipality or county from imposing permit fees for the use of public rights-of-way by communications services providers if it had not levied permit fees as of January 1, 2019
 - While allowing a municipality or county that was imposing permit fees as of that date to continue to do so or to elect to no longer impose permit fees.
- Prohibiting a local government from, “either expressly or de facto, a moratorium or other mechanism that would prohibit or delay” permits for collocation
- Deleting the authority for a local government to require performance bonds and security funds

SB 1000 – Communication Services

- Prohibiting a local government from requiring a permit applicant to provide inventories, maps, or locations of communication facilities in the rights-of-way, unless it is necessary to avoid interference with existing facilities
- Allowing a local government to require, annually, a notarized statement from a pass-through provider identifying information on the provider's pass-through facilities

****Not yet approved by Governor****

SB 82 – Vegetable Gardens

- Prohibits a local governments from regulating vegetable gardens on residential properties.
- Any local ordinance or regulation regarding vegetable gardens on residential properties is void.
- Provides an exception for local ordinances or regulations of a general nature, such as water use during drought conditions, fertilizer use, or control of invasive species.
- Defines the term “vegetable garden” as a plot of ground where herbs, fruits, flowers, or vegetables are cultivated for human consumption.

HB 107 – Texting While Driving

- Changes current enforcement of the ban on texting while driving from a secondary offense to a primary offense
- Creates a new section of statute titled “school and work zones; prohibition on the use of a wireless communications device in a handheld manner.”
 - Ban on the use of a wireless communications device in a handheld manner while in a designated school crossing, school zone, or active work zone area as a primary offense punishable as a moving violation.

HB 7021 – Ethics and Elections

- The bill requires electronic submission of CE Form 6 beginning January 1, 2022, and CE Form 1 beginning January 1, 2023.

****Not yet approved by Governor****

HB 9 – CRA's

- Requiring the commissioners of a CRA to undergo four hours of ethics training annually;
- Requiring a CRA to use the same procurement and purchasing processes as the county or municipality that created it;
- Expanding the annual reporting requirements for CRAs to include audit information and performance data
- Providing that beginning October 1, 2019, moneys in the CRA redevelopment trust fund may only be expended pursuant to an annual budget adopted by the board of commissioners for the CRA
 - Requiring a CRA created by a municipality to provide its proposed budget, and any amendments to the budget, to the board of county commissioners for the county in which the CRA is located 10 days after the adoption of such budget

Not yet approved by Governor

HB 9 – CRA's

- Requiring a county or municipality that created a CRA to include the CRA's audit report with its submission of the county or municipality's annual financial report to the Department of Financial Services.
- The bill provides for the termination of existing CRAs at the earlier of the expiration date stated in the agency's charter or on September 30, 2039.
 - However, the governing board of a creating local government entity may prevent the termination of a CRA by a majority vote.
 - The bill does not provide a deadline by which such vote must occur.

Not yet approved by Governor

SB 7068 - Transportation

- President Galvano's priority, creates a new major transportation corridor on the west coast of Florida.
- Provided \$10 million more dollars to the Transportation Disadvantaged trust fund
 - To award competitive grants to CTC's and TNC's (Uber or Lyft) to provide on-demand services to those individuals who qualify for TD funds.

Watchdog List

2020 Session

- Fees to Taxes
- Requirement for legislative approval and referendum for increase of millage or any tax.
- Preemption of local business regulation and occupations
- Local Government Fiscal Transparency
- Single Subject Requirements for Amendments
- Comprehensive Water Quality



3 months till next Session!

Questions?

City Commission Conference Agenda

4.b.

Meeting Date: 06/10/2019

Re: Quarterly Report / Smart Neighborhood Initiative Presentation

Submitted For: Nick Mimms, City Manager, City Manager

SUBJECT:

Quarterly Report / Smart Neighborhood Initiative Presentation from FPUA Director, John Tompeck.

Attachments

Memo
Presentation

Form Review

Inbox

City Manager

Form Started By: Kaitlyn Ballard

Final Approval Date: 06/03/2019

Reviewed By

Nick Mimms


Date

06/03/2019 02:48 PM

Started On: 04/25/2019 04:10 PM

MEMORANDUM

TO: Linda Cox, City Clerk

FROM: John K. Tompeck, P.E. 
FPUA Director of Utilities

DATE: June 3, 2019

SUBJECT: City Conference Agenda for June 10, 2019
Update on FPUA Projects to the City Commission

Attached is a copy of my presentation to the City Commission for the June 10th City Conference Agenda. Rather than give a detailed overview of FPUA activities (too long!), I have concentrated on a few specific projects. Let me know if you have any questions.

Attachment: PowerPoint Presentation



FPUA
COMMUNITY PROUD

**Update on FPUA Issues
City Conference Agenda
June 10, 2019**

Discussion Topics

- Water/Wastewater Bulk Service Agreement Amendment
- Lincoln Park Broadband Initiative
- City Connectivity and Security Project
- Weatherization Education Outreach Program (WEOP)
- Electric Rate Restructuring



Bulk Service Agreement Amendment Background

- Original agreement was signed in 2004 which established service boundaries, rates, capital improvement charges and other miscellaneous provisions
- Initial term was for 30 years (2034)
- County terminated the agreement effective April 2028 by giving 15 years notice in 2013
- County gave us a 5 year notice in 2005 of their intent to construct additional capacity
- On-going problems with the existing agreement resulted in discussion and ultimately this amendment to the agreement

Amendment Provisions

- Water Quality and Delivery Parameters at Bulk Meters
 - 2.0 ppm chlorine residual
 - 55 psi
- Rate Adjustments
 - Water increased from \$3.66 to \$4.71 per thousand gallons
 - Wastewater decreased from \$6.55 to \$5.09 per thousand gallons
 - Future rate adjustments tied to FPUA retail rate
 - Comprehensive rate study every 5 years

Amendment Provisions (Cont'd)

- Capacity Charges
 - Baseline established
 - Tied to actual consumption
 - Annual true-up on October 1st
 - Capital Improvement Charges will be half the County's CICs
 - \$1886.50 for water
 - \$1663.50 for wastewater
- Joint Wastewater Plant Relocation Feasibility Study
 - Not to exceed cost of \$200K equally shared by County and FPUA
 - Study performed by PRMG with outside engineering consultant



Summary of Amended Interlocal Agreement

- Approved by FPUA Board on April 16th
- Approved by the County on May 21st
- Amendment effective June 1, 2019
- WRF relocation study being scheduled

- Practical Implications of the new agreement
 - Increase in water revenue of ~\$500K/year
 - Decrease in wastewater revenue of ~\$90K/year
 - Residential customers will not be subsidizing bulk customers
 - Will lessen need for additional water rate increases
 - Established foundation for future conversation on joint activities



Lincoln Park Broadband Initiative

- FPUA is partnering with the City, County and Allegany Franciscan Ministries in this effort to revitalize Lincoln Park.
- This project is part of the Common Good Initiative, launched in 2014 by Allegany Franciscan Ministries, which is designed to mobilize communities towards better health and wellness through community engagement, a long-term commitment of resources, and increased collaboration of residents and stakeholders.
- FPUA will be using “smart city” technology. A Smart city is a municipality that uses information and communication technologies to increase operational efficiency, share information with the public and improve both the quality of government services and citizen welfare.



Lincoln Park Broadband Initiative

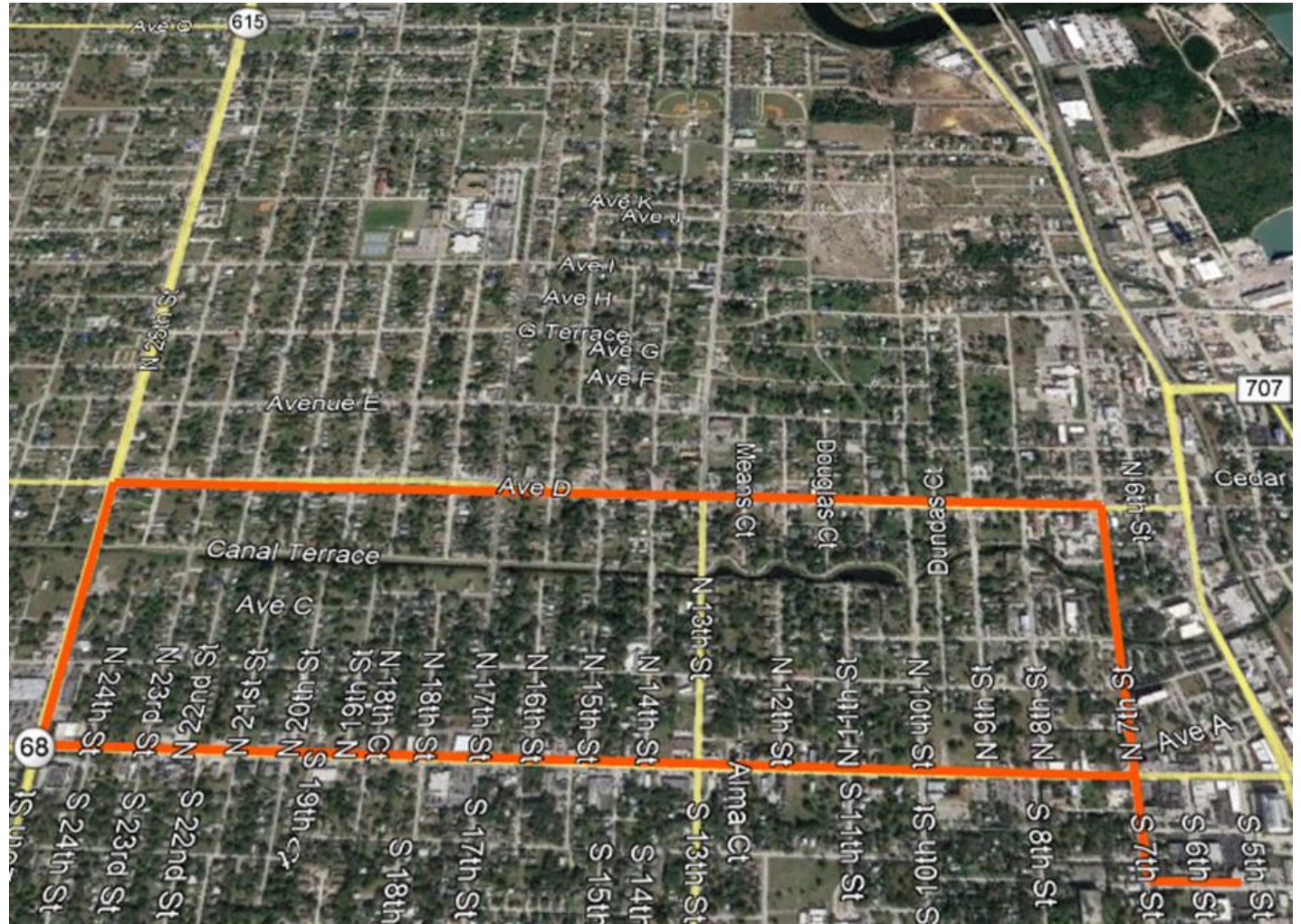
- This initiative will result in attracting new business, creating jobs and increasing employment.
- Meshes well with our strategic planning long term goal of making Fort Pierce a “Smart City” and expanding FPUAnet.
- 3 year project for full implementation
- Costs-\$1,250,000
 - FPUA-\$600,000
 - AFM-\$400,000
 - Fort Pierce-\$200,000
 - St Lucie County-\$50,000

Lincoln Park Broadband Initiative

Lincoln Park borders Avenue Q, US 1, Orange Ave and 25th Street.

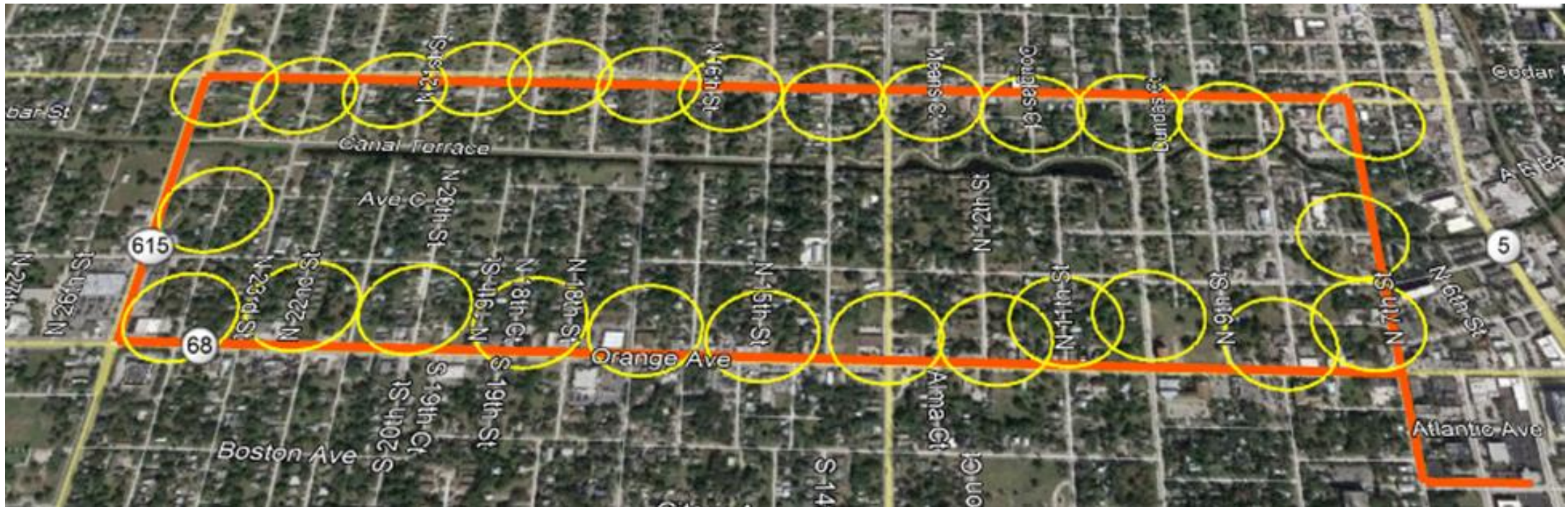
FPUA proposes a project scope of the area bordered by Avenue D, 7th Street, Orange Ave and 25th Street as shown in orange considered the “Business Corridor”.

Providing fiber optic cable in this area makes it “business ready” simplifying connectivity to new occupants. Features such as wireless and security sensors are being considered.



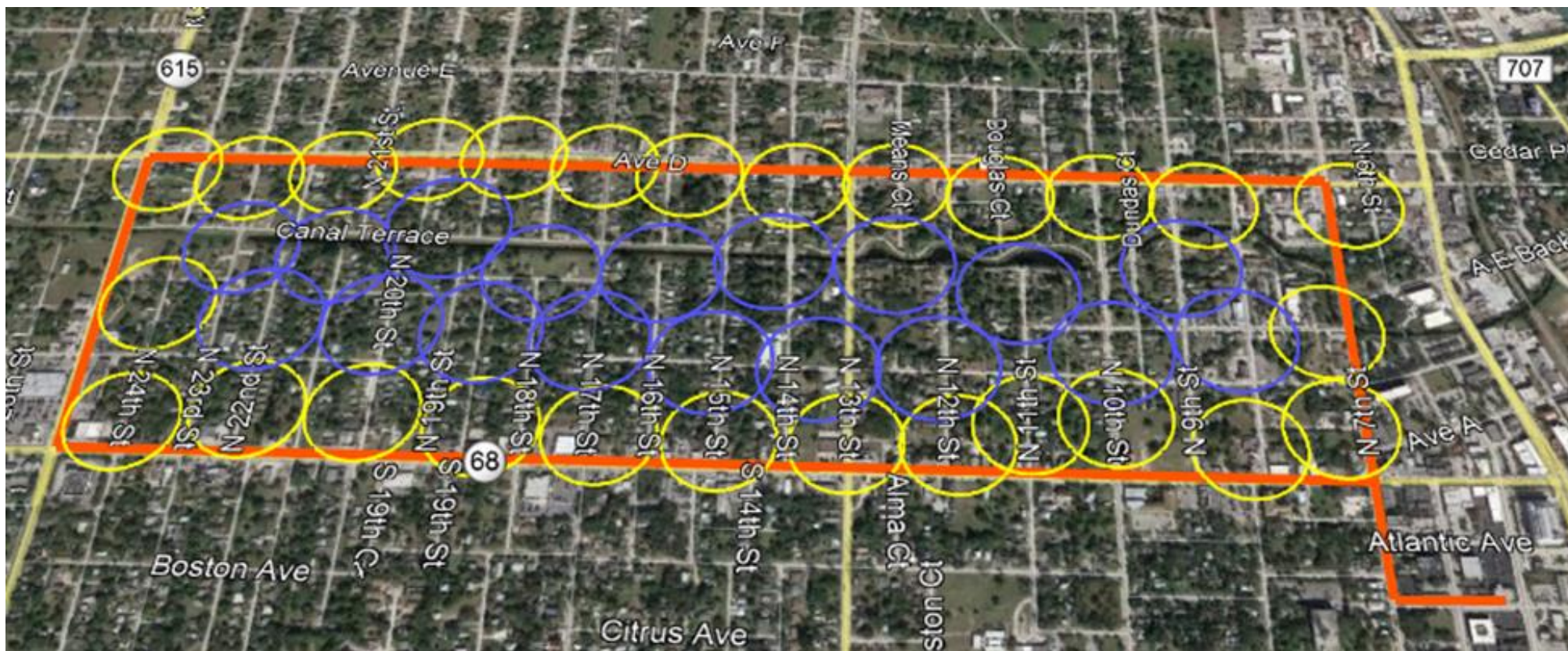
Phase 2 Business Corridor Wireless

To help speed time and value, FPUA proposes a low capacity wireless network or WiFi with internet access points indicated below with yellow circles. The fiber loop provides internet connectivity to these access point devices. Users can then connect to WiFi within these circles.



Phase 3 Residential Wireless

Filling in this area with additional residential WiFi access points indicated below in blue.



Lincoln Park Broadband Initiative-Next Steps

- Memorandum of Understanding in final stages of review. Needs to be approved by all parties prior to starting work.
- Preliminary engineering study underway-will be finalized after approval of MOU
- Need to hold stakeholder meetings to determine demographics of existing business and residential use as well as future forecasts of what the area will look like in years to come.



City Connectivity and Security Project

- Strategic Plan goal is to expand FPUA's fiber and wireless network
- Specific to this project, goal is to enhance City connectivity needs with high speed access and greater reliability
- Working with the FPPD, enhancing their headquarters connectivity with positive results in greater access speed to information
- FPUA will continue to partner with FPPD to further enhance connectivity and security
- Initial funding-\$220,000-approved by the FPUA board on May 21st.
- Implementation expected to be complete by January



KRA-FPUA Image-Weatherization Education Outreach Program (WEOP)

- Program initiated in 2013-Funded by FPUA and the City
- Funding has steadily increased from original \$75K/yr to current level of \$145K-future plans are to continue to increase funding
- Working with Centro Campisano Farmworker Center and SELF for work beyond our scope
- Extremely successful “grass roots” program that is lowering the cost of utilities to the people who need the help most

WEOP Services

- Funding Per Home \$5,000
- Services provided:
 - New water heater electric or gas \$1,900
 - Electric/plumbing code violation(s)
 - Exterior Doors: \$1,031
 - Door \$297
 - Plus Knob \$25
 - Labor \$600
 - Permit \$110
 - Window Panes Replacement
 - Sealing Window/Doors & Removal of security and screened doors
 - Insulation Upgrades \$600
 - No insulation for flat roofs

WEOP-Additional Services

- HVAC Tune Up
- Programmable Thermostat
- Electrical Work
 - Code Violations, exterior LED lighting
- Plumbing Repairs
- LED Bulbs 8
- Low Flow Shower Heads
- Faucet Aerators

WEOP Stats 2013-Present

Fiscal Year	FPUA Funding	City Funding	FPUA money spent	City Funding spent	Homes Completed	Avg \$/home
2014	\$55,000	\$13,331	\$14,033	\$13,331	9	\$3,040
2015	\$55,000	\$0	\$49,552	\$0	17	\$2,914
2016	\$55,000	\$20,000	\$35,771	\$20,000	22	\$2,535
2017	\$55,000	\$20,000	\$52,821	\$20,000	16	\$4,551
2018	\$100,000	\$20,000	\$91,718	\$20,000	24	\$4,654
2019	\$125,000	\$20,000	\$32,323	\$20,000	13	see note
	2019 is partial year to date					
Totals	\$445,000	\$93,331	\$276,218	\$93,331	101	

Electric Rate Restructuring

- Majority of costs for electric service are fixed costs
- Rates are currently structured based on variable costs
- Current rate resolution has no solar tariffs or solar subscription plan
- Current rate structure does not effectively capture fixed transmission and distribution costs for future solar or net metering customers

Electric Rate Restructuring

- Restructuring rate study by PRMG with assistance from FMPPA
- Final product:
 - Higher customer charge
 - Lower variable usage charge
 - Solar tariff
 - Solar subscription rates
- The customer will see higher bills in the winter and lower bills in the summer
- Reviewing for rate reduction

City Commission Conference Agenda

4.c.

Meeting Date: 06/10/2019

Re:

SUBJECT:

Discussion regarding the formalization of Parks Advisory Committee and Parking Committee

Attachments

Memo

2019 Parks Advisory Committee Sign in Sheets

2019 Parking Committee Sign in Sheets

Form Review

Form Started By: Linda Cox
Final Approval Date: 05/17/2019

Started On: 05/17/2019 02:10 PM



TO : Mayor and City Commission

FROM : Linda W. Cox, City Clerk 

RE : Formalization of Parks Committee and Parking Committee

DATE : June 10, 2019

The Parks Advisory Committee (PAC) was established by City Commission consensus during discussions on 8-4-08 and 8-18-08 where the Commission sought to develop policies and proposals for allowing vendors in City parks and parking issues related thereto. It was suggested that the Committee consist of 10 members (each Commissioner nominates two members); there were no terms established and they were to serve as necessary. The Committee discontinued meeting for a time upon the finalization of Ordinance No. L-246 - Parks, Recreation, & Special Events which was passed on February 21, 2012. On September 10, 2012, at a City Manager Conference Agenda meeting, the City Commission reconstituted the PAC to evaluate the creation of a Dog Park and discussion on mobile or street vendors. Since that time, the PAC has been given many assignments by the Mayor and Commission.

While I have been able to locate several references to the Parking Committee, I have been unable to locate any information on how the committee was formed.

In an effort to insure proper transparency and to adhere to all necessary state law, it is my recommendation that both of these committees be formalized, that members be formally appointed and that the committees follow the same rules and procedures as all other city committees.

City of Fort Pierce Parks Advisory Committee

January 8, 2019
Sign in Sheet

Members	Signature
Charlene Adair	<i>Charlene Adair</i>
Annette Brown	
Joe Hayek	
Patty Reconco	<i>Patty Reconco</i>
John Smith	<i>John Smith</i>
Martha Wright	
<i>John Schramm</i>	<i>John Schramm</i>

Staff Present: *Peggy Amuz* *MLS*

Guests: _____

City of Fort Pierce Parks Advisory Committee

February 12, 2019
Sign in Sheet

Members	Signature
Charlene Adair	Charlene Adair
Joe Hayek	
Patty Reconco	Patty Reconco
John Smith	John Smith
Martha Wright	Martha Wright

Staff Present: JMS

Guests: _____

City of Fort Pierce Parks Advisory Committee

March 12, 2019
Sign in Sheet

Members	Signature
Charlene Adair	Charlene Adair
Joe Hayek	
Patty Reconco	
John Smith	
Martha Wright	Martha Wright

Staff Present: MSD

Guests: John Schramm, FPPD

Peggy Arriz, Code

City of Fort Pierce Parks Advisory Committee

April 9, 2019
Sign in Sheet

Members	Signature
Charlene Adair	<i>Charlene Adair</i>
Joe Hayek	
Patty Reconco	<i>Patty Reconco</i>
John Smith	
Martha Wright	<i>Martha Wright</i>

Staff Present: *MS*

Guests: _____

City of Fort Pierce Parks Advisory Committee

May 14, 2019
Sign in Sheet

Members	Signature
Charlene Adair	<i>Charlene Adair</i>
Joe Hayek	<i>[Signature]</i>
Patty Reconco	<i>[Signature]</i>
John Smith	
Martha Wright	<i>Martha Wright</i>

Staff Present: *MING REALS*

Guests: _____

Parking Committee 3/13/19

Tom Brown

Brandon Creagan

Mike Rees

Jack Andrews

Peggy Arrauz

Jonathan Osorio

Robert Middle

Dan Cushman

Dean Kubitschek

Richard Ross

~~Pat~~

Kathryn Ballard

Mike Adams

City Commission Conference Agenda

4.d.

Meeting Date: 06/10/2019

Re: Discussion on Parking Policies for City Hall Parking Garage

Submitted For: Nick Mimms, City Manager, City Manager

SUBJECT:

Discussion on Parking Policies for City Hall Parking Garage

Form Review

Form Started By: Kaitlyn Ballard

Started On: 05/03/2019 02:12 PM

Final Approval Date: 05/29/2019

City Commission Conference Agenda

4.e.

Meeting Date: 06/10/2019

Re: City Charter Officer Responsibilities

Submitted For: Nick Mimms, City Manager, City Manager

SUBJECT:

Discussion of City Charter Officer responsibilities and procedures for complaints against Charter Officers and City Commissioners at the request of Commissioner Perona.

Attachments

Proposed Complaint Form

City Charter Article IV. - City Manager

City Charter Article V. Sec. 44. - City Clerk

City Charter Article V. Sec. 45. - City Attorney

Form Review

Inbox

City Manager

City Manager

Form Started By: Jennifer Robinson

Final Approval Date: 06/03/2019

Reviewed By

Nick Mimms

Nick Mimms

Date

06/03/2019 02:48 PM

06/03/2019 02:48 PM

Started On: 05/13/2019 09:24 AM

Date: _____

To: Mayor and City Commission

Re: Formal Complaint against City Attorney, City Clerk or City Manager (circle one)

Person Bringing Complaint:

Name: _____

Address: _____

Phone Number: _____

Email (optional): _____

Person Against Whom Complaint is Brought:

Name: _____

Address: _____

Phone Number: _____

Title or Position: _____

Statement of Facts:

Attached as separate document, please provide a full explanation of your complaint, describing the facts and the actions of the person named above. Include relevant dates and the names and addresses of persons whom you believe may be witnesses.

Oath:

I, the person bringing this complaint, do swear or affirm that the facts set forth in the foregoing complaint and attachments thereto are true and correct to the best of my knowledge and belief.

Signature of Complainant

STATE OF FLORIDA, COUNTY OF ST. LUCIE

The foregoing instrument was sworn to (or affirmed) and subscribed before me this this ____ day of _____, 20__ by _____.
(name of person making statement)

Signature of Notary Public –State of Florida

Personally Known ___ OR Produced Identification _____ (Type of Identification Produced: _____)

ARTICLE IV. - CITY MANAGER

Sec. 39. - Appointment of city manager.

The commission shall appoint a city manager for an indefinite term and fix his compensation. He shall be chosen solely on the basis of his executive and administrative qualifications and need not be a resident of the city or state at the time of his appointment. No commissioner shall receive such appointment during the term for which he shall have been elected, nor within one year after the expiration of his term.

Editor's note— First city manager of city authorized by Laws of Fla., 1921, Ch. 8951.

Sec. 40. - Removal of city manager.

The city manager may be removed by the city commission at any time with or without cause.

Sec. 41. - Absence, disability, or suspension of city manager.

To perform his duties during his temporary absence or disability, the city manager may, with the approval of the commission, designate by letter filed with the city clerk a qualified administrative officer of the city. If the city manager fails to make such designation or if there is a vacancy in the office of city manager, the commission may designate by resolution a qualified person, or an employee of the city to perform the duties of city manager during his absence or disability or during said vacancy.

Sec. 42. - Powers and duties of city manager.

The city manager shall be the chief executive and administrative head of the municipal government and shall be responsible to the commission for the proper administration of all affairs of the city. He shall exercise general supervision and control over all city departments, except the office of city clerk, city attorney and city auditor. His powers and duties shall be:

- (a) To see that the laws and ordinances are enforced;
- (b) To supervise the operation of the merit system and to uphold and enforce the principles of merit and fitness in all personal actions affecting city officials and employees coming within his jurisdiction;
- (c) To appoint and, when necessary for the good of the service, to transfer, demote, remove or suspend all officers and employees of the city except as otherwise provided by this charter and except as he may authorize the head of a department or office to appoint, or suspend subordinates in such department or office;
- (d) To fix the number of employees in the city departments, determine their duties and conduct a comprehensive program of in-service training for city officials and employees

- to help them develop their talents and skills and increase their proficiency;
- (e) To prepare the annual budget and submit it to the commission not later than August 15 of each fiscal year and to be responsible for its execution after adoption by the commission;
 - (f) To keep the commission fully informed of the financial condition and future needs of the city and to make such recommendations as he may find desirable;
 - (g) To prepare and submit to the commission as of the end of the fiscal year a complete report on the finances and administrative activities of the city for the preceding year;
 - (h) To attend all meetings of the commission with the right to take part in the discussion but without a vote;
 - (i) To appoint[,] with the approval of the city commission, a finance director for the city, who shall be under the supervision and direction of the city manager;
 - (j) To perform such other duties as may be prescribed by this charter or required of him by the commission, not inconsistent with this charter.

(Laws of Fla., Ch. 65-1552, § 6; Laws of Fla., Ch. 71-643, § 7)

Amendment note— Ch. 65-1552, § 6, amended § 42 by deleting the authority to delegate the authority to remove subordinates by the head of a department. Ch. 71-643, § 7, amended § 42(e) by changing the date when the annual budget is to be prepared and submitted.

Sec. 44. - City clerk.

The city commission shall appoint a city clerk for an indeterminate term and fix his compensation. His powers and duties shall be:

- (a) To attend all meetings of the commission, in person or by deputy clerk, and keep permanent minutes of its proceedings, which shall be approved and engrossed in a well-bound book and signed by the mayor and attested by the clerk or deputy clerk at the next regular meeting.
- (b) To be the custodian of the city seal, all ordinances and resolutions and all records and papers of a general or permanent character pertaining to the affairs of the city.
- (c) [Repealed by Laws of Fla., Ch. 69-1065.]
- (d) [Reserved.]
- (e) To preserve, file and index all contracts to which the city is a party, which file and record shall be open to the inspection of all interested persons at all reasonable times.
- (f) To perform such other duties as may be prescribed by this charter or required of him by the commission.
- (g) To collect all occupational and dog license fees.

(Laws of Fla., Ch. 65-1556, § 3; Laws of Fla., Ch. 67-1391, §§ 8, 9; Laws of Fla., Ch. 69-1065, § 5)

Amendment note— Ch. 65-1556, § 3, amended § 44 by adding subparagraph (f). Ch. 67-1391, § 8 amended § 44(a) by inserting the phrase "in person or by deputy clerk" and by permitting attestation also by the deputy clerk. Sec. 9, Ch. 67-1391, amended said § 44 by adding subsection (g).

Sec. 45. - City attorney.

- (a) The city commission shall appoint a city attorney for an indefinite term and fix his compensation. He shall be a practicing attorney who is a member in good standing of the Florida Bar who shall act as the legal advisor to, and counselor for, the city and all of its officers in matters relating to their official duties, and shall attend all meetings of the city commission, unless excused by the commission. He shall prepare all contracts, bonds and other instruments in writing in which the city is concerned, and shall endorse on each his approval of the form and correctness thereof, and no contract with the city shall take effect until his approval is so endorsed thereon. The city attorney, subject to the approval of the state's [state] attorney, may be assigned the duties of a special prosecuting attorney in county court at the will of the city commission. If the city attorney shall engage in private practice with the consent of the city commission, he shall, under no circumstances, accept retainerships, temporary or permanent, from the State of Florida or any of its component agencies, the County of St. Lucie, the district school board of St. Lucie County, or any other municipality or special taxing districts situate wholly within the boundaries of St. Lucie County.
- (b) The foregoing language in this section shall never be construed to require the city attorney to endorse his approval of the form and correctness on bonds and revenue certificates issued by the city.
- (c) When required to do so by the city manager or the city commission, he shall prosecute and defend[,] for and in behalf of the city, all complaints, suits and controversies in which the city is a party. He shall furnish the city commission, the city manager, the head of any department, or an officer or board not included in any department, his opinion on any question of law relating to their respective powers and duties.

(Laws of Fla., Ch. 65-1552, § 8; Laws of Fla., Ch. 71-643, § 8; Ord. No. G-356, § 4, 8-1-77)

Amendment note— Ch. 65-1552, § 8, amended § 45 by adding the provision for assignment of the city attorney to duties as city prosecutor and by adding the last sentence regarding private practice. Ch. 71-643, § 8, amended § 45(a) by adding the words "and shall attend all meetings of the city commission, unless excused by the commission" following the word "duties," and by changing "Board of Public Instruction" to read "district school board."

City Commission Conference Agenda

4.f.

Meeting Date: 06/10/2019

Re:

SUBJECT:

City Manager Annual Performance Evaluation

Form Review

Form Started By: Linda Cox
Final Approval Date: 05/03/2019

Started On: 05/03/2019 09:29 AM

City Commission Conference Agenda

4.g.

Meeting Date: 06/10/2019

Re:

SUBJECT:

City Attorney Performance Evaluation

Attachments

Memo

Form Review

Form Started By: Linda Cox
Final Approval Date: 05/03/2019

Started On: 05/03/2019 09:30 AM



To: Honorable Mayor and Members of the City Commission

From: Peter J. Sweeney, City Attorney

Subject: Performance Evaluation

Date: June 10, 2019

I started as the City Attorney for the City of Fort Pierce on January 7, 2019. When I started, the Interim City Attorney Ben “Buck” Bryan was leaving on the same day, allowing for virtually no carryover of knowledge. Further, there was an open position at the Assistant City Attorney position. I was charged with immediately evaluating the dynamic of the City Attorney’s Office, as well as understanding the needs (both short-term and long-term) of the City at large, the individual Departments and the interior workings of this Charter Office. As part of that process, I have undertaken the following within the first six months of my contractual employment:

- Within the first two weeks of starting employment, I personally met with every Department Head or Manager to discuss the specific needs and objectives for each of them, in order to focus assets and availability to meet the various needs, both for short-term and long-term goals, of each Department.
- Hiring of a new Assistant City Attorney, Tanya Earley. Ms. Earley is a veteran trial attorney, with more than a decade of experience as an Assistant State Attorney in both Miami-Dade and Osceola counties. She will primarily be assigned to work on matters related to the Police Department, Code Enforcement and the Building Department, with support roles to other departments as necessary.
- Revised and simplified processing and tracking of Request for Legal Services (“RLS”). As a result, this Office has processed nearly 140 RLS in the first five months of my tenure. For comparison, the City Attorney’s Office processed 175 RLS in all of 2018.
- Working in conjunction with various departments, we have successfully and comprehensively updated more than nine different chapters to the City’s Code of Ordinances. This is the beginning of a long-time desire of the City Commission to comprehensively review and overhaul (as appropriate) the entire Code of Ordinances of the City of Fort Pierce.

I believe I have fostered an environment in the City Attorney’s Office that is professional, efficient, dedicated and readily available to provide top-notch legal counsel and advice to the City Commission, the Charter Officers and the Department Heads, as necessary. I expect to continue to develop and modernize the City Attorney’s Office by continuing to meet several future goals, including:



THE SUNRISE CITY

FORT PIERCE

CITY ATTORNEY'S OFFICE

Florida

- Continued legal development of in-house staff, by attending and participating in Continuing Legal Education seminars and conferences.
- Achieving and maintaining standards of professional excellence, such as Board Certifications, National accreditation acknowledgement and peer-reviewed State recognition.
- Continued efficiency gains in processing of Requests for Legal Services, while never sacrificing “speed for accuracy”, as there is no tolerance for incompetent legal advice or counsel.
- Outreach educational efforts regarding fundamental municipal government legal issues, such the Public Records Act, the Sunshine Law and the Florida Ethics Code, by providing training and teaching to team members of the City of Fort Pierce, be it at the City Commission level or Department level (always as appropriate).

Thank you again for your faith and trust in me to be your City Attorney. I look forward to continuing in this position and serving you and this great City, and I am most appreciative of your feedback, comments and suggestions.

City Commission Conference Agenda

4.h.

Meeting Date: 06/10/2019

Re:

SUBJECT:

City Clerk Annual Performance Evaluation

Attachments

Memo

Form Review

Form Started By: Linda Cox
Final Approval Date: 05/03/2019

Started On: 05/03/2019 09:30 AM



THE SUNRISE CITY
FORT PIERCE
CITY CLERK'S OFFICE
Florida

TO : Mayor and Commissioners

FROM : Linda W. Cox, City Clerk

RE : Performance Evaluation

DATE : June 10, 2019

The Office of the City Clerk continues to work diligently to timely process business tax receipts, contractor licensing, public record requests and items related to the city commission agendas while providing professional staff support to the Mayor and Commissioners. We have made great progress scanning current and historical documents into our OptiView system in preparation for a public record access portal. Additionally, I am pleased to report that many departments are undergoing successful records destruction programs where they are scanning documents into our OptiView system which eases the burden of maintaining paper files and making locating records much more efficient.

I just completed my first semester at Florida Gulf Coast University where I am working toward my graduate certificate in Local Government Management. This is a certificate program within the Master of Public Administration graduate program. This certificate requires 18 credit hours which is 6 courses; I anticipate being complete by June, 2020.

Ms. Miriam Garcia is entering her second year toward her Certified Municipal Clerk designation and has maintained her Florida Business Tax Official certification. We are pleased to welcome Maura Stokes and Kara DePasquale to our office and are happy for Noemi Rios who moved to Risk Management and Jucelyne Serrano who is now with Public Works.

The following goals remain a high priority for our office; however the implementation is dependent on factors outside of our control. We continue to work with the other city departments to insure that these goals are met.

1. Expansion of "Click to Gov" or comparable program for online renewal, application, verification and payment of business tax receipts.
2. All ordinances, resolutions and minutes searchable on-line through public portal dating back to 1901.
3. On-line, searchable public access to active business tax receipts and contractor licensing.

Our office continues to evaluate our performance and look for ways in which we can improve efficiency, adhere to best practices and meet the goals and objectives established by the City Commission.